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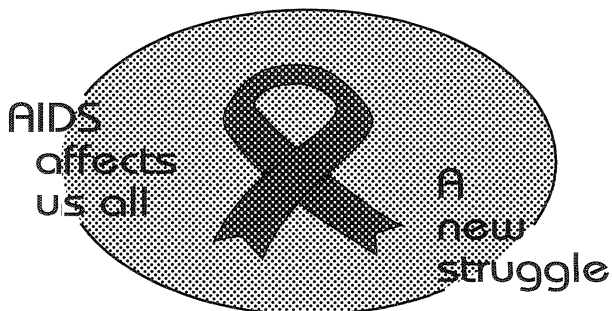
Vol. 7

PIETERMARITZBURG,

16 APRIL 2013
16 kuMBASA 2013

No. 928

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MUNICIPAL NOTICE—MUNISIPALE KENNISGEWING—ISAZISO SIKAMASIPALA

No. 27**16 April 2013****KEEPING OF ANIMALS BY-LAW**

Be it enacted by the Council of the Endumeni Municipality, in terms of Section 156 of the Republic of South Africa Act No. 108 of 1996, read with section 11 of the Local Government: Municipal Systems Act No. 32 of 2000, as follows:

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CHAPTER 1**DEFINITIONS****1. Definitions**

In these by-laws, unless the context indicates otherwise –

“**authorised officer**” means an authorised officer appointed under section 32

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

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

“**cattery**” means premises in or upon which –

- (a) boarding facilities for cats are provided; or
- (b) cats are bred for commercial purposes;

“**council**” shall mean the council of the Endumeni Municipality

“**enclosure**” in relation to animals, 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;

“**keeper**” means –

- (a) in relation to any animal, the owner of the animal or any other person responsible for feeding and caring for the animal; and
- (b) in relation to a battery system, cattery, kennels, pet parlour or pet shop means the person who owns the business which it forms part of or the person in charge of the premises in which the animals are kept;

“**kennels**” means premises in or upon which –

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

“**livestock**” means horses, cattle, sheep, goats, pigs, mules, donkeys and poultry;

“**Municipality**” shall mean the Endumeni Municipality;

“**pet**” means a tame animal kept in a household for companionship or amusement;

“**pet parlour**” means any premises where beauty treatment is given to pets by washing, drying, brushing, clipping, trimming or by attending to their nails or teeth;

“**pet shop**” means any premises where the business of keeping and selling pets is carried out;

“**poultry**” means fowls, ducks, muscovy ducks, geese, turkeys, pigeons, peacocks and domestic guinea-fowls;

“**poultry house**” means any 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;

“**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;

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

“**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.

CHAPTER 2

GENERAL PROVISIONS RELATING TO THE KEEPING OF ANIMALS

2. Application of by-laws

These by-laws, with the exception of section 26, 27 and 29, do not apply to -

- (1) any agricultural show where animals are kept on a temporary basis; or
- (2) any laboratory where animals are lawfully kept for research purposes.

CHAPTER 3

KEEPING OF CATTLE, HORSES, MULES AND DONKEYS

3. Requirements for premises

- (1) No person may keep any cattle, horses, mules or donkeys in a stable that does not comply with the following requirements:
 - (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 meters;
 - (ii) if the roof is a flat roof be 2,7 meters;
 - (iii) if the roof is a lean to roof be a mean height of 3 meters with a minimum of 2,4 meters 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 meters;
 - (d) the stable must have a floor area of at least 9m² for each head of cattle, horse, mule or donkey accommodated in it;
 - (e) lighting and ventilation must be provided by openings or glazed opening windows or louvers totaling at least 0,3m² for each animal
 - (f) the lowest point of every opening, window or louvers must be at least 1,8 meters above floor level;
 - (g) 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;
 - (h) no stable may be situated within -
 - (i) 15 meters of the boundary of any land, property, dwelling or other structure used for human habitation; or
 - (ii) 50 meters of any water resource or water supply intended or used for human consumption;
 - (iii) there must be a water supply adequate for drinking and cleaning purposes next to every stable.

4. Duties of keepers of cattle, horses, mules and donkeys

Any person who keeps any cattle, horse, mule or donkey must –

- (1) 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;
- (2) provide portable manure storage receptacles of an impervious material and with close fitting lids;
- (3) keep every manure storage receptacle on a platform constructed of concrete or other durable and impervious material near the stable;
- (4) if there is so much manure and bedding that storage receptacles are impractical, provide a manure heap complying with the following requirements:
 - (a) the heap must be enclosed by three walls constructed of brick, concrete or other durable material plastered to a smooth finish; and
 - (b) 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 150 mm in diameter and is kept filled with water;
- (5) remove all the manure from the stable at least once every 24 hours and place it in the manure storage receptacles or heap until it is removed from the premises;
- (6) remove the contents of the manure storage receptacles or heap from the premises at least once every second day and dispose of the manure in a way which will not create a public health nuisance;

- (7) remove all bedding from the stable at least once a week and store it in the manure receptacles or heap until it is removed from the premises; and
- (8) store all feed in a rodent-proof storeroom and all loose feed in rodent-proof receptacles with close fitting lids.

CHAPTER 4 KEEPING OF GOATS AND SHEEP

5. Requirements for premises

- (1) No person may keep sheep or goats in a stable that does not comply with the following requirements-
 - (a) a minimum overall floor area must be 30m²;
 - (b) at least 1,5 m² of floor space must be provided for every goat or sheep accommodated in it;
 - (c) every wall must be constructed of brick, stone, concrete or other durable material;
 - (d) every wall must be at least 2 meters in height and have a smooth internal finish;
 - (e) the floor must be constructed of concrete or other durable and impervious material brought to a smooth finish and graded to a channel;
 - (f) 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 6m²; and
 - (g) lighting and ventilation openings totalling at least 0,15m² per goat or sheep must be provided.
- (2) No person may keep sheep or goats in a stable within –
 - (a) 15 meters of any boundary of any land, dwelling, building or other structure used for human habitation; or
 - (b) 50 meters of any water resource 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 stable used to accommodate sheep or goats.

6. Duties of keeper of goats and sheep

Any person who keeps goats or sheep must -

- (1) 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;
- (2) provide portable manure storage receptacles of an impervious material and with close fitting lids;
- (3) keep every manure storage receptacle on a platform that enables the surface underneath the receptacle to be cleaned;
- (4) remove all manure from the stable, building or shed at least once every seven days and place it in the manure storage receptacles;
- (5) 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
- (6) store all feed in a rodent-proof storeroom and all loose feed in rodent-proof receptacles with close fitting lids in the storeroom.

CHAPTER 5 KEEPING OF POULTRY

7. Application

The provisions of sections 9 (5) to (7) inclusive and 10(5), do not apply to the persons keeping ten or less poultry birds.

8. Permit requirements for poultry

No person may keep more than 10 poultry birds on an erf in a proclaimed township or 100 poultry birds on premises zoned for agriculture except in terms of a permit issued by the Council.

9. Requirements for premises

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

- (1) In relation to a poultry house –
 - (a) every wall must be constructed of brick, stone, concrete or other impervious material brought to a smooth internal surface;
 - (b) the floor must be constructed of concrete or other impervious material brought to a smooth finish;
 - (c) the upper floor of a two or more storey structure must be constructed of an impervious and easily cleanable material;

- (d) the minimum floor area must be –
 - (i) 0,20 m² for each grown fowl, duck, muscovy duck or guinea fowl;
 - (ii) 0,5 m² for each grown goose, turkey, peacock; and
 - (iii) 0, 14 m² for each grown pigeon;
- (e) the minimum aggregate floor area must be 4m²;
- (2) in relation to a poultry run, the run must be enclosed with wire mesh or other durable material;
- (3) in relation to buildings or structure housing a battery system -
 - (a) every wall, if provided, must be at least 2,4m high, must be constructed of concrete, stone, brick or other impervious material and must have a smooth internal surface;
 - (b) if walls are provided, the building must be ventilated and lighted by means of mechanical ventilation and artificial lighting 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;
 - (c) the floor must be constructed of concrete or other impervious material brought to a smooth finish and if required by an authorised officer, the floor surface must be graded and drained by means of a channel;
 - (d) 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;
 - (e) the cages of the battery system must be made of an impervious material; and
 - (f) if required by an authorised officer, a tray of an impervious material must be fitted under every cage for the collection of manure;
- (4) a water supply adequate for drinking and cleaning must be provided in or next to every poultry hutch or building or structure housing a battery system;
- (5) no poultry house, poultry run, or building or structure housing a battery system may be constructed within 3 meters of -
 - (a) any dwelling, other building or structure used for human habitation;
 - (b) any place where foodstuffs are stored or prepared for human consumption; or
 - (c) the nearest boundary of any land;
- (6) feed must be stored in an adequate rodent-proof storeroom;
- (7) adequate washing facilities must be provided for the cleaning of the cages;
- (8) if required by an authorized officer due to the amount of manure stored on the premises awaiting removal, a storage area complying with the following requirements must be provided:
 - (a) a roofed platform constructed of concrete or other impervious material;
 - (b) the platform's outside edges must have a minimum curb of 100 mm high;
 - (c) the platform must be graded and drained; and
 - (d) the roof of the platform must extend a minimum of 1 metre beyond the edges of the base of the platform.

10. Duties of keeper of poultry

Any person who keeps poultry must -

- (1) ensure that all poultry is kept within the poultry house, poultry run or building or structure housing a battery system;
- (2) 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;
- (3) maintain the premises free from offensive odours and every poultry house, poultry run or building or structure housing a battery system and all cages clean and free from pests;
- (4) ensure that the poultry do not disturb or hinder the comfort, convenience, peace or quiet of the public;
- (5) provide portable manure storage receptacles of an impervious material and with close fitting lids and keep the manure storage receptacles on a platform;
- (6) 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;
- (7) place the manure and other waste matter in manure storage receptacles;
- (8) 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

- (9) take adequate measures to keep the premises free of flies, cockroaches and rodents to prevent offensive odours arising from the keeping of poultry on the premises.

**CHAPTER 6
KEEPING OF RABBITS**

11. Application

The provisions of sections 13 (5) to (7) inclusive and 14(4) , do not apply to persons keeping ten or less rabbits.

12. Permit requirements for rabbits

No person may keep more than 5 adult rabbits on an erf in a proclaimed township or 20 adult rabbits on premises zoned for agriculture except in terms of a permit issued by the council.

13. Requirements for the premises

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

- (1) in relation to a rabbit hutch -
 - (a) every wall must be constructed of brick, stone, concrete or other impervious material and must have a smooth internal surface;
 - (b) the floor surface must be -
 - (i) constructed of concrete or other impervious material brought to a smooth finish;
 - (ii) situated at least 150 mm above ground level; and
 - (iii) graded to a channel, if required by an authorised officer;
 - (c) adequate ventilation must be provided;
- (2) 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;
- (3) in relation to a building or structure housing a battery system -
 - (a) any wall must -
 - (i) be a minimum of least 2,4 meters high;
 - (ii) be constructed of concrete, stone, brick or other durable material;
 - (iii) must have a smooth internal surface;
 - (b) if walls are provided, the building must be ventilated and lighted by means of natural openings or windows of an area equal to not less than 15% of the floor area of the building;
 - (c) the floor must be constructed of concrete or other impervious material brought to a smooth finish, and if required by an authorised officer, the floor surface must be graded to a channel;
 - (d) 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 outside edges; and
 - (e) every cage must be constructed of an impervious material and fitted with trays of an impervious material for the reception of manure;
- (4) a water supply adequate for drinking and cleaning purposes must be provided in or next to every rabbit hutch or building or structure housing a battery system;
- (5) no person may erect a rabbit hutch, rabbit run or building or structure housing a battery system within five meters of -
 - (a) any dwelling, building or other structure used for human habitation;
 - (b) any place where foodstuffs are stored or prepared for human consumption; or
 - (c) nearest boundary of any land;
- (6) an adequate rodent-proof storeroom must be provided for the storage of feed; and
- (7) adequate washing facilities must be provided for the cleaning of the cages.

14. Duties of keeper of rabbits

Any person who keeps rabbits must -

- (1) keep all rabbits within the rabbit hutch, rabbit run or building or structure housing a battery system;
- (2) maintain the premises and any equipment, apparatus, container or receptacles used in connection with keeping rabbits, in a clean, sanitary condition and in good repair;
- (3) maintain the premises free from offensive odours and every rabbit hutch, rabbit run building or structure housing a battery system and all cages clean and free from pests;

- (4) provide portable manure storage receptacles of an impervious material with close-fitting lids; and every receptacle shall be kept on a platform;
- (5) 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;
- (6) keep the manure and waste in manure storage receptacles until it is removed from the premises; and
- (7) 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 a public health nuisance.

CHAPTER 7

KEEPING OF BIRDS OTHER THAN POULTRY

15. Requirements for the premises

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

- (1) the aviary must be constructed of durable rodent-proof materials;
- (2) adequate access must be provided for cleaning purposes;
- (3) 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;
- (4) the aviary may not be situated within three meters of any building or structure, boundary fence or boundary wall; and
- (5) a water supply adequate for drinking and cleaning purposes must be situated in or next to every aviary.

16. Duties of keeper of an aviary

Any person who keep birds in an aviary must -

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

CHAPTER 8

DOG KENNELS AND CATTERIES

17. Requirements for the premises

No person may use premises as kennels or a cattery unless the premises comply with the following requirements:

- (1) every dog or cat must be kept in an enclosure that complies with the following requirements:
 - (a) the enclosure must be constructed of impervious materials and must provide adequate access for cleaning purposes;
 - (b) 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 Council's sewer by means of a pipe 100 mm in diameter; and
 - (c) a curb 150 mm high must be provided along the edge of the channel, referred to in subsection (b), to prevent any storm water runoff entering the channel;
- (2) subject to subsection (4), every enclosure referred to in subsection (a), must be situated in a roofed shelter that complies with the following requirements:
 - (a) every wall must be made of brick, stone, concrete or other impervious material;
 - (b) the internal surface of every wall must have a smooth internal surface;
 - (c) the floor must be made of concrete or other impervious material brought to a smooth finish; and
- (3) every shelter must have adequate access for cleaning and eliminating pests;
- (4) a dog kennel that complies with the following requirements may be provided instead of the shelter contemplated in subsection (2):
 - (a) the kennel must be constructed of moulded asbestos or other similar material;
 - (b) the kennel must be movable;
 - (c) the kennel must be placed on a base constructed of concrete or other impervious material with an easily cleanable finish; and
 - (d) a sleeping board, which will enable the dog to keep dry, must be provided in any kennel that does not have a waterproof base;

- (5) a concrete apron extending at least one metre wide around the edges of the enclosure must be provided;
- (6) the apron must be graded and drained in a way that drains storm water away from the enclosure;
- (7) a potable water supply, adequate for drinking and cleaning purposes, must be provided in or adjacent to the enclosure;
- (8) any cages in which cats are kept must be constructed of durable impervious material and in a manner that they may be easily cleaned;
- (9) any shelter, enclosure or kennel may not be situated within five meters of any –
 - (a) dwelling or other building or structure used for human habitation;
 - (b) place where food is stored and prepared for human consumption; or
 - (c) the boundary of the premises.

18. Food preparation area

Any keeper of kennels or a cattery who is instructed by an authorised officer to provide a food preparation area, must provide a separate room or roofed area for the preparation of food that complies with the following requirements:

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

19. Duties of a keeper kennels or catteries

Any person operating a kennel or cattery must –

- (1) 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;
- (2) provide portable storage receptacles, of an impervious material with close fitting lids, for the storage of dog and cat faeces;
- (3) 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 subsection (2);
- (4) 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;
- (5) store all loose food in receptacles, with close fitting lids, in the food store;
- (6) provide adequate refrigeration facilities to store perishable foods on the premises;
- (7) provide adequate separate refuse receptacles, with close fitting lids, on the premises for refuse other than faeces;
- (8) keep any sick dog or cat isolated from any other animals; and
- (9) maintain the premises free from offensive odours and every enclosure, shelter, kennel, cage or food store clean and free from pests.

CHAPTER 9

PET SHOPS AND PET PARLOURS

20. Requirements for premises

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

- (1) all walls, including any partition, must –
 - (a) be constructed of brick, concrete or other impervious material;
 - (b) have a smooth and easily cleanable internal surface; and
 - (c) be painted with a washable paint or other adequate finish;
- (2) all floor surfaces must be constructed of concrete or other impervious material brought to a smooth finish;
- (3) all ceilings must be dust proof and easily cleanable;

- (4) 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;
- (5) the wash hand basins, referred to in subsection (4), must be drained;
- (6) adequate storage facilities must be provided;
- (7) facilities for the washing of cages, trays and other equipment must be provided in the form of either –
 - (a) a curbed and roofed over platform with a minimum surface area of 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
 - (b) a stainless steel sink or trough of adequate size with a drainage board and provided with a supply of running potable water;
- (8) the platform, sink or trough referred to in subsection (7) must be drained;
- (9) any wall surface within 0,5 meters of the platform, sink or trough referred to in subsection (7), must be permanently covered with waterproof material to a minimum height of 1,4 meters above the floor;
- (10) a clearly designated changeroom must be provided if more than six persons are employed on the premises and every change room must –
 - (a) have a floor area providing at least 0,5 m² for each employee;
 - (b) have a minimum overall floor area of 6m² and width of two meters; and
 - (c) be equipped with an adequate metal locker for each employee;
- (11) where no changeroom is required in terms of subsection (10), each employee must be provided with an adequate metal locker;
- (12) for the purposes of washing, clipping or grooming of pets –
 - (a) a bathroom fitted with a bath, or similar fitting, and a wash hand basin supplied with running potable water must be provided;
 - (b) 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;
 - (c) at least 50 % of the floor area of the rooms referred to in subsections (a) and _____(b) must be unobstructed; and
 - (d) the floors of the rooms referred to in subsections (a) and (b) must be graded to a drainage channel;
- (13) all buildings, including storage areas, must be rodent-proof; and
- (14) the premises may not have direct internal access with any room or place-
 - (a) used for human habitation;
 - (b) where clothing is stored or sold; or
 - (c) where food is prepared, stored or sold for human consumption.

21. Duties of pet shop or pet parlour keeper

Any keeper of a pet shop or pet parlour must –

- (1) provide cages for housing the pets complying with the following requirements:
 - (a) the cages must be constructed of metal or other impervious material and fitted with a removable metal floor-tray to facilitate cleaning;
 - (b) the exterior cavity of any tubular or hollow material used to construct a cage must be sealed;
 - (c) the cages must be able to be moved easily;
 - (d) where rabbits are kept in a cage, the metal floor-tray referred to in subsection (a), must be drained to a removable receptacle;
 - (e) the cages must be fitted with a drinking vessel filled with water;
 - (f) the distance from any cage to the nearest wall must be a minimum of 150 mm;
 - (g) the cages must be kept a minimum of 450 mm above floor level; and
 - (h) the space below every cage must be unobstructed;
- (2) provide rodent-proof receptacles, of an impervious material and with close fitting lids, for the storage of all loose pet food in the store room;

- (3) provide adequate refrigeration facilities to store all perishable pet food on the premises;
- (4) ensure that in any room in which the pets are kept –
 - (a) 50 % of the floor space is unobstructed; and
 - (b) the cages are placed a minimum of 800 mm from one another;
- (5) maintain the premises and every cage, tray, container, receptacle, basket and all apparatus, equipment or appliances used in connection with the pet shop, in a clean and sanitary condition, free from pests and in good repair;
- (6) provide overalls or other protective clothing for employees and ensure that the employees wear them when on duty;
- (7) provide isolation facilities in which every pet which is, or appears to be, sick must be kept while on the premises;
- (8) provide an adequate supply of potable water for drinking and cleaning purposes;
- (9) provide adequate ventilation to ensure the comfort and survival of the pets; and
- (10) ensure that the number of pets contained in each cage does not impede their free movement.

CHAPTER 10

KEEPING OF WILD ANIMALS

22. Requirements for the premises

No person may keep wild animals on premises that do not comply with the following requirements:

- (1) all wild animals must be kept in enclosures constructed and equipped as follows –
 - (a) the enclosure must satisfy the needs of the specific animal as specified by the relevant nature conservation authorities;
 - (b) the enclosure may not be situated within 50 meters of –
 - (i) any boundary of the premises;
 - (ii) any dwelling, building or structure used for human habitation;
 - (iii) any dwelling, building or structure where food is stored, handled or prepared for human consumption; or
 - (iv) any water resource intended for domestic consumption;
 - (c) an adequate supply of potable water for drinking and cleaning purposes must be provided; and
 - (d) the enclosure must be graded and drained in a way that does not pollute any water resource or create a public health nuisance;
- (2) a separate room, equipped with a preparation table and wash-up sink, supplied with running potable water and adequately drained must be provided for the preparation of food;
- (3) adequate facilities must be provided for washing any cages, trays, crates, refuse receptacles and food containers in the form of either–
 - (a) a curbed platform constructed of concrete or other impervious material brought to a smooth finish; or
 - (b) a stainless steel sink or trough adequate in size to accommodate the equipment to be washed;
- (4) both facilities referred to in subsection (3) must be provided with a supply of running potable water and must be drained; and
- (5) all areas and rooms in which fodder and food are stored must be rodent-proof.

23. Duties of keeper of wild animals

Any person that keeps wild animals must –

- (1) maintain the premises in a clean and sanitary condition at all times;
- (2) clean all manure and food scraps from any enclosure at adequate intervals; and
- (3) prevent the soil beneath or around any enclosure from becoming saturated with urine.

CHAPTER 11

KEEPING OF PIGS

24. Requirements for premises

No person may keep pigs other than in a pigsty which complies with the following requirements:

- (1) every wall must –
 - (a) be constructed of brick, stone, concrete or other durable material;

- (b) have a minimum height of 1,5 meters; and
- (c) have a smooth, impervious internal surface;
- (2) the floor area must provide at least 3m² for each pig accommodated in the pigsty, with an overall minimum floor area of 6 m²;
- (3) the roof over any portion of a pigsty must have a minimum height of 1,5 meters;
- (4) except in the case of a roofed structure having one of its long sides completely open, the lighting and ventilation openings must –
 - (a) be situated opposite one another in the external walls; and
 - (b) provide a minimum of 0,15 m² for each pig;
- (5) the floor must be –
 - (a) at least 150 mm above the surrounding ground level;
 - (b) constructed of concrete or other durable and impervious material brought to a smooth finish; and
 - (c) graded for the run-off of liquids into an open channel outside the pigsty;
- (6) the open channel referred to in subsection (5)(c) must –
 - (a) be constructed of concrete or other durable and impervious material;
 - (b) be a minimum of 100 mm in diameter; and
 - (c) be adequately drained;
- (7) the pigsty must be strong enough to prevent the pigs breaking out;
- (8) the pigsty may not be situated within 100 meters of –
 - (a) the boundary of the premises;
 - (b) any dwelling, building or structure used for human habitation;
 - (c) any dwelling, building or structure in which food is prepared, stored or sold for human consumption;
 - (d) any water resource intended for domestic consumption;
- (9) a roofed over concrete platform must be provided for –
 - (a) the storage of all swill in containers; and
 - (b) the preparation of pig feed;
- (10) the platform referred to in subsection (9) must comply with the provisions of subsection (5) and in addition, must have a curbing of a minimum height of 100 mm on each edge; and
- (11) a potable water supply, adequate for drinking and cleaning purposes, must be provided in or adjacent to the pigsty.

25. Duties of keeper of pigs

Every person keeping pigs must -

- (1) ensure that every pig is kept within a pigsty;
- (2) maintain the premises and any equipment, apparatus, container or receptacle in a clean and sanitary condition and in good repair;
- (3) provide portable storage receptacles, of impervious material and with close fitting lids, to store manure;
- (4) keep all manure storage receptacle on a platform that complies with section 24(9);
- (5) remove all manure from the pigsty at least once every 24 hours and place it in the manure storage receptacles;
- (6) 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;
- (7) provide a rodent-proof store-room in which all feed, other than swill, must be stored; and
- (8) provide rodent-proof receptacles, with close fitting lids, in which to store all loose feed.

CHAPTER 12 KEEPING OF BEES

26. Requirements for keeping of bees

- (1) No person may keep bees on any premises unless –
 - (a) the person is in possession of a valid permit issued by the council; and
- (2) the bee hive is situated –
 - (a) a minimum of five meters from any boundary of the premises; and
 - (b) a minimum of ten meters from any public place or building used for human habitation;
- (3) the bees are kept in an approved bee hive; and

- (4) the bee hive is –
 - (a) kept in an area inaccessible to children and animals;
 - (b) kept in the shade at all times; and
 - (c) supplied with a source of drinking water within five meters of the hive.
- (5) No person may dump or deposit any garbage, compost, grass cuttings or manure within five meters of any bee hive;

CHAPTER 13 DANGEROUS ANIMALS

27. Dangerous animals

- (1) No person may without a permit issued by the council, keep any wild animal of a species that is dangerous to humans, including without limitation, large carnivores, venomous snakes, spiders or scorpions.
- (2) The permit referred to in subsection (1) may be issued subject to such conditions as may be deemed necessary by the council including without limiting the generality of the foregoing the type of enclosure required to ensure that the animal does not escape from the premises or pose a danger to the residents of, or visitors to, the premises.

CHAPTER 14 MISCELLANEOUS PROVISIONS

28. 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 by-law, must be drained in accordance with provisions of the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977).

29. Keeping of and slaughtering animals for religious and ceremonial purposes

- (1) Any person who keeps an animal prior to slaughtering it for religious or ceremonial purposes, or slaughters an animal for such purposes, must comply with the provisions of these by-laws.
- (2) A person intending to slaughter an animal for religious or ceremonial purposes in any place other than in a recognised abattoir must:
 - (a) notify the Council in writing, fourteen days prior to the event;
 - (b) notify all neighbours in writing, seven days prior to the event;
 - (c) screen the slaughtering process from the public;
 - (d) use the meat derived from the slaughtered animal solely for the purposes of the religious or ceremonial feast;
 - (e) handle the meat in a hygienic manner at all times; and
 - (f) dispose of any portions of the animal that are not used or consumed, in the manner prescribed by the council.

30. Certain animals may not be kept in proclaimed townships

No person may keep any cattle, horses, mules, donkeys, goats, sheep, pigs or wild animals anywhere within the confines of a proclaimed township.

31. Permits

- (1) Whenever it is provided in these by-laws that an animal may not be kept except in terms of a permit issued by the council, the following shall apply:
 - (a) The person desiring to obtain a permit shall apply therefor to the council in writing to the council, and shall pay such application fee as may be prescribed by the council;
 - (b) In addition, such person shall furnish any information which the council may require for purposes of considering such application;
 - (c) the council may in its discretion grant such application and issue such permit, subject to such conditions as it deems fit, or it may refuse such application.
- (2) The council may delegate its powers under paragraphs 31 (1) (a) and (b) of subsection to an authorised official of the municipality.

32. Authorised officers

The municipality may appoint officials of the municipality as authorised officers to enforce and implement by-laws and to perform any acts required or permitted under this by law.

33. Appeals

- (1) A person whose rights are affected by a decision taken by any authorised officer under these by-laws or an official to whom the council has delegated powers in terms of section 32(2), 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 mentioned in subsection (4).

- (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 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.

34. Other laws must be complied with

The compliance by any person with any provision of this by-law shall not exempt such person from compliance with any provision of any other by-law or provincial or national law or regulation made thereunder, and the issuing of any permit to any person in terms of this by-law shall not exempt such person from obtaining any permit required by any other by-law or provincial or national law or regulation made thereunder.

35. Offences

Any person who -

- (a) contravenes or fails to comply with any provisions of these by-laws;
- (b) fails to comply with any lawful instruction given in terms of these by-laws; or
- (c) obstructs or hinders any authorised official in the execution of his or her duties under these by-laws, shall be guilty of an offence, and liable, upon conviction, to a fine as contemplated by the Endumeni Municipality's By-laws relating to Offences, Penalties and Appeals as duly promulgated on 6 September 2011.

36. Regulations

The municipality may make regulations not inconsistent with this by-law, prescribing -

- (a) any matter that may or must be prescribed in terms of this by-law; and
- (b) any matter that may facilitate the application of this by-law.

37 Repeal of by-laws

Any by-laws relating to Keeping of Animals adopted by the municipality or any erstwhile municipal council now comprising an administrative unit of the municipality shall be repealed from the date of promulgation of this by-law.

38. Short title

This by-law is called the Keeping of Animals By-Law, 2012, and takes effect on a date determined by the municipality by proclamation in the Provincial Gazette.

No. 27

16 April 2013

VERORDENING INSAKE DIE AANHOU VAN DIERE

Kragtens artikel 156 van die Grondwet van die Republiek van Suid-Afrika, 1996 (Wet No. 108 van 1996), saamgelees met artikel 11 van die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet No. 32 van 2000), verorden die raad van die Endumeni munisipaliteit soos volg:

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1. Omskrywings

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3. Vereistes vir perseel
4. Pligte van opsigters van beeste, perde, muile en donkies

HOOFSTUK 4**AANHOU VAN BOKKE EN SKAPE**

5. Vereistes vir perseel
6. Pligte van opsigter van bokke en skape

HOOFSTUK 5**AANHOU VAN PLUIMVEE**

7. Toepassing
8. Permitvereistes vir pluimvee
9. Vereistes vir perseel
10. Pligte van opsigter van pluimvee

HOOFSTUK 6**AANHOU VAN KONYNE**

11. Toepassing
12. Permitvereistes vir konyne
13. Vereistes vir die perseel
14. Pligte van opsigter van konyne

HOOFSTUK 7**AANHOU VAN VOËLS UITSLUITEND PLUIMVEE**

15. Vereistes vir die perseel
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HOOFSTUK 8**HONDE- EN KATTEHERBERGE**

17. Vereistes vir die perseel
18. Voedselvoorbereidingsgebied
19. Pligte van 'opsigter van honde- of katteherberge

HOOFSTUK 9**TROETELDIERWINKELSENHONDESALONNE**

20. Vereistes vir perseel
21. Pligte van troeteldierwinkel- of hondesalonopsigter

HOOFSTUK 10**AANHOU VAN WILDE DIERE**

22. Vereistes vir die perseel
23. Pligte van opsigter van wilde diere

**HOOFSTUK 11
AANHOUVAN VARKE**

24. Vereistes vir perseel
25. Pligte van opsigter van varke

**HOOFSTUK 12
AANHOU VAN BYE**

26. Vereistes vir aanhou van bye

**HOOFSTUK 13
GEVAARLIKE DIERE**

27. Gevaarlike diere

**HOOFSTUK 14
DIVERSEBEPALINGS**

28. Dreinerings
29. Aanhou van slag vandie vir godsdienstige en seremonieëdoeleindes
30. Sekerediere mag nie in geproklameerde dorpsgebiede gehou word nie
31. Permitte
32. Gemagtigde beamptes
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34. Ander wettemoet nagekom word
35. Misdrywe
36. Regulasies
37. Herroeping van verordenings
38. Kort titel en inwerkingtreeding

**HOOFSTUK 1
INTERPRETASIE**

1. Omskrywings

In hierdie verordenings, tensy uit die konteks anders blyk, beteken—

“**batterystelsel**” die metode om pluimvee of konyne in hokke aan te hou in hetsy in enkel rye of stapelformasiebinne ’n gebou of struktuur;

“**gemagtigde beampte**” ’n gemagtigde beampte aangestel kragtens artikel 32;

“**hondeherberg**” ’n perseel waarin of waarop —

- (a) losiesfasiliteite vir hondeverskaf word;
- (b) honde gehou word vir die doel om opgelei of uitgehuur te word met of sonder hanteerders; of
- (c) honde vir kommersiële sekuriteitsdoeleindes gehou word;

“**hondesalon**” enige perseel waar skoonheidsbehandeling vir troeteldiere gegee word deur hulle te was, droog te maak, te borsel, te knip, hul hare korter te sny of deur hul naels of tande te versorg;

“**katteherberg**” perseel waarin of waarop —

- (a) losiesfasiliteite vir katteverskaf word; of
- (b) katte vir kommersiële doeleindes geteel word;

“**konynhok**” enige oordektegebou of struktuur waarin konyne gehou word, behalwe een waarin ’n batterystelselbedryf word;

“**konynkamp**” enige onbedekte giesdraad of anderomheinde plek waarin konyne gehou word, hetsy dit aan ’n konynhok verbind is of nie;

“**lewende hawe**” perde, beeste, skape, bokke, varke, muile, donkies en pluimvee;

“**munisipaliteit**” die Endumeni munisipaliteit;

“**omheinde plek**” met betrekking tot diere, enige kraal, kampie, kamp, hok of anderomheinde of afgekapte gebied opgerig om te voorkom dat ’n dierontsnap of vryelik op die res van die perseel rondloop;

“**opsigter**” —

- (a) in verband met enige dier, die eienaar van die dier of enige ander persoon wat verantwoordelik is vir die voer en versorging van die dier; en
- (b) met betrekking tot ’n batterystelsel, katteherberg, hondeherberg, hondesalon of troeteldierwinkel die persoon wat die besigheid besit waarvan dit deel is of die persoon in beheer van die perseel waarin die diere gehou word;

“**pluimvee**” hoenders, eende, makoue, ganse, kalkoene, duiwe, poue en maktarentale;

“**hoenderhuis**” enige oordektegebou of struktuur waarin pluimvee gehou word, buiteneen waarin ’n batterystelselbedryf word;

“**pluimveekampie**” enige onbedekte giesdraad of anderomheinde plek waarin pluimvee gehou word, hetsy

dit aan 'n hoenderhuis verbind is of nie;
 "raad" die raad van die Endumeni munisipaliteit;
 "stal" enige gebou of struktuurwat gebruik word om lewendehawebuitenpluimvee te akkommodeer; en
 "troeteldier" 'n makkierwat in 'n huishouding gehou word vir geselskap of vermaak;
 "troeteldierwinkel" enige perseel waar die besigheid van aanhou en verkoop vantroeteldierebedryf word;
 "voëlhoek" 'n omheinde plekgebruik vir die aanhou van voëls, buitenpluimvee, maar sluit nie 'n draagbare hok in nie; en
 "wilde dier" 'n dierbehorende tot 'n spesie wat nie oor die algemeenmak is nie en sluit sonder beperking alle diereinheems tot Suid-Afrika in behalwemaktarentale.

HOOFSTUK 2

ALGEMENE BEPALINGSINSAKE DIE AANHOU VAN DIERE

2. Toepassing vanverordenings

Hierdie verordenings, met die uitsondering vanartikels 26, 27 en 29, is nie van toepassing nie op –
 (1) enige landbouskou waar diereop 'n tydelike grondslag gehou word; of
 (2) enige laboratorium waar dierewettig gehou word vir navorsingsdoeleindes.

HOOFSTUK 3

AANHOU VAN BEESTE, PERDE, MUILE EN DONKIES

3. Vereistes vir perseel

- (1) Geen persoon magenige beeste, perde, muile of donkies in 'n stalhou wat nie aan die volgende vereistes voldoen nie:
- (a) Elke muur en afskorting van die stal moet vanbaksteen, klip, beton of anderduursame materiaal gebou wees.
 - (b) Dieinternemuooppervlakke van die stal moet van gladdebaksteen of 'nanderduursameoppervlakgebou wees wat gladafgewerk is.
 - (c) Diehoogte van die murena die muurplate van die stal moet –
 - (i) indien die dak'n staandakis, 2,4 meter wees;
 - (ii) indien die dak'n platdakis, 2,7 meter wees;
 - (iii) indien die dak'n afdak is, 'n gemiddeldehoogte van 3 meterwees met 'n minimum van 2,4 meteraan die laagste kant;
 - (iv) in die geval van 'n stal wat'n opening aan die hele lengte van een van sy lang kantehet, nie minder as 2 meter wees nie;
 - (d) Diestal moet 'n vloeroppervlakhê van ten minste 9m² vir elke bees, perd, muil of donkie wat daarin geakkommodeer word;
 - (e) Beligting en ventilasie moet verskaf worddeur openinge of vensters met glas wat kan oopmaak of hortjieswat in totaalten minste 0,3m² vir elke dier verskaf.
 - (f) Die laagste punt van elke opening, venster of hortjies moet ten minste 1,8 meterbovloerhoogte wees.
 - (g) Dievloer van die stal moet van beton of anderduursame en ondeurdringbaremateriaalgebou wees wat glad afgewerk isen afgeskuins is na 'n geut.
 - (h) Geenstalmaggeleë weesbinne –
 - (i) 15 meter van die grens van enige grond, eiendom, woning of anderstruktuurwat vir menslike bewoning gebruik word nie; of
 - (ii) 50 meter van enige waterbron of watervoorraadwat vir menslikeverbruik bedoel is of gebruik word; en
 - (i) Daar moet langs elke stal voldoendewatervoorraad wees vir drink- en skoonmaakdoeleindes.

4. Pligte van opsigters van beeste, perde, muile en donkies

Enige persoon wat enige bees, perd, muil of donkieaanhou, moet –

- (1) die perseel en enige toerusting, apparaat, bak of houerwat gebruik word in verband daarmee om die dier in 'n skoon en sanitêretoestand en in goeie toestandte hou, in stand hou;
- (2) draagbarehouers vir die berg van mis van 'n ondeurdringbaremateriaal en met styfpassense deksels verskaf;
- (3) elkehouer vir die berg van mis op 'n platform naby die stal hou wat van betonofanderduursame en ondeurdringbaremateriaalgebou is;
- (4) indien daar soveelmis en kooigoed is dat opgaarhouersonprakties is, 'n mishoopverskaf wat aan die volgendevereistes voldoen:
 - (a) diehoop moet afgekamp wees deur driemurewat gebou is vanbaksteen, beton of anderduursame materiaalwat glad gepleister is; en
 - (b) dievloer moet van glad afgewerktebeton wees wat skuins loop sodat dit in 'n geutdreineer al langs die volle lengte van die oop kant af, watten minste 150 mm in omtrekis en vol water gehou word;
- (5) allemisuit die stal verwyder ten minsteenmaalelke 24 uur en dit in die houers vir die berg van mis of hoopplaas totdat dit van die perseel verwyder is;
- (6) die inhoud van die houers vir die berg van mis of hoopvan die perseelverwyder ten minsteenmaalelketweede dag en oor die mis beskik op 'n manier wat nie 'n openbare gesondheidsoorlas sal skep nie;
- (7) alle kooigoeduit die stalverwyder ten minsteenmaal 'n week en dit in die mishouers of hoopberg totdat dit van die perseel verwyder is; en

- (8) alle voer in 'n knaagdierbestandestoorkamer en alle losvoer in knaagdierbestandehouers met styfpassende deksels berg.

HOOFSTUK 4 AANHOU VAN BOKKE EN SKAPE

5. Vereistes vir perseel

- (1) Geen persoonmagskape of bokke in 'n stalhou wat nie aan die volgende vereistes voldoen nie:
- (a) Die minimum totalevloeroppervlak moet 30m² wees.
 - (b) 'n Vloerruimte van ten minste 1,5 m² moet verskaf word vir elke bok of skaap wat daarin geakkommodeer word.
 - (c) Elke muur moet gebou wees van baksteen, klip, beton of anderduursame materiaal.
 - (d) Elke muur moet ten minste 2 meter hoog wees en 'n gladdeinterneafwerking hê.
 - (e) Die vloer moet gebou wees van beton of anderduursame en ondeurdringbare materiaal wat glad afgewerk is en afgeskuins is na 'n geut.
 - (f) 'n Vloerruimte van ten minste 1,5 m² moet verskaf word vir elke bok of skaap wat daarin geakkommodeer word met 'n totale minimum vloeroppervlak van 6m².
 - (g) Beligting en ventilasie-openingewat in totaal ten minste 0,15m² per bok of skaap behoort, moet verskaf word.
- (2) Geen persoonmagskape of bokke in 'n stalhou binne –
- (a) 15 meter vanaf enige grens van enige grond, woning, gebou of anderstruktuur wat vir menslike bewoning gebruik word nie; of
 - (b) 50 meter vanaf enige waterbron of watervoorraad wat bedoel is of gebruik word vir menslike verbruik nie.
- (3) Elke persoon moet 'n watervoorraadverskaf wat voldoende is vir drink- en skoonmaakdoeleinde wat geleë is langs of in elke stal wat gebruik word om skape of bokke te akkommodeer.

6. Pligte van opsigter van bokke en skape

Enige persoon wat bokke of skape aanhou, moet –

- (1) die perseel en enige toerusting, apparaat, bak of houer wat gebruik word in verband daarmee om die dier in 'n skoon en sanitêre toestand en in goeie toestand te hou, in stand hou;
- (2) draagbare houers vir die berg van mis van 'n ondeurdringbare materiaal en met styfpassende deksels verskaf;
- (3) elke houer vir die berg van mis op 'n platformhou wat die skoonmaak van die oppervlak onder die houervergemaklik;
- (4) alle mis uit die stal, gebou of skuur verwyder ten minste eenmaal elke sewedae en dit in die houer vir die berg van mis plaas;
- (5) die inhoud van die houer vir die berg van mis van die perseel verwyder ten minste eenmaal elke sewe dae en oor die mis beskik op 'n manier wat nie 'n openbare gesondheidsoorlas skep nie; en
- (6) alle voer in 'n knaagdierbestande stoorkamer berg en alle losvoer in knaagdierbestandehouers met styfpassende deksels in die stoorkamer.

HOOFSTUK 5 AANHOU VAN PLUIMVEE

7. Toepassing

Die bepalinge van artikels 9 (5) tot (7) inklusief en 10(5), is nie van toepassing nie op die persone wat tien of minder pluimveevoëls aanhou nie.

8. Permitvereistes vir pluimvee

Geen persoon mag meer as 10 pluimveevoëls aanhou op 'n erf in 'n geproklameerde dorpsgebied of 100 pluimveevoëls op persele wat gesoneer is vir landbou nie behalwe ingevolge 'n permit wat deur die raad uitgereik is.

9. Vereistes vir perseel

Geen persoon mag pluimvee in persele aanhou wat nie aan die volgende vereistes voldoen nie:

- (1) Met betrekking tot 'n hoenderhuis –
 - (a) moet elke muur gebou wees van baksteen, klip, beton of anderondeurdringbare materiaal afgewerk tot 'n gladdeinterne oppervlak;
 - (b) moet die vloer gebou wees van beton of anderondeurdringbare materiaal wat glad afgewerk is;
 - (c) moet die boonstevloer van 'n twee- of meerverdiepingstruktuur gebou wees van 'n ondeurdringbare materiaal wat maklik skoongemaak kan word;
 - (d) moet die minimum vloeroppervlak –
 - (i) 0,20 m² wees vir elke volgroeide hoender, eend, makou of tarentaal;
 - (ii) 0,5 m² wees vir elke volgroeide gans, kalkoen of pou; en
 - (iii) 0,14 m² wees vir elke volgroeide duif;
 - (e) moet die minimum gesamentlike vloeroppervlak 4m² wees.
- (2) Met betrekking tot 'n pluimveekamp, moet die kampie afgekamp wees met ogiesdraad of anderduursame materiaal.
- (3) Met betrekking tot geboue of strukture wat 'n batterystelsel huisves –
 - (a) moet elke muur, indien verskaf, ten minste 2,4m hoog wees, van beton, klip, baksteen of anderondeurdringbare materiaal gebou wees en 'n gladdeinterne oppervlak hê;
 - (b) moet, indien mure verskaf word, die gebou geventileer wees en verlig word deur middel van meganiese ventilasie en kunsmatige beligting of deur natuurlike ventilasie en lig te verkry deur openinge of vensters wat oopmaak vir 'n gebied van nie minder nie as 15% van die vloeroppervlak van die gebou;

- (c) moet die vloergebou wees van beton of anderondeurdringbare materiaal wat glad afgewerk is en indien vereis deur 'n gemagtigde beampte, moet die vloeroppervlak afgeskuins en deur middel van 'n geut gedreineer word;
- (d) moet, indien geen mureverskaf word nie, of die mure van metaal gemaak is, die vloervorsien word van 'n randwatten minste 150 mm hoog is om die kante daarvan;
- (e) moet die hokke van die batterystelsel gemaak wees van 'n ondeurdringbare materiaal; en
- (f) moet, indien vereis deur 'n gemagtigde beampte, 'n pan van 'n ondeurdringbare materiaal onder elke hokaangebring word vir die opvang van mis;
- (4) 'n Watervoorraad wat voldoende is vir drink- en skoonmaakdoeleindes moet verskaf word in of langs elke pluimveehok of gebou of struktuur wat 'n batterystelsel huisves.
- (5) Geen hoenderhuis, pluimveekampie, of gebou of struktuur wat 'n batterystelsel huisves maggebou wees binne 3 meterne vanaf –
 - (a) enigewoning, ander gebou of struktuur wat vir menslike bewoning gebruik word;
 - (b) enige plek waar eetgoedgeberg of voorberei word vir menslike verbruik; of
 - (c) die naastegrens van enige grond.
- (6) Voer moet in 'n knaagdierbestandestoorkamer geberg word.
- (7) Voldoende wasfasiliteite moet verskaf word vir die skoonmaak van die hokke.
- (8) Indien vereis deur 'n gemagtigde beampte as gevolg van die hoeveelheidsmis wat op die perseel geberg is wat wag om verwyder te word, moet 'n bergplek wat aan die volgende vereistes voldoen, verskaf word:
 - (a) 'n oordekte platform wat van beton of anderondeurdringbare materiaal gebou is;
 - (b) die platform se buitensterande moet 'n minimum rand van 100 mm hoog hê;
 - (c) die platform moet afgeskuins en gedreineer word; en
 - (d) die dak van die platform moet 'n minimum van 1 meter verder uitsteek as die rande van die base van die platform.

10. Pligte van opsigter van pluimvee

Enige persoon wat pluimvee aanhou, moet –

- (1) verseker dat alle pluimvee binne die hoenderhuis, pluimveekampie of gebou of struktuur wat 'n batterystelsel huisves, gehou word;
- (2) die perseel en enige toerusting, apparaat, bak of houer wat gebruik word in verband daarmee om die dier in 'n skoon en sanitêre toestand en in goeie toestand te hou, in stand hou;
- (3) die perseel vry hou van onaangename reukehou en elke hoenderhuis, pluimveekampie of gebou of struktuur wat 'n batterystelsel huisves en alle hokke skoon en plaagvry hou;
- (4) verseker dat die pluimvee nie die gemak, gerief, vrede of rus van die publiek versteur of hinder nie;
- (5) draagbare houers vir die berg van mis van 'n ondeurdringbare materiaal en met styfpassende deksels verskaf en die houers vir die berg van mis op 'n platform hou;
- (6) alle mis en ander afval uit 'n hoenderhuis en pluimveekampie verwyder ten minste eenmaal elke 48 uur en eenmaal elke vier dae uit 'n gebou of struktuur wat 'n batterystelsel huisves;
- (7) die mis en ander afval materiaal in houers vir die berg van mis plaas;
- (8) die inhoud van die houers vir die berg van mis van die perseel verwyder ten minste eenmaal elke sewe dae en oor die mis beskik op 'n manier wat nie 'n openbare gesondheidsoorlas sal skep nie; en
- (9) voldoende maatreëls tref om die perseel vry te hou van vlieë, kakkerlakke en knaagdierete hou ten einde te voorkom dat onaangename reukevoortspruit uit die aanhou van pluimvee op die perseel.

HOOFSTUK 6 AANHOU VAN KONYNE

11. Toepassing

Die bepalinge van artikels 13(5) tot (7) inklusief en 14(4), is nie van toepassing op persone wat tien of minder konyne aanhou nie.

12. Permit vereistes vir konyne

Geen persoon mag meer as vyf volwasse konyne op 'n erf in 'n geproklameerde dorpsgebied of 20 volwasse konyne aanhou op 'n perseel gesoneer vir landbou nie behalwe ingevolge 'n permit wat deur die raad uitgereik is.

13. Vereistes vir die perseel

Geen persoon mag konyne aanhou op 'n perseel wat nie aan die volgende vereistes voldoen nie:

- (1) Met betrekking tot 'n konynhok –
 - (a) moet elke muur gebou wees van baksteen, klip, beton of anderondeurdringbare materiaal en moet 'n gladde interne oppervlak hê;
 - (b) moet die vloeroppervlak –
 - (i) gebou wees van beton of anderondeurdringbare materiaal wat glad afgewerk is;
 - (ii) ten minste 150 mm bo grondvlak geleë wees; en
 - (iii) afgeskuins wees na 'n geut, indien vereis deur 'n gemagtigde beampte;
 - (c) moet voldoende ventilasie verskaf word.
- (2) Enige konynkampie moet afgekamp wees met ogiesdraad of ander duursame materiaal en gebou wees op 'n manier wat voorkom dat konyne uit die kampie ontsnap.
- (3) Met betrekking tot 'n gebou of struktuur wat 'n batterystelsel huisves –
 - (a) moet enige muur –
 - (i) 'n minimum van ten minste 2,4 meter hoog wees;
 - (ii) gebou wees van beton, klip, baksteen of ander duursame materiaal;

- (iii) 'n gladdeinterneoppervlak hê;
- (b) moet, indien mureverskaf word, die gebougeventileer en verligword deur middel vannatuurlike openinge of vensters in 'n gebiedgelyk aan nie minder nie as 15% van die vloeroppervlak van die gebou;
- (c) moet die vloer gebou wees van beton of anderondeurdringbare materiaal wat glad afgewerk is, en indien vereis deur 'n gemagtigde beampte, moet die vloeroppervlak afgeskuins wees na 'n geut;
- (d) moet, indien geen mureverskaf is nie, of die mure van metaal gemaak is, die vloer voorsien word van 'n rand wat ten minste 150 mm hoog om sy buitensterande is; en
- (e) moet elke hokgebou wees van 'n ondeurdringbare materiaal en uitgerus wees met panne van 'n ondeurdringbare materiaal vir die ontvangs van mis;
- (4) 'n Watervoorraad voldoende vir drink- en skoonmaakdoeleindes moet verskaf word in of langs elke konynhok of gebou of struktuur wat 'n batterystelsel huisves.
- (5) Geen persoon mag 'n konynhok, konynkamp of gebou of struktuur wat 'n batterystelsel huisves oprig binne vyf meter vanaf –
 - (a) enigewoning, gebou of anderstruktuur gebruik vir menslike bewoning nie;
 - (b) enige plek waar eetgoedgeberg of voorberei word vir menslike verbruik nie; of
 - (c) die naastegrens van enige grond nie.
- (6) 'n Knaagdierbestandstoorkamer moet verskaf word vir die berging van voer.
- (7) Voldoende wasfasiliteite moet verskaf word vir die skoonmaak van die hokke.

14. Pligte van opsigter van konyne

Enige persoon wat konyne aanhou, moet –

- (1) alle konyne binne die konynhok, konynkamp of gebou of struktuur wat 'n batterystelsel huisves, aanhou;
- (2) die perseel en enige toerusting, apparaat, bak of houer wat gebruik word in verband daarmee om konyne in 'n skoon en sanitêre toestand en in goeie toestand te hou, in stand hou;
- (3) die perseel vry hou van onaangename reuke en elke konynhok, konynkampgebou of struktuur wat 'n batterystelsel huisves en alle hokke skoon en plaagvry hou;
- (4) draagbare houers vir die berg van mis van 'n ondeurdringbare materiaal met styfpassende deksels verskaf; en elke houer moet op 'n platform gehou word;
- (5) alle mis en enige anderafval materiaal uit die konynhok, konynkamp of gebou of struktuur wat 'n batterystelsel huisves, verwyder, ten minste eenmaal elke 48 uur;
- (6) die mis en afval in houers vir die berg van mis van 'n mishou totdat dit van die perseel verwyder word; en
- (7) die inhoud van die houers vir die berg van mis van die perseel verwyder ten minste eenmaal elke sewe dae en oor die inhoud beskik op 'n manier wat nie 'n openbare gesondheidsgevaar skep nie.

HOOFSTUK 7

AANHOU VAN VOËLS UITSLUITEND PLUIMVEE

15. Vereistes vir die perseel

Geen persoon mag enige voël, buiten pluimvee, in 'n voëlhok aanhou wat nie aan die volgende vereistes voldoen nie:

- (1) Die voëlhok moet gebou wees van duursame knaagdierbestandemateriaal.
- (2) Voldoende toegang moet verskaf word vir skoonmaakdoeleindes.
- (3) Indien die voëlhok bognondvlak gebou is, moet die basis daarvan gebou wees van 'n ondeurdringbare en duursame materiaal en moet 'n minimum van 300 mm bognondvlak geleë wees.
- (4) Die voëlhok mag nie binne driemeter vanaf enige gebou of struktuur, grensheining of grensmuur geleë wees nie.
- (5) 'n Watervoorraad voldoende vir drink- en skoonmaakdoeleindes moet in of langs elke voëlhok geleë wees.

16. Pligte van opsigter van 'n voëlhok

Enige persoon wat voëls in 'n voëlhok aanhou, moet –

- (1) verseker dat die voëlhok en die perseel in 'n skoon toestand en plaagvry gehou word;
- (2) knaagdierbestandefasiliteite vir die berging van voëlkos verskaf en gebruik; en
- (3) verseker dat die voëls nie die gemak, gerief, vrede of rus van die publiek versteur nie.

HOOFSTUK 8

HONDE- EN KATTEHERBERGE

17. Vereistes vir die perseel

Geen persoon mag 'n perseel as hondeherberg of 'n katteherberg gebruik nie, tensy die perseel aan die volgende vereistes voldoen:

- (1) Elke hond of kat moet in 'n omheinde plek gehou word wat aan die volgende vereistes voldoen:
 - (a) Die omheinde plek moet gebou wees van ondeurdringbare materiaal en moet voldoende toegang vir skoonmaakdoeleindes verskaf.
 - (b) Die vloer moet gebou wees van beton of anderondeurdringbare materiaal wat glad afgewerk is en afgeskuins is na 'n geut 100 mm breed, wat die volle breedte van die vloer beslaan, welke geut afgeskuins moet wees en in 'n sloot dreineer wat aan die raad se riool verbind is deur middel van 'n pyp met 'n omtrek van 100 mm.
 - (c) 'n Rand van 150 mm hoog moet verskaf word al langs die kant van die geut vermeld in subartikel (b), om te voorkom dat enige stormwater afloop by die geut inloop.
- (2) Onderhewig aan subartikel (4), moet elke omheinde plek vermeld in subartikel (a) geleë wees in 'n oordekteskuiling wat aan die volgende vereistes voldoen:
 - (a) Elke muur moet gebou wees van baksteen, klip, beton of anderondeurdringbare materiaal.
 - (b) Die interne oppervlak van elke muur moet 'n gladde interne oppervlak hê.

- (c) Die vloer moet gemaak wees van beton of anderondeurdringbare materiaal wat glad afgewerk is.
- (3) Elke skuiling moet voldoende toegang hê vir skoonmaakdoeleindes en uitskakel van plaë.
- (4) 'n Hondeherberg wat aan die volgende vereistes voldoen, mag verskaf word in plaas van die skuilingbedoel in subartikel (2):
- Die hondeherberg moet gebou wees van gevormde asbes of andersoortgelyk materiaal.
 - Die hondeherberg moet beweegbaar wees.
 - Die hondeherberg moet op 'n basis geplaas word wat gebou is van beton of anderondeurdringbare materiaal met 'n afwerking wat maklik skoongemaak kan word.
 - 'n Slaapplank, wat die hond in staat sal stel om droog te bly, moet verskaf word in enige hondeherberg wat nie 'n waterdigte basis het nie.
- (5) 'n Betonblad watten minsteenmeter wyd om die rande van die omheinde plek uitsteek, moet verskaf word.
- (6) Die blad moet afgeskuins en gedreineer wees op 'n wyse wat stormwater weg van die omheinde plek dreineer.
- (7) 'n Drinkbare water voorraad, voldoende vir drink- en skoonmaakdoeleindes, moet verskaf word in of aangrensend tot die omheinde plek.
- (8) Enigehokke waar inkattegehou word, moet gebou wees van duursame ondeurdringbare materiaal en op so 'n manier dat dit maklik skoongemaak kan word.
- (9) Enige skuiling, omheinde plek of hondeherberg mag nie geleë wees binne vyf meter vanaf enige –
- woning of ander gebou of struktuur wat vir menslike bewoning gebruik word nie;
 - plek waar voedsel gebereid en voorberei word vir menslike verbruik nie; of
 - die grens van die perseel nie.

18. Voedselvoorbereidingsgebied

Enige opsigter van 'n honde- of katteherberg wat deur 'n gemagtigde beamptegelas is om 'n voedselvoorbereidingsgebied te verskaf, moet 'n afsonderlike kamer of oordekte gebied verskaf vir die voorbereiding van voedsel wat voldoen aan die volgende vereistes:

- Die vloer van die kamer of oordekte gebied moet gebou wees van beton of anderondeurdringbare materiaal wat glad afgewerk is.
- Die interne muuroppervlakke van die kamer of oordekte gebied moet glad wees en maklik skoongemaak kan word.
- Voldoende wasfasiliteite vir kosbakke en eetgereedskap moet verskaf word.
- 'n Knaagdierbestandestookkamer moet verskaf word vir die berging van voedsel.

19. Pligte van 'n opsigterin honde- of katteherberge

Enige persoon wat 'n honde- of katteherbergbedryf, moet –

- die perseel, toerusting en elke vat, houër of bak en slaapplank wat in verband met die honde- of katteherberg gebruik word, in 'n skoon, sanitêre toestand en in goeie toestand in stand hou;
- draagbare opgaardhouers, van 'n ondeurdringbare materiaal met styfpassende deksels, verskaf vir die berging van honde en katte se ontlasting;
- alle ontlasting en ander afval materiaal uit die omheinde plek en skuiling verwyder ten minste eenmaal elke 24 uur en dit in die houers vermeld in subartikel (2) plaas;
- die inhoud van die opgaardhouers vanaf die perseel verwyder ten minste tweemaal elke sewe dae en oor dit beskik op 'n manier wat nie 'n openbare gesondheidsoorlas skep nie;
- alle losvoedsel in houers, met styfpassende deksels, in die voedselstoorberg;
- voldoende verkoelingsfasiliteite verskaf om bederfbare voedsel op die perseel te berg;
- voldoende afsonderlike vullishouers, met styfpassende deksels, op die perseel verskaf vir ander vullisbuitentontlasting;
- enige siek hond of kat geïsoleer hou van enige ander diere; en
- die perseel vry van onaangename reuke hou en elke omheinde plek, skuiling, hondeherberg, hok of voedselstoorskoon en plaagvry hou.

HOOFSTUK 9

TROETELDIERWINKELSEN HONDESALONNE

20. Vereistes vir perseel

Geen persoon mag 'n troeteldierwinkel of hondesalon in of op enige perseel bedryf wat nie aan die volgende vereistes voldoen nie:

- Allemure, met inbegrip van enige afskorting, moet –
 - gebou wees van baksteen, beton of anderondeurdringbare materiaal;
 - 'n gladde interne oppervlak hê wat maklik skoongemaak kan word; en
 - met 'n wasbare verf of ander voldoende afwerking geverf wees.
- Alle vloeroppervlakke moet gebou wees van beton of anderondeurdringbare materiaal wat glad afgewerk is.
- Alle plafonne moet stofvry wees en maklik skoongemaak kan word.
- Ten minste een handwasbak, met 'n voorraad opendewarm en kouedrinkbare water, moet verskaf word vir werknemers en die verhouding van handwasbakke tot personeel moet op die perseel werk, moenie minder as 1:15 wees nie.
- Die handwasbakke vermeld in subartikel (4) moet van dreine voorsien wees.
- Voldoende bergingsfasiliteite moet verskaf word.
- Fasiliteite vir die was van hokke, panne en andertoerusting moet verskaf word in die vorm van hetsy –
 - 'n gerande en oordekte platform met 'n minimum oppervlakte van 1,5 m², watten minste 100 mm bo die vloergelig is en gebou is van beton of anderondeurdringbare materiaal wat glad afgewerk is, welke platform verskaf moet word van 'n voorraad opende drinkwater; of

- (b) 'n wasbak of drinkbak van vlekvrye staal van voldoende grootte met 'n dreineringsbord en voorsien van 'n voorraadlopende drinkwater.
- (8) Die platform, wasbak of drinkbak vermeld in subartikel (7) moet gedreineer word.
- (9) Enigemuuroppervlak binne 0,5 meter vanaf die platform, wasbak of drinkbak vermeld in subartikel (7), moet permanent bedek wees met waterdigtemateriaal tot 'n minimum hoogte van 1,4 meter bo die vloer.
- (10) 'n Duidelik toegewysde aantrekkamer moet verskaf word indien meer as ses persone op die perseelwerk en elke aantrekkamer moet –
 - (a) 'n vloeroppervlakhê wat ten minste 0,5 m² vir elke werknemer verskaf;
 - (b) 'n minimum totale vloeroppervlak van 6m² en breedte van tweemeter hê; en
 - (c) toegerus wees met 'n toepaslike metaal sluitkassie vir elke werknemer.
- (11) Waar geenaantrekkamerveis word ingevolge subartikel (10) nie, moet elke werknemer van 'n toepaslike metaal sluitkassie voorsien word.
- (12) Vir die doeleindes van was, knip of versorging van troeteldiere –
 - (a) moet 'n badkamer uitgerus met 'n bad, of soortgelyke vaste toerusting, en 'n handwasbak voorsien van lopende drinkwater verskaf word;
 - (b) moet 'n kamer vir knip en versorging uitgerus met ondeurdringbare tafels met blaaie en 'n voldoende aantal draagbare opgaarhouers van 'n ondeurdringbare duursame materiaal met styfpassende deksels, vir die opgaar van gesnyde hare wat wag op verwydering, verskaf word;
 - (c) ten minste 50% van die vloeroppervlak van die kamers vermeld in subartikels (a) en (b) moet onbelemmer wees; en
 - (d) die vloere van die kamers vermeld in subartikels (a) en (b) moet afgeskuins word na 'n dreineringsgeut.
- (13) Alle geboue, met inbegrip van bergplekke, moet knaagdierbestand wees; en
- (14) Die perseel mag nieregstreekse internettoegang tot enige kamer of plek hê –
 - (a) wat gebruik word vir menslike bewoning nie;
 - (b) waarklere geberg of verkoop word nie; of
 - (c) waarvoedselvoorberei, geberg of verkoop word vir menslike verbruik.

21. Pligte van troeteldierwinkel- of hondesalonopsigter

Enige opsigter van 'n troeteldierwinkel of hondesalon moet –

- (1) hokke vir huisvesting van die troeteldiere verskaf wat aan die volgende vereistes voldoen:
 - (a) Die hokke moet gebou wees van metaal of ander ondeurdringbare materiaal en uitgerus wees met 'n verwyderbare metaal vloerpan om skoonmaak te vergemaklik.
 - (b) Die buitenste holte van enige tuitvormige of hol materiaal wat gebruik word om 'n hok te bou, moet verseël word.
 - (c) Die hokke moet maklik geskuif kan word.
 - (d) Waar konyne in 'n hok aangehou word, moet die metaal vloerpan vermeld in subartikel (a) na 'n verwyderbare houder gedreineer word.
 - (e) Die hokke moet uitgerus wees met 'n drinkvat gevul met water.
 - (f) Die afstand vanaf enige hok na die naastemuur moet 'n minimum van 150 mm wees.
 - (g) Die hokke moet 'n minimum van 450 mm bo vloerhoogte gehou word.
 - (h) Die ruimte onder elke hok moet onbelemmer wees.
- (2) knaagdierbestandehouers, van 'n ondeurdringbare materiaal en met styfpassende deksels, verskaf vir die berging van alle lostroeteldierkos in die stoorkamer;
- (3) voldoende verkoelingsfasiliteite verskaf om alle bederfbare troeteldierkos op die perseel te berg;
- (4) verseker dat in enige kamer waarin die troeteldiere gehou word –
 - (a) 50% van die vloer ruimte onbelemmer is; en
 - (b) die hokke 'n minimum van 800 mm van mekaar af geplaas word;
- (5) die perseel en elke hok, pan, bak, houder, mandjie en alle apparaat, toerusting of toestel wat in verband met die troeteldierwinkel gebruik word, in 'n skoon en sanitêre toestand, plaagvry en in goeie toestand in stand hou;
- (6) oorpakke of ander beskermende klere vir werknemers verskaf en verseker dat die werknemers dit dra wanneer hulle aan diens is;
- (7) isolasiefasiliteite verskaf waarin elke troeteldier wat siek is of lyk, gehou moet word terwyl hulle op die perseel is;
- (8) 'n voldoende voorraad drinkbare water vir drink- en skoonmaakdoeleindes verskaf;
- (9) voldoende ventilasie verskaf om die gemak en oorlewing van die troeteldiere te verseker; en
- (10) verseker dat die aantal troeteldiere wat in elke hok aangehou word nie hul vryheid van beweging belemmer nie.

HOOFSTUK 10

AANHOU VAN WILDE DIERE

22. Vereistes vir die perseel

Geen persoon mag wilde diere aanhou op perseel wat nie aan die volgende vereistes voldoen nie:

- (1) Alle wilde diere moet in omheinde plekke aangehou word wat soos volg gebou en toegerus is –
 - (a) Die omheinde plek moet aan die behoeftes van die spesifiek diere voldoen soos gespesifiseer deur die toepaslike natuurbewaringsowerhede.
 - (b) Die omheinde plekke mag nie geleë wees binne 50 meter vanaf –
 - (i) enige grens van die perseel nie;
 - (ii) enige woning, gebou of struktuur gebruik vir menslike bewoning nie;
 - (iii) enige woning, gebou of struktuur waar voedsel geberg, hanteer of voorberei word vir menslike verbruik nie; of
 - (iv) enige waterbron bedoel vir huishoudelike verbruik nie;

- (c) 'n Voldoendevoorraad drinkbare water vir drink- en skoonmaakdoeleindes moet verskaf word.
- (d) Die omheinde plek moet afgeskuins en gedreineer wees op so 'n wyse dat dit nie enige waterbron besoedel of 'n openbare gesondheidsoorlas skep nie.
- (2) 'n Afsonderlike kamer, toegerus met 'n voorbereidingstafel en opwasbak, voorsien van lopende drinkwater en voldoende gedreineer moet verskaf word vir die voorbereiding van voedsel.
- (3) Voldoende fasiliteite moet verskaf word vir die was van enige hokke, panne, kratte, vullishouers en kosbakke in die vorm van hetsy –
 - (a) 'n gerande platform gebou van beton of anderondeurdringbare materiaal wat glad afgewerk is; of
 - (b) 'n wasbak of drinkbak van vlekvrystaal van voldoende grootte omdat toerusting wat gewas moet word, te akkommodeer;
- (4) Beide fasiliteite vermeld in subartikel (3) moet voorsien word van 'n voorraad lopende drinkwater en moet van 'n drein voorsien wees.
- (5) Alle gebiede en kamers waarin veevoer en voedsel geberg word, moet knaagdierbestand wees.

23. Pligte van opsigter van wilde diere

Enige persoon wat wilde diere aanhou moet –

- (1) die perseel ten alle tye in 'n skoon en sanitêre toestand hou;
- (2) alle mis en kosoorblyfsels in enige omheinde plek met gereelde tussenposes skoonmaak; en
- (3) voorkom dat die grond onder of rondom enige omheinde plek met urine deurdrenk word.

HOOFSTUK 11

AANHOU VAN VARKE

24. Vereistes vir perseel

Geen persoon mag varke aanhou buiten in 'n varkhok wat aan die volgende vereistes voldoen nie:

- (1) Elke muur moet –
 - (a) gebou wees van baksteen, klip, beton of ander duursame materiaal;
 - (b) 'n minimum hoogte van 1,5 meter hê; en
 - (c) 'n gladde, ondeurdringbare interne oppervlak hê.
- (2) Die vloeroppervlak moet ten minste 3m² verskaf vir elke vark wat in die varkhok geakkommodeer word, met 'n totale minimum vloeroppervlak van 6 m².
- (3) Die dak oor enige gedeelte van 'n varkhok moet 'n minimum hoogte van 1,5 meter hê.
- (4) Behalwe in die geval van 'n oordekte struktuur waarvan een van die kante heeltemal oop is, moet die beligting en ventilasie-opeeninge –
 - (a) oorkant mekaar in die buitenstemure geplaas wees; en
 - (b) 'n minimum van 0,15 m² vir elke vark verskaf.
- (5) Die vloer moet –
 - (a) ten minste 150 mm bo die omliggende grondvlak wees;
 - (b) gebou wees van beton of ander duursame en ondeurdringbare materiaal wat glad afgewerk is; en
 - (c) afgeskuins wees vir die dreinerings van vloeiwater in 'n oop geut buite die varkhok.
- (6) Die oop geut vermeld in subartikel (5)(c) moet –
 - (a) gebou wees van beton of ander duursame en ondeurdringbare materiaal;
 - (b) 'n minimum van 100 mm in omtrek wees; en
 - (c) voldoende gedreineer wees.
- (7) Die varkhok moet sterk genoeg wees om te voorkom dat die varke uitbreek.
- (8) Die varkhok mag nie geleë wees binne 100 meter vanaf –
 - (a) die grens van die perseel nie;
 - (b) enige woning, gebou of struktuur gebruik vir menslike bewoning nie;
 - (c) enige woning, gebou of struktuur waarin voedselvoorbereiding, geberg of verkoop word vir menslike verbruik nie;
 - (d) enige waterbron bedoel vir huishoudelike verbruik.
- (9) 'n Oordekte betonplatform moet verskaf word vir –
 - (a) die berging van alle varkkos in bakke; en
 - (b) die voorbereiding van voer vir varke.
- (10) Die platform vermeld in subartikel (9) moet voldoen aan die bepalings van subartikel (5) en moet verder 'n rand met 'n minimum hoogte van 100 mm aan elke kant hê.
- (11) 'n Drinkbare water voorraad, voldoende vir drink- en skoonmaakdoeleindes, moet verskaf word in of aangrensend aan die varkhok.

25. Pligte van opsigter van varke

Elke persoon wat varke aanhou, moet –

- (1) verseker dat elke vark binne in 'n varkhok gehou word;
- (2) die perseel en enige toerusting, apparaat, bak of houers in 'n skoon en sanitêre toestand en in goeie toestand hou;
- (3) draagbare opgaardhouers, van ondeurdringbare materiaal en met styfpassende deksels, verskaf ommis te berg;
- (4) alle houers vir die berging van mis op 'n platform hou wat voldoen aan artikel 24(9);
- (5) alle mis uit die varkhok verwyder ten minste eenmaal elke 24 uur en dit in die houers vir die berging van mis plaas;
- (6) die inhoud van die houers vir die berging van mis vanaf die perseel verwyder ten minste eenmaal elke tweede dag en oor die mis beskik op 'n manier wat nie 'n openbare gesondheidsoorlasskep nie;
- (7) 'n knaagdierbestandde stoorkamer verskaf waarin alle voer, buiten varkkos, geberg moet word; en
- (8) knaagdierbestandde houers, met styfpassende deksels, verskaf waarin alle losvoer geberg moet word.

HOOFSTUK 12 AANHOU VAN BYE

26. Vereistes vir aanhou van bye

- (1) Geen persoon mag bye op enige perseelaanhou nie, tensy –
 - (a) die persoon in besit is van 'n geldige permit wat deur die raad uitgereik is; en
- (2) die byekorfgeleëis –
 - (a) binne 'n minimum van vyfmetervanaf enige grens van die perseel; en
 - (b) 'n minimum van tien metervanaf enige openbareplek of gebougebruik vir menslike bewoning;
- (3) die bye in 'n goedgekeurdebyekorf gehou word; en
- (4) diebyekorf–
 - (a) gehou word in 'n gebied wat ontoeganklik is vir kinders en diere;
 - (b) ten alle tye in die skadugehou word; en
 - (c) voorsien is van 'n bron van drinkwater binnevyfmeter van die byekorf af nie.
- (5) Geen persoon magenige vuilgoed, kompos, grassnysels of misbinnevyfmeter van enige byekorf af stort of laat nie.

HOOFSTUK 13 GEVAARLIKE DIERE

27. Gevaarlike diere

- (1) Geen persoon mag sonder 'n permit wat deur die raad uitgereik is, enige wilde dieraanhou wat behoort tot 'n spesie wat gevaarlik is vir mense, insluitend, maar nie beperk nie tot, groot karnivore, giftige slange, spinnekoppe of skerpioene.
- (2) Die permit vermeld in subartikel (1) mag uitgereik word onderhewig aansodanigevoorwaardes as wat die raad nodig ag, insluitend maar sonder om die algemeenheid van die voorafgaandete beperk, die tipeomheinde plekwat vereis word om te verseker dat die diernie van die perseelaf ontsnap nie of 'n gevaar inhou vir die inwoners van, of besoekers aan, die perseel.

HOOFSTUK 14 DIVERSEBEPALINGS

28. Dreinerings

Enige persoon wat diere aanhou, moet verseker dat alle wasbakke, handwasbakke, baddens, stort-baddens, drinkbakke, vloeroppervlakke, geute en wasplatforms wat ingevolge hierdie verordening van dreine voorsien moet wees, moet van dreine voorsien word ooreenkomstig diebepalings van die Wet op Nasionale Bouregulasies en Boustandaarde, 1977 (Wet No. 103 van 1977).

29. Aanhou en slag vandiëre vir godsdienstige en seremoniële doeleindes

- (1) Enige persoon wat 'n dieraanhou voordat dit vir godsdienstige of seremoniële doeleindes geslag word, of 'n dier vir sodanige doeleindes slag, moet aandie bepaling van hierdie verordening voldoen.
- (2) 'n Persoon wat van voorneme is om 'n dier vir godsdienstige of seremoniële doeleinde te slag op enige plekbuitenby 'n erkendeslagpale, moet –
 - (a) die raadskritelik in kennis stel, veertiendaevóór die geleentheid;
 - (b) alle bure skriftelik in kennis stel, sewe daevóór die geleentheid;
 - (c) die slagproses van die publiek verberg;
 - (d) die vleis wat van die geslagdedierafkomstig is, alleenlik gebruik vir die doeleindes van die godsdienstige of seremoniële fees;
 - (e) die vleis ten alle tye op 'n higiëniese wyse hanteer; en
 - (f) wegdoen met enige gedeeltes van die dier wat nie gebruik of verbruik word nie, op die wyse soos deur die raad bepaal.

30. Sekeredieremag nie in geproklameerde dorpsgebiede aangehou word nie

Geen persoon magenige beeste, perde, muile, donkies, bokke, skape, varke of wilde diere op enige plek binne die grense van 'n geproklameerde dorpsgebied aanhou nie.

31. Permitte

- (1) Wanneer dit in hierdie verordening bepaal word dat 'n diernie aangehou mag word niebehalwe ingevolge 'n permit wat deur die raad uitgereik is, is die volgende van toepassing:
 - (a) Die persoon wat 'n permit wil bekom, moet skriftelik by die raaddaarvoor aansoek doen, en sodanigeaansoekgelde betaal as wat deur die raad voorgeskryf is.
 - (b) Sodanige persoon moet verder enige inligting verskaf wat deur die raad vereis word vir doeleindes van oorweging vansodanigeaansoek.
 - (c) Die raadmagna goeddunkesodanigeaansoektoestaan en sodanige permit uitreik, onderhewig aansodanigevoorwaardes as wat hy geskik ag, of hymagsodanigeaansoek weier.
- (2) Die raadmagsy bevoegdhede ingevolge paragrafe 31(1)(a) en (b) van subartikel (1) aan 'n gemagtigde beampte van die munisipaliteit delegeer.

32. Gemagtigde beamptes

Die munisipaliteit kan beamptes van die munisipaliteit aanstel as gemagtigde beamptes om verordeninge af te dwing en te implementeer en om enige handeling wat kragtens hierdie verordening vereis of toegelaat word, te verrig.

33. Appèlle

- (1) 'n Persoon wie se regte geraak word deur 'n besluit wat deur enige gemagtigde beamptekragtens hierdie verordening geneem is of 'n beampte aan wie die raadbevoegdhede ingevolge artikel 32(2) delegeer het, kanteen die besluit appelleer deurskriftelik kennis van die appèlle gee en redes aan die munisipale bestuurder verskaf binne 21 dae nadat hy of sy van die besluit in kennis gestel is.
- (2) Die munisipale bestuurder moet die appèl onverwyld aan die toepaslike appèlowerheid vermeld in subartikel (4) voorlê.

- (3) Die appèlowerheid moet die appèl oorweeg, en die besluit bevestig, verander of terugtrek, maar geen sodanige verandering of terugtrekking van 'n besluitmagadoen aan enige regte wat as gevolg van die besluit ontstaan het nie.
- (4) Wanneer die appèlgerig word teen 'n besluit wat geneem is deur –
- (a) 'n personeelidbuiten die munisipale bestuurder, is die munisipale bestuurder die appèlowerheid; of
 - (b) die munisipale bestuurder, is die burgemeester die appèlowerheid.
- (5) 'n Appèlowerheid moet binne ses weke met 'n appèl begin en binne 'n redelike tydperk oor die appèl beslis.

34. Ander wet moet nagekom word

Die nakoming van enige bepaling van hierdie verordening deur enige persoon skeld nie sodanige persoon kwyt van nakoming van enige bepaling van enige ander verordening of provinsiale of nasionale wet of regulasiewat daarkragtens uitgevaardig is nie, en die uitreiking van enige permit aan enige persoon ingevolge hierdie verordening skeld nie sodanige persoon kwyt daarvan om enige permit te bekom soos vereis deur enige ander verordening of provinsiale of nasionale wet of regulasiewat daarkragtens uitgevaardig is nie.

35. Misdrywe

Enige persoon wat –

- (a) enige bepalings van hierdie verordening oortree of versuim om daaraan te voldoen;
- (b) versuim om te voldoen aan enige wettige instruksie wat ingevolge hierdie verordening gegee is; of
- (c) enige gemagtigde beamptebelemmer of verhinder in die uitvoering van sy of haar pligtekragtens hierdie verordening,

is skuldig aan 'n misdryf, en by skuldigbevinding onderhewig aan die betaling van 'n boete soos bedoel deur die Endumeni munisipaliteit se Verordening insake Misdrywe, Strawwe en Appèllesoos uitgevaardig op 6 September 2011.

36. Regulasies

Die munisipaliteit mag regulasies uitvaardig wat nie teenstrydig is met hierdie verordening nie, wat –

- (a) enige aangeleentheid watingevolge hierdie verordening voorgeskryf mag of moet word; en
- (b) enige aangeleentheid wat die toepassing van hierdie verordening kan vergemaklik,

voorskryf.

37. Herroeping van verordening

Enige verordening wat uitgevaardig is insake die aanhou vandieredeur die munisipaliteit of enige vorige munisipale raad wat nou 'n administratiewe eenheid van die munisipaliteit uitmaak, moet herroep word vanaf die datum van uitvaardiging van hierdie verordening.

38. Kort titel en inwerkingtreding

Hierdie verordening word genoem die Verordening insake die Aanhou van Diere, 2012 en tree in werking op 'n datum soos deur die munisipaliteit deur middel van afkondiging in die *Provinsiale Koerant* bepaal.

No. 27**16 kuMbaso 2013****UMTHETHO KAMASIPALA OMAYELANA NOKUFUYWA KWEZILWANE**

Akumiswe nguMkhandlu kaMasipala waseNdumeni, ngokweSigaba 156 soMthetho, uNo. 108 we- 1996, waseNingizimu Afrika, esifundwa nesigaba 11 soHulumeni Basekhaya: uMthetho uNo. 32 Wezinqubo zikaMasipala wezi-2000, ngokulandelayo:

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ISAHLUKO 1**IZINCAZELO****1. Izincazelo**

Kule mithetho kamasipala, ngaphandle uma ingqikithi ichaza ngenye indlela –

“isikhulu esigunyaziwe” kuchaza umsebenzi ogunyaziwe oqashwe ngaphansi kwesigaba 32;

“indlu yokufuyela izinyoni” kuchaza indawo evalekile esetshenziselwa ukugcina izinyoni, ngale kwezinkukhu kodwa akubandakanyi ikheji eliphathwayo;

“uhlelo lokuhlalisa izilwane ngokuzihlanganisa” kuchaza indlela yokugcina izinkukhu noma onogwaja emakhejini angabekwa abe ngulayini owodwa noma agibelane ngaphakathi ebholidini noma esakhiweni;

“indawo yamakati” kuchaza esakhiweni noma lapho –

(a) kuyisikhungo sokuhlala amakati; noma

(b) Lapho amakati ezalaniswa khona ngenhloso yokuwathengisa;

“umkhandlu” kumele kuchaze uMkhandlu kaMasipala waseNdumeni

“indawo evalekile” ngokumaqondana nezilwane, kuchaza noma yisiphi isibaya, indawo encane ebisiwe yokugcina imfuyo, indawo eyidilelo encane, ikheji noma indawo ebisiwe noma evalekile eyakhelwe ukuvalela izilwane ukuba zingeqi noma zizulazule endaweni eyingxenywe yesakhiwo;

“umfuyi” kuchaza –

(a) ngokumaqondana nanoma yisiphi isilwane, umnikazi wesilwane noma omunye umuntu onesibopho sokuphakela nokunakekela isilwane; futhi

(b) ngokumaqondana nohlelo lokuhlalisa izilwane ngokuzihlanganisa, indawo yokuzalanisa amakati, izindlu zokuhlalisa izilwane zasekhaya, indawo yokucwala izilwane zasekhaya noma lapho zidayiswa khona kuchaza umuntu onebhizinisi okuhlanganisa nomuntu owengamele indawo lapho kugcinwa khona izilwane;

“izindlu zezinja” kuchaza indawo lapho noma lapho kuyona –

kuyizakhiwo zokuhlala izinja;

(b) izinja zigcinwa lapha ngenhloso yokuziqeqesha noma ziqashiswe nabaqeqeshi noma ngaphandle kwabaqeqeshi; noma

(c) izinja zigcinelwa ukuba zidayiswe njengabavikela;

“imfuyo” kuchaza amahashi, izinkomo, iziklabhu, izimbuzi, izingulube, iminyuzi, izimbongolo kanye nezinkukhu;

“UMasipala” kumele kuchaze uMasipala waseNdumeni;

“isilwane esifuywa ekhaya” kuchaza isilwane esifuywe ekhaya ukuze sibe ngumngani noma ukujabulisa;

“indawo yokucwala izilwane ezifuywe ekhaya” kuchaza noma iyiphi indawo lapho kucwala khona izilwane ezifuywe zasekhaya ngokuba zizezwe, zomiswe, zibhulashwe, zigundwe, zilungiswe noma kulungiswe izinzipho kanye namazinyo;

“izitolo esidayisa izilwane ezifuywa ekhaya” kuchaza noma iyiphi indawo lapho kwenziwa khona ibhizinisi lokugcina kanye nokudayisa izilwane ezifuywa ekhaya;

“izinkukhu kumbe izinyoni zasekhaya” kuchaza izinyoni, amadada, amakewu, amahhansi, amakalikuni, amajuba, amapigogo kanye nezimpangele zasekhaya;

“indlu yezinkukhu” kuchaza noma yisiphi isakhiwo esinophahla noma isakhiwo lapho kugcinwa kuso izinkukhu kanye nezinye izinyoni zasekhaya ngale kwesakhiwo sokuhlalisa izilwane ngokuzihlanganisa;

“ihhoko” kuchaza noma yisiphi isihenqo esakhiwe ngowaya esingenalo uphahla lapho izinkukhu zizizulazulela khona esingenalo uphahla noma esinye isakhiwo lapho izinkukhu zigcinwa khona, okungaba asixhumene nesilugu;

“indawo yokugcina onogwaja” kuchaza noma yisiphi isakhiwo noma indlu enophahla lapho kugcinwa khona onogwaja, ngale kwesakhiwo sokuhlalisa izilwane ngokuzihlanganisa;

“indlu kanogwaja” kuchaza noma yisiphi isihenqo esakhiwe ngowaya esingenalo uphahla lapho kugcinwa khona onogwaja, okungaba ayixhumene nendawo yokugcina onogwaja;

“isibaya” kuchaza noma yisiphi isakhiwo noma indlu esisetshenziselwa ukuhlalisa imfuyo okungezona izinkukhu kumbe izinyoni zasekhaya; futhi

“isilwane sasendle” kuchaza uhlobo lwesilwane ngokujwayelekile esingafuywa ekhaya futhi ngaphandle kwezithiyo kubandakanya zonke izilwane ezingezokudabuka eNingizimu Afrika ngale kwezimpangele zasekhaya.

ISIAHLUKO 2

IZIHLINZEKO EZIJWAYELEKILE MAQONDANA NOKUFUYWA KWEZILWANE

2. Ukusebenza kwemithetho kamasipala

Le mithetho kamasipala, ngaphandle kwezigaba 26, 27 no 29, ayisebenzi -

(1) kunoma yimuphi umbukiso wezolimo lapho izilwane zigcinelwa isikhathi esifishane; noma

(2) kunoma yiliphi igumbi lwezocwaningo lapho izilwane zigcinwa khona ngokusemthethweni ukuze kwenziwe ucwaningo.

ISIAHLUKO 3

UKUFUYWA KWEZINKOMO, IMINYUZI KANYE NEZIMBONGOLO

3. Okudingekayo ezakhiweni

(1) Akekho umuntu ongefuya nanoma yiziphi izinkomo, amahhashi, iminyuzi noma izimbongolo esibayeni esingahambelani nalokhu okudingekayo okulalandelayo:

(a) Zonke izindonga kanye nodonga olwahlukanise isibaya kumele lwakhiwe ngezitini, amatshe, ukhonkolo kumbe nanoma iyiphi impahla yokwakha eqinile;

(b) Ingaphakathi lodonga lesibaya kumele lakhiwe ngezitini ezibushelelezi noma okokwakha okuqinile kepha kwenziwa kwaba bushelelezi;

(c) Ukuphakama kwezindonga ukuya kucwecwe lodonga lothango kumele:-

(i) Uma uphahla luphakeme, udonga kumele lube ngamamitha ama-2,4;

(ii) Uma uphahla luyisicaba udonga kumele lube ngamamitha ama-2,7;

(iii) Uma ngabe uphahla lutshekile udonga kumele luphakame ngamamitha ama-3 bese lungabi ngaphansi kwamamitha ama 2,4 ngakwicala elifishane;

(iv) Esibayeni esinendawo evulekile ngasohlangothini olude, udonga kumele lungabi ngaphansi kwamamitha ama-2;

(d) Isibaya kumele sibe nendawo nepansi okungenani elingama- square metre ayisi-9 somhlambi ngamunye wezinkomo, wamahhashi, weminyuzi noma wezimbongolo ohlala kuso;

(e) Ukungena komoya kanye nokukhanya kumele kuhlinzekwe yizikhala noma ngamafastela engilazi avulekile kumbe amafastela epulangwe okungenani angama- square metre ayi-0,3m; isilwane ngasinye

(f) Indawo ephansi kakhulu yohlangothi oluvulekile, ifastela noma ifasitela lamapulangwe kumele okungenani ibe ngamamitha ama-1,8 ngenhla kwephansi;

(g) Kumele kwakhiwe iphansi lesibaya ngosimende noma ngayiphi impahla yokwakha eqinile kanye nempahla engangenwa imvula bese igandaywa yenziwa umsele;

(h) Akukho sibaya okumele sakhiwe eduze:-

(i) ngamamitha ayi-15 nomngcele wanoma yimuphi umhlaba, isakhiwo, indawo yokuhlala abantu noma yisiphi isakhiwo esihlala abantu; noma

(ii) ngamamitha angama-50 nomthombo wamanzi noma yimuphi umgudu wamanzi asetshenziswa ngabantu;

(iii) kumele kube namanzi anele okuphuza kanye nokuhlaza budebuduze nesibaya ngasinye.

4. Imisebenzi yabafuyi bezinkomo, amahhashi, iminyuzi kanye nezimbongolo

Yinoma yimuphi umuntu fuye nanoma iyiphi inkomo, ihhashi, umnyuzi noma imbongolo kumele –

(1) Agcine izakhiwo, kanye nanoma iyiphi impahla, okokusebenza, isitsha esisetshenziswa maqondana nokugcinwa isilwane endaweni ehlanzekile futhi sisemweni esiphilile;

(2) ahlinzeke izitsha eziphathekayo zikamanyolo ezingabhoboki futhi ezinezivalo ezivala ngci;

(3) Agcine zonke izitsha zikamanyolo endaweni ephakeme eyakhiwe ngosimende noma yiphi into yokwakha eqinileyo futhi engangeni amanzi eduze nesibaya;

(4) uma kunomanyolo omningi futhi uma ukubekwa kwaleso sikhongozelo kungeke kwenzeke, ahlinzekengefuku likamanyolo elivumelana nezidingo ezilandelayo:

(a) Ifuku lifvalelwe esakhiweni esinezindonga ezintathu ezenziwe ngezitini, usimende noma yiphi impahla yokwakha eqinileyo eplastelwe yaba bushelelezi; futhi

(b) iphansi malipulasitelwe ngosimende ukuze libe bushelelezi litsheke ukuze amanzi ezokwehlela emseleni wamanzi ngasohlangothini oluvulekile olude olubanzi ngamamitha ayi-150 futhi lihale linamanzi agcwele;

(5) akhiphe umanyolo esibayeni okungenani kanye emva kwamahora ayi-24 njalo futhi awubeke esikhongozelweni sawo noma efukwini likamanyolo kuze kube kuyasuswa kuleyo ndawo;

- (6) akhiphe okuphakathi ezikhongozelweni zikamanyolo noma efukwini likamanyolo endaweni okungenani kanye njalo osukwini lwesibili bese echitha umanyolo ngendlela engezukuphazamisa impilo yomphakathi;
- (7) asuse bonke utshani esibayeni okungenani kanye ngeviki bese ebugcina ezikhongozelweni zikamanyolo noma efukwini likamanyolo kuze kube kuyasuswa kuleyo ndawo; bese
- (8) agcine konke ukudla kwezilwane egunjini lokubeka ukudla elingangenwa ngamagundane bese kuthi konke okunye ukudla kwezilwane akufake ezikhongozelweni ezivalekile ezinezivalo ezivaleka ngci.

ISAHLUKO 4

UKUFUYWA KWEZIMBUZI KANYE NEZIKLABHU

5. Okudingekayo ezakhiweni

- (1) Akekho umuntu okumele agcine iziklabhu noma izimbuzi esibayeni esingahambelani nalokhu okudingekayo okulandelayo:-
 - (a) ubuncane obulinganiselwe bephansi sebubonke kumele bube ngama- 30m²;
 - (b) okungenani ama- 1,5 m² obukhulu bephansi kumele kuhlizekelwe ukuba kuhlale imbuzi noma isiklabhu ngasinye;
 - (c) zonke izindonga kumele zakhiwe ngezitini, amatshe, usimende noma enye impahla yokwakha eqinile;
 - (d) okungenani kufanele lonke udonga luphakame lube ngamamitha ama- 2 bese lwenziwa lube bushelelezi ngaphakathi;
 - (e) kufanele iphansi lakhiwe ngosimende noma ngenye impahla yokwakha eqinile futhi engabhobozeki eyenziwe yaba bushelelezi yase iyagandaywa yenziwa umsele;
 - (f) kufanele okungenani imbuzi noma isiklabhu sihlizekwe ngendawo yokuhlala engama- 1,5 m² leyo ndawo iphansi layo malibe nobuncane obulinganiselwe obungama-6m²; futhi
 - (g) kufanele kube nokukhanya kanye nokungena komoya okulinganiselwa kuma- 0,15m², kwembuzi noma kwesiklabhu ngasinye.
- (2) Akekho umuntu okumele agcine iziklabhu noma izimbuzi esibayeni esiseduze –
 - (a) ngamamitha ayi-15 nomngcele, kwempahla, indawo yokuhlala noma yisiphi isakhiwo esihlala abantu; noma
 - (b) ngamamitha angama-50 nomthombo wamanzi noma iyiphi indlela eletha amanzi noma asetshenziswa ngabantu.
- (3) Wonke umuntu kufanele ahlinzeke ngamanzi okuphuza kanye nawokuhlaza anele abe seduzane noma kuzo zonke izibaya ezisetshenziselwa ukugcina iziklabhu noma izimbuzi.

6. Imisebenzi yomfuyi wezimbuzi kanye neziklabhu

Kufanele wonke umuntu ofuye izimbuzi noma iziklabhu -

- (1) agcine indawo kanye nanoma iyiphi impahla, imishini yokusebenza, isitsha esisetshenziswa maqondana nokufuywa kwesilwane zihlanzekile futhi zisesimweni esiphilile;
- (2) ahlinzeke izitsha eziphathekayo zikamanyolo ezingabhoboki futhi ezinezivalo ezivaleka ngci;
- (3) agcine izitsha zikamanyolo phezu komganga ovumela ukuthi indawo yangaphansi kwesitsha ikwazi ukuhlazwa;
- (4) akhiphe umanyolo esibayeni, ebholidini noma egunjini okungenani kanye njalo ezinsukwini eziyisikhombisa bese ewubeka esitsheni sikamanyolo;
- (5) akhiphe okuphakathi esitsheni sikamanyolo esisendaweni yokuhlala izilwane okungenani kanye njalo ezinsukwini eziyisikhombisa bese echitha umanyolo ngendlela engezukuphazamisa impilo yomphakathi; bese
- (6) agcine konke ukudla kwezilwane egunjini lokubeka ukudla elingangenwa ngamagundane bese kuthi konke okunye ukudla kwezilwane akufake ezikhongozelweni ezivalekile ezinezivalo ezivaleka ngci.

ISAHLUKO 5

UKUFUYWA KWEZINKUKHU

7. Ukusebenza

Izihlinzeko zezigaba 9 (5) kuya (7) kubandakanya no- 10(5), azisebenzi kubantu abafuye izinkukhu eziyishumi noma ngaphansi.

8. Izidingo zemvume yokufuya izinkukhu

Akekho umuntu ongafuya izinkukhu ezingaphezulu kweshumi esizeni esiselokishini noma izinyoni eziyi-100 endaweni eklanyelwe ukuba ngeyozolimo ngaphandle kwemvume ekhishwe nguMkhandlu.

9. Okudingekayo esakhiweni

Akekho umuntu ongafuya izinkukhu endaweni engahambelani nalokhu okudingekayo okulandelayo:

- (1) Maqondana nendlu yezinkukhu –
 - (a) zonke izindonga kumele zakhiwe ngezitini, amatshe, usimende noma enye impahla yokwakha eqinile engabhobozeki eyenziwe yaba bushelelezi ngaphakathi;
 - (b) iphansi kumele lakhiwe ngosimende noma ngenye impahla yokwakha eqinile engabhobozeki eyenziwe yaba busheshelezi;
 - (c) indawo engaphezulu yesakhiwo esiyitezi esisodwa noma ngaphezulu kumele yakhiwe ngempahla yokwakha eqinile engabhobozeki futhi ehlanzeka kalula;
 - (d) ubuncane bephansi obulinganiselwe kumele kube –
 - (i) ama- 0,20 m² kwenkukhu, idada, ikewu noma impangele ngakunye osekukhulile;
 - (ii) ama - 0,5 m² kwehansi, ikalikuni, ipigogo ngakunye osekukhulile; kanye
 - (iii) nama - 0, 14 m² kwejuba ngalinye eselikhulile;

- (e) ngama - 4m² bephansi lendlu elilinganise ngendawo;
- (2) maqondana nehhoko lezinkukhu, kufanele livalwe ngowaya noma ngenye impahla yokwakha eqinile engabuni;
- (3) maqondana nesakhiwo izindlu zokuhlalisa izilwane ngokuzihlanganisa -
- (a) zonke izindonga, uma zikhona, kumele okungenani ziphakame zibe ngama – 2,4m, okufanele zakhiwe ngosimende, ngamatshe, ngesitini noma ngenye impahla yokwakha engabhobozeki futhi zenziwe zibe bushelelezi;
- (b) uma zikhona izindonga, kumele isakhiwo lesi singenise umoya futhi sikhanye ngokwemishini engenisa umoya kanye neyokukhanyisa okwenziwe nje ngokufanisa noma ngokungenisa umoya ngokwemvelo nokukhanya okuvela ezindaweni zokungenisa noma emafasiteleni avulekayo endaweni engekho ngaphansi kwama – 15% endawo ephansi yebhilidi;
- (c) kufanele indawo yaphansi yakhiwe ngosimende noma ngenye impahla yokwakha engabhobozeki eyenziwe yaba bushelelezi futhi uma kuyalelwe yisikhulu esigunyaziwe, kufanele ingaphezulu lendawo ephansi ligandaywe bese lichithela emseleni;
- (d) uma izindonga zingekho, noma uma izindonga zakhiwe ngensimbi, kufanele indawo ephansi ihlinzekwe ngonqenqema okungenani olungama – 150 mm ukuphakama ukuzungeza unqenqema lwalo lwangaphandle ;
- (e) kufanele amakheji ohlelo lokuhlalisa izilwane ngokuzihlanganisa akhiwe ngempahla yokwakha eqinile engabhobozeki; futhi
- (f) uma kuyalelwe yisikhulu esigunyaziwe, kufanele kufakwe unqwembe olwakhiwe ngempahla engabhobozeki ngaphansi kwekheji ngalinye ukuze luqoqele umanyolo;
- (4) kufanele kuhlinzekwe ngamanzi anele okuphuza kanye nokuhlansa phakathi noma eduze kwebhokisi lokugcina izinkukhu kanye nezinyoni zasekhaya noma ebhilidini kumbe esakhiweni esihlalisa izilwane ngokuzihlanganisa;
- (5) ayikho indlu yezinkukhu, isihenqo esakhiwe ngowaya esingenalo uphahla lapho izinkukhu zizizulazulela khona, noma isakhiwo kumbe indlu ehlalisa izilwane ngokuzihlanganisa engakhiwa phakathi kamamitha ama – 3 -
- (a) anoma iyiphi indawo yokuhlala abantu, elinye ibhilidi noma isakhiwo esisetshenziselwa ukuhlalisa abantu;
- (b) anoma iyiphi indawo lapho kugcinwa khona ukudla noma okulungiswa khona ukudla okudliwa ngabantu; noma
- (c) omngcele oseduze kakhulu nanoma yimuphi umhlaba;
- (6) ukudla kwezilwane kufanele kugcinwe endlini yokugcina impahla engangenwa ngamagundane;
- (7) kufanele kuhlinzekwe ngezimfaneko ezanele zokuhlansa ukuze kuhlanzwe amakheji;
- (8) uma kuyalelwe yisikhulu esigunyaziwe ngenxa yobungako bamanyolo ogcinwe esakhiweni olinde ukuchithwa, kufanele kuhlinzekwe ngendawo yokubeka enezidingo ezilandelayo :
- (a) umganga onophahla owakhiwe ngempahla yokwakha eyakhiwe ngosimende noma ngenye impahla yokwakha engabhobozeki;
- (b) kufanele unqenqema lwangaphandle lomganga lube nobuncane obulinganiselwe obungama -100 mm ukuphakama;
- (c) kufanele umganga ugandaywe bese ukwazi ukuchitha amanzi; futhi
- (d) kufanele uphahla lomganga lunwebekela endaweni eyimitha eli-1 ukweqela onqenqemeni lwesisekelo somganga.

10. Imisebenzi yomfuyi wezinkukhu

Yinoma yimuphi umfuyi wezinkukhu kumele -

- (1) aqinisekise ukuthi zonke izinkukhu zigcinwe ngaphakathi endlini yezinkukhu, ehhokweni noma isakhiwo sokuhlalisa izilwane ngokuzihlanganisa;
- (2) agcine indawo kanye nanoma iyiphi impahla yokusebenza, imishini yokusebenza, isitsha esisetshenziswa maqondana nokugcinwa kwezinkukhu zihlanzekile, zisesimweni esiphiliso;
- (3) agcine indawo ingenalo iphunga elibi futhi indlu yezinkukhu, ihhoko noma isakhiwo noma indlu yokuhlalisa izilwane ngokuzihlanganisa kanye nawo onke amakheji ehlanzekile futhi engenazo izilwane ziyinkathazo;
- (4) aqinisekise ukuthi izinkukhu aziphazamisi noma azivimbeli intokomalo, ithuba elifanele, uxolo noma ukuthula komphakathi;
- (5) ahlinzeke ngezitsha zokugcina umanyolo ezakhiwe ngempahla yokwakha engabhobozeki futhi enesivalo ezivaleka kahle bese ebeka izitsha eziphathekayo zokugcina umanyolo phezu komganga;
- (6) asuse wonke umanyolo kanye nomunye udoti endlini yezinkukhu kanye ehhokweni kanye emahoreni angama- 48 nakanye njalo ezinsukwini ezine esakhiweni noma endlini ehlalisa izilwane ngokuzihlanganisa;
- (7) abeke umanyolo kanye nomunye udoti esitsheni sokugcina umanyolo;
- (8) akiphe konke okuphakathi ezitsheni zokugcina umanyolo esakhiweni okungenani kanye njalo ezinsukwini eziyisikhombisa bese echitha umanyolo ngendlela engeke idale inkathazo empilweni yomphakathi; bese
- (9) ethatha izinyathelo ezifanele zokugcina indawo ingenazo izimpukane, amaphela kanye namagundane ukuze kugwemeke iphunga elibi eliqhamuka ngenxa yokufuya izinkukhu.

**ISAHLUKO 6
UKUFUYWA KONOGWAJA**

11. Ukusebenza

Izinhlinzeko zezigaba se-13 (5) kuya ku- (7) kufakwa kanye ne- 14 (4), azisebenzi kubantu abafuye onogwaja abayishumi noma ngaphansi.

12. Izidingo zemvume yokufuya onogwaja

Akekho umuntu ongefuya onogwaja esebekhulile abangaphezu kwabayi-5 esizeni esiselokishini noma onogwaja asebekhulile abangama- 20 endaweni eklanyelwe ukuba ngeyokulima ngaphandle uma kungemvume ekhishwe nguMkhandlu.

13. Okudingeka esakhiweni

Akekho umuntu ongefuya onogwaja endaweni engahambelani nalokhu okudingekayo okulandelayo:

- (1) maqondana nekheji elakhiwe ngepulangwe noma ngowaya lokugcina onogwaja -
 - (a) Zonke izindonga kumele zakhiwe ngesitini, amatshe, usimende noma ngenye impahla yokwakha engabhobozeki futhi kufanele ibe nendawo engaphezulu yangaphakathi ebushalelezi;
 - (b) kufanele indawo yangaphezulu yendawo ephansi -
 - (i) yakhiwe ngosimende noma ngempahla yokwakha engabhobozeki eyenziwe yaba bushalelezi;
 - (ii) okungenani ibe ngama-150 mm phezu kwendawo yaphansi; futhi
 - (iii) igandaywe yenze okungumsele, uma kudingwa yisikhulu esigunyaziwe;
 - (c) kufanele kungene umoya owanele endlini;
- (2) Yinoma iyiphi indlu kanogwaja kumele ivaleke ngowaya noma enye impahla yokwakha eqinile ngendlela yokuthi angeke baphunyula;
- (3) maqondana nesakhiwo noma indlu yokuhlalisa izilwane ngokuzihlanganisa -
 - (a) Yinoma yiluphi udonga kumele-
 - (i) lube lude ngokulinganiselwe kumamitha ama- 2,4 ukuphakama;
 - (ii) lwakhiwe ngosimende, amatshe, isitini noma enye impahla yokwakha eqinile;
 - (b) kufanele indawo yangaphezulu ngaphakathi ibe bushalelezi; uma izindonga zikhona, kufanele isakhiwo singenise umoya futhi kufanele sikhanyise ngokukhanyisa okwenziwe nje noma ngamafasitela anobukhulu obungekho ngaphansi kwama- 15% ephansi lesakhiwo;
 - (c) kufanele iphansi lakhiwe ngosimende noma ngenye impahla yokwakha engabhobozeki eyenziwe yaba bushalelezi futhi uma kuyalelwe yisikhulu esigunyaziwe, kufanele ingaphezulu lendawo ephansi ligandaywe bese lichithela emseleni;
 - (d) uma izindonga zingekho, noma uma izindonga zakhiwe ngensimbi, kufanele iphansi lifakwe unqenqema okungenani olungama-150mm ukuphakama ukuzungeza unqenqema lwalo lwangaphandle; futhi
 - (e) kufanele wonke amakheji akhiwe ngempahla yokwakha engabhobozeki; bese afakwe izingqwembe ezakhiwe ngempahla yokwakha engabhobozeki ukuze ziqoqele umanyolo;
- (4) kufanele kuhlinzekwe ngamanzi anele okuphuza kanye nawokuhlaza kuwo onke amabhokisi okugcina onogwaja noma eduzane noma nesakhiwo kumbe endlini yokuhlalisa izilwane ngokuzihlanganisa;
- (5) akekho umuntu ongagxumeka ikheji lokugcina onogwaja, indlu kanogwaja noma isakhiwo kumbe indlu ehlanganisa izilwane ngokuzihlanganisa eseduze ngamamitha amahlanu -
 - (a) kunoma iyiphi indawo yokuhlala abantu, ibhilidi noma esinye isakhiwo esisetshenziselwa ukuhlalisa bantu;
 - (b) kunoma iyiphi indawo lapho kugcinwa khona ukudla noma okulungiswa kuyo ukudla okudliwa ngabantu;
 - (c) naseduzane kakhulu nomgcele wanoma yimuphi umhlaba;
- (6) kufanele kuhlinzekwe ngendawo eyanele yokugcina impahla engangenwa ngamagundane ukuze kugcinwe kuyo ukudla; futhi
- (7) kuhlinzekwe ngezimfanelo ezanele zokuwasha ukuze kuhlanzwe amakheji.

14. Imisebenzi yomfuyi wonogwaja

Yinoma ngubani umuntu ofuye onogwaja kumele -

- (1) agcine bonke onogwaja ekhejini, endlini kanogwaja noma esakhiweni noma endlini ehlanganisa izilwane ngokuzihlanganisa;
- (2) agcine indawo kanye nanoma yini impahla yokusebenza, imishini yokusebenza, isitsha noma isikhongozelo esisetshenziswa maqondana nokufuywa konogwaja zihlanzekile, ezisesimweni esiphilisayo;
- (3) agcine indawo ingenalo iphunga elibi futhi wonke amakheji, indlu kanogwaja noma isakhiwo noma indlu yokuhlalisa izilwane ngokuzihlanganisa kanye nawo onke amakheji ehlanzekile futhi engenazo izilwane iziyinkathazo;
- (4) ahlinzeke ngezitsha zokugcina umanyolo eziphathekayo ezakhiwe ngempahla yokwakha engabhobozeki enezivalo ezivaleka kahle, bese kuthi zonke izitsha zibekwe phezu komganga;
- (5) akhiphe wonke umanyolo kanye nanoma yimuphi omunye udoti ekhejini, endlini kanogwaja noma isakhiwo noma indlu yokuhlalisa izilwane ngokuzihlanganisa, okungenani kanye emahoreni angama - 48;
- (6) agcine umanyolo nodoti esitsheni sokugcina umanyolo kuze kube uyasuswa esakhiweni; futhi

- (7) achithe okuphakathi ezitsheni zokugcina umanyolo esakhiweni okungenani kanye njalo ezinsukwini eziyisikhombisa bese elahla umanyolo ngendlela engeke idale inkathazo empilweni yomphakathi.

ISAPHLUKO 7

UKUFUYWA KWEZINYONI OKUNGEZONA IZINKUKHU

15. Okudingekayo Esakhiweni

Akekho umuntu ongafuya noma iyiphi inyoni, okungeyona inkukhu, ehhokweni lokufuya izinyoni elingahambelani nalokhu okudingekayo okulandelayo:

- (1) kufanele indlu yokufuya izinyoni yakhiwe ngempahla yokwakha eqinile engangenwa ngamagundane;
- (2) kufanele kungeneke kahle kuyo ukuze ikwazi ukuhlazwa;
- (3) uma indlu yokufuya izinyoni yakhiwe ngokuphakama emhlabathi, isisekelo salo masakhiwe ngendlela yokuthi asizobhoboka noma asizongenwa amanzi futhi lakhiwe ngento ezohlala isikhathi eside futhi lakhiwe ngokuphakama emhlabathini ngesilinganiso esingamamilimitha angama- 300;
- (4) akumele indlu yokufuya izinyoni yakhiwe eduzane ngokwamamitha amathathu nesakhiwo, ucingo olungumngcele kumbe udonga olungumngcele; futhi
- (5) kufanele indawo yokuphakela ngamanzi ngezinhloso zokuphuza kanye nokuhlaza yakhiwe phakathi noma maduzane nendlu yokufuyela izinyoni.

16. Imisebenzi yomgcina wendlu yokufuya izinyoni

Yinoma yimuphi umuntu ogcina izinyoni endlini yokufuya izinyoni kumele-

- (1) aqinisekise ukuthi indlu yokufuya izinyoni kanye nendawo igcinwa kusesimweni esihlanzekile futhi ingenazo izilokozane eziyinkathazo;
- (2) ahlizenze futhi asebenzise indawo yokugcina ukudla kwezinyoni engangenwa ngamagundane; futhi
- (3) aqinisekise ukuthi izinyoni aziphazamisi ukuthokoza, ukuhlala, uxolo noma ukuthula komphakathi.

ISAPHLUKO 8

IZINDLU ZEZINJA KANYE NEZINDAWO ZAMAKATI

17. Okudingekayo Esakhiweni

Akekho umuntu ongasebenzisa indawo njengendlu yezinja noma indawo yokuzalisa amakati ngaphandle uma indawo ihambelana nalokhu okudingekayo okulandelayo:

- (1) Zonke izinja noma namakati kumele kugcinwe endaweni evalekile ehambelana nalokhu okudingekayo okulandelayo:
 - (a) Indlu evalekile leyo kumele yakhiwe ngempahla yokwakha engenakubhobozeka futhi kwenziwe kukwazake ukuba kungeneke kalula kuyo ukuze ihlazwe;
 - (b) Iphansi kumele lakhiwe ngosimende noma enye impahla engangenwa yilutho bese liqedelwa ngokwenziwa bushielelezi futhi livulelwe umsele ongama-100mm ububanzi, kwandiswe ububanzi bephansi lapho kuzovulwa khona umsele uchithele endaweni exhumene nesitamkoko ngokusebenzisa ipayipi elingama-100mm ngokwamadayamitha; futhi
 - (c) kufanele kuhlinzekwe ngonqenqema olungama-150 mm ukuphakama eceleni komsele, okubhekiswe kulo egatshaneni (b), ukugwema ukuthi noma yimaphi amanzi emvula ageleze angene emseleni;
 - (2) ngokwesigatshana (4), yonke indlu okubhekiswe kuyo esigatshaneni (a), kumele yakhiwe ngaphansi kompheme owupahla ohambelana nalokhu okudingekayo okulandelayo:
 - (a) Zonke izindonga kumele zakhiwe ngezitini, amatshe, usimende noma ngenye impahla yokwakha engabhobozeki;
 - (b) ingaphakathi lazo zonke izindonga kumele zenziwe zibe bushielelezi;
 - (c) iphansi kumele lakhiwe ngosimende noma ngenye impahla yokwakha engabhobozeki eyenziwe yaba bushielelezi; futhi
 - (3) Yonke imipheme kumele kwenziwe ukuthi kungeneke kahle kuyo ukuze ihlanzwe futhi kuvinjwe izilokazane eziyinkathazo;
 - (4) indlu yenja ehambelana nalokhu okudingekayo okulandelayo ingahlizekwa ngale kwesakhiwo esiningwe esigatshaneni (2):
 - (a) kufanele indlu yenja yakhiwe nge-asibhestosi ebunjiwe noma impahla yokwakha efana nawo;
 - (b) kufanele indlu yenja ikwazi ukususeka;
 - (c) kufanele indlu yenja ibekwe phezu kwesisekelo esakhiwe ngosimende noma ngenye impahla yokwakha engabhobozeki eyekhiwe kwaba lula ukuyihlanza; futhi
 - (d) ibhodi lokulala, elizokwenzainja ihlale yomile, kumele lihlinzekwe kunoma yiyiphi indlu yenja engenaso isisekelo esingangenwa manzi;
 - (5) umpheme kakhonkolo owakhiwe waba yimitha ububanzi owakhiwe wazungeza nqenqema lwendawo evalekile kumele uhlinzekwe;
 - (6) umpheme kumele ugandaywe wenziwe ngendlela yokuthi amanzi ezikhukhula angasondeli endaweni evalekile;
 - (7) isitsha esiphathekayo sokuletha amanzi, enele ukuphuza nokuhlaza, kumele sihlinzekwe phakathi noma encikene nendawo evalekile;
 - (8) yinoma yiliphi ikheji okugcinwa kulo amakati kumele lakhiwe ngempahla eqinile engangenwa lutho futhi ngendlela yokuthi kube lula ukulihlanza;

- (9) nanoma yisiphi isakhiwo, indawo evalekile noma indlu yenja angeke kwakhiwe budebuduze ngamamitha amahlanu nanoma iyiphi–
- indawo yokuhlala kumbe isakhiwo esisetshenziselwa ukuhlala abantu;
 - indawo lapho kugcinwa khona ukudla futhi okuphekelwa khona ukudla okuzodliwa ngabantu; kumbe
 - naseduzane kakhulu nomgcele wanoma yimuphi umhlaba

18. Indawo yokulungiselela ukudla

Noma yimuphi umgcinu wezinja, noma wendawo lapho kuzalaniswa khona amakati oyalelwa yisikhulu esigunyaziwe ukuba ahlinzeke ngendawo yokulungiselela ukudla, kumele ahlinzeke ngekamelo eliseceleni noma indawo enophahla yokulungiselela ukudla ehambelana nalokhu okudingekayo okulandelayo:

- iphansi lendlu noma indawo enophahla kumele yakhiwe ngosimende noma ngenye impahla yokwakha engabhobozeki eyenziwe yaba bushelelezi;
- ingaphakathi lezindonga zendlu noma zendawo enophahla kumele libe bushelelezi futhi lihlanzeke kalula;
- kumele kuhlinzekwe ngezimfanelo zokuhlaza izindishi zokudla; futhi
- kumele kuhlinzekwe ngegumbi lokugcina ukudla elingangenwa ngamagundane.

19. Imisebenzi yomgcinu wezinja noma indawo yokuzalanisa amakati

Kufanele noma yimuphi umuntu osebenzisa indlu yezinja noma indawo yokuzalanisa amakati –

- agcine indawo, impahla yokusebenza kanye nazo zonke izitsha, izitsha zokuphatha kanye nepulangwe lokulala elisetshenziswa maqondana nendlu yezinja noma endaweni yokuzalanisa amakati ihlanzekile futhi kulungiswe kahle;
- ahlinzeke ngezitsha eziphathekayo zokugcina izinto, ezakhiwe ngempahla eqinile zibe nezivalo ezivaleka kahle, lapho kuzogcinwa khona indle yezinja namakati;
- akhiphe yonke indle kanye nenye imfucuzo ezindaweni ezivalekile nasezakhiweni okungenani kanye emahoreni angama-24 bese ekubeka ezitsheni okubhekiswe kuko esigatshaneni (b)
- akhiphe konke okuqukethwe yizitsha zokugcina izinto emagcekeni okungenani kabili ezinsukwini eziyisikhombisa bese zilahlwa ngendlela engeke idale inkathazo empilweni yomphakathi;
- agcine konke ukudla okuvuliwe ezitsheni ezinezivalo ezivaleka kahle, lapho kugcinwa ukudla;
- ahlinzeke ngeziqandisi ezanele ukugcina ukudla okonakala kalula emagcekeni;
- ahlinzeke ngezitsha ezihlukene nezanele zokufaka udoti, ezinezivalo ezivaleka kahle emagcekeni ukuze kufakwe udoti nendle;
- agcine nanoma iyiphiinja noma ikati eligulayo kude nezinye izilwane; futhi
- agcine amagceke engenalo iphunga elibi kanye nazo zonke izindawo ezivalekile, izakhiwo, izindlu zezinja, amakheji noma indawo egcina ukudla zihlanzekile futhi zingenazinambuzane.

ISAHLUKO 9

IZITOLO EZIDAYISA IZILWANE ZASEKHAYA KANYE NEZINDAWO ZOKUCWALA IZILWANE ZASEKHAYA

20. Okudingekayo Esakhiweni

Akekho umuntu ongaba nesitolo esidayisa izilwane ezifuywa ekhaya kumbe indawo yokucwala izilwane ezifuywayo okungahambelani nalokhu okudingekayo okulandelayo:

- Zonke izindonga, kubandakanya nanoma yiluphi udonga oluhlukanisayo, kumele –
 - zakhiwe ngezitini, ukhokolo kumbe ngempahla eqinile;
 - zibe nengaphezulu langaphakathi elibushelelezi futhi okulula ukulihlanza; futhi
 - zipendwe ngopende owashekayo kumbe ziqedelwe ngenye indlela efanele;
- Lonke ingaphezulu lephansi kumele lakhiwe ngokhokolo noma impahla eqinile eqedelwe ngokuba bushelelezi;
- okungenani ubhavu owodwa wokugeza izandla, ngamanzi kampompi ashisayo noma abandayo, kumele ahlinzekelwe bonke abasebenzi futhi kufanele ube nobukhulu bokulinganiselwa indishi yokuhlaza izandla yabantu abaqashwe kuleyo ndawo futhi kumele kube ngaphansi kuka- 1:15;
- izindishi zokugeza izandla, okubhekiswe kuzo esigatshaneni (4), kumele zikhishwe amanzi;
- kumele kuhlinzekwe ngegumbi elanele lokugcina impahla;
- izindawo zokuhlaza amakheji, amathileyi kanye nezinye izimpahla kumele zihlinzekwe zibe yilolu hlobo –
 - unqenqema kanye nophahla phezu komganga elinobuncane obulinganiselwe kuma-1,5 m², obuphakeme okungenani lwaba ngama-100 mm ukusuka phansi futhi lwakhiwe ngokhokolo kumbe enye impahla yokwakha engabhobozeki eyenziwe yaba bushelelezi, okumele ibe nomganga onompompi wamanzi okuphuza; noma
 - usinki wensimbi engagqaliyo noma isitsha sokuphuza izilwane esikhulu ngokwanele esinepulangwe lokuchithela futhi ohlinzekwe ngompopi wamanzi okuphuza;
- umganga, usinki noma isitsha samanzi okuphuza izilwane okubhekiswe kuso esigatshaneni (7) kumele sichithwe amanzi;
- Nanoma yiliphi ingaphezulu lodonga elingama-0,5 onqenqemeni, usinki noma isitsha samanzi okuphuza izilwane okubhekiswe kuso esigatshaneni (7), kumele luhlale lwemboziwe ngento engangenwa ngamanzi enobude obungama-1,4 m ukusuka phansi;
- amagumbi okushintshela akhonjiswe ngokucacile kumele ahlinzekwe uma kunabantu abangaphezu kwabayisithupha abaqashwe emagcekeni futhi igumbi ngalinye lokushintshela kumele-

- (a) libe nephansi elingama-0,5 m² ahlinzekelwe umsebenzi ngamunye;
 - (b) libe nendawo yephansi engama-6 m² bese kuthi ububanzi bube ngamamitha amabili; futhi
 - (c) lifakwe amakhabethe enele ensimbi akhiyekayo komsebenzi ngamunye;
- (11) Lapho singekho khona isidingo segumbi lokushintshela ngokwesigatshana (10), kumele umsebenzi ngamunye ahlinzekwe ngekhabethe lensimbi elikhiyekayo;
- (12) ngezinhloso zokugeza, zokugunda noma zokufundisa izilwane ezifuywa ekhaya –
- (a) kumele kuhlinzekwe igumbi lokuvezela elifakwe ubhavu wokugezela, noma okufana nawo kanye nobhavu wokugeza izandla okunamanzi kampompi;
 - (b) kumele kuhlinzekwe igumbi lokugundela kanye nokugezela okumele libe namatafula anengaphezulu eliqinile kanye nezitsha ezimbalwa eziphathekayo ezakhiwe ngempahla eqinile futhi ezinezivalo ezivaleka kahle, ukuze kugcinwe kuzo uboya obugundiwe okulindele ukulahlwa;
 - (c) okungenani ama-50% ephansi lezindlu okubhekiswe kuzo ezigatshaneni (a) no (b) kumele kungaphazanyiswa; futhi
 - (d) iphansi lamagumbi okubhekiswe kuwo ezigatshaneni (a) no (b) kumele ligandaywe kuze kube kuyogcina emseleni wokuhambisa amanzi;
- (13) Zonke izakhiwo, kubandakanya izindawo zokugcina impahla kumele zingangenwa ngamagundane; futhi
- (14) isakhiwo akumele sibe nendawo yokungena ngqo ngaphakathi kwelinye igumbi noma indawo-
- (a) esetshenziselwa ukuhlala abantu;
 - (b) lapho kugcinwa noma kudayiswa khona izingubo; noma
 - (c) lapho kulungiswa, kugcinwa noma kudayiswa khona ukudla okuzodliwa ngabantu.

21. Imisebenzi yomnikazi wesitolo esidayisa izilwane zasekhaya noma wendawo yokucwala izilwane ezifuywa ekhaya

Yinoma yimuphi umnikazi wesitolo esidayisa izilwane zasekhaya noma wendawo yokucwala izilwane ezifuywa ekhaya kumele–

- (1) ahlinzeke ngamakheji okuhlalisa izilwane ezifuywe ekhaya ahambelana nalokhu okudingekayo okulandelayo:
 - (a) amakheji kumele akhiwe ngensimbi kumbe nanoma iyiphi impahla eqinile engabhobozeki futhi afakwe amathileyi akhiphekayo ensimbi azolekelela ukuba kuhlanzeke kalula;
 - (b) ingxenywe engaphandle evulekile esetshenziselwe ukwakha ikheji kumele ivalwe;
 - (c) amakheji kumele kube lula ukuwagudluza
 - (d) lapho onogwaja begcinwa khona ekhejini, ithileyi lensimbi okubhekiswe kulo esigatshaneni (a), kumele ibe nomgudu wokumpompela amanzi angcolile esitsheni esigudluzekayo;
 - (e) amakheji kumele afakwe isitsha sokuphuza esigcwaliswe ngamanzi;
 - (f) ibanga kusuka ekhejini kuya eduzane nodonga kumele libe ngama-150mm;
 - (g) amakheji kumele agcinwe ezingeni elinga-450mm ngaphezu kwephansi;
 - (h) indawo engaphansi kwekheji ngalinye kumele kungabekwa lutho kuyona;
- (2) ahlinzeke ngezitsha ezingangenwa magundane, ezakhiwe ngempahla eqinile futhi ezinezivalo ezivaleka kahle, lapho kuzogcinwa khona konke ukudla kwezilwane ezifuywayo osekuvuliwe egunjini lokugcina izimpahla;
- (3) ahlinzeke ngeziqandisi ezanele lapho kuzogcinwa khona ukudla okonakala ngokushesha
- (4) aqinisekise ukuthi kunoma yiliphi igumbi lapho kugcinwa khona izilwane ezifuywayo
 - (a) ama -50 % ephansi akubekwa lutho kulo; futhi
 - (b) amakheji abekwe ahlukaniswe ngama-800mm ukusuka kwelinye kuyiwe kwelinye;
- (5) agcine amagceke kanye nawo wonke amakheji, amathileyi, izitsha, obhasikidi kanye namathuluzi wonke kumbe izinto ezisebenza ngogesi ezisetshenziswa maqondana nesitolo sezilwane ezifuywayo, zisesimweni sokuhlazeka, zingenazinambuzane futhi zilungisiwe;
- (6) ahlinzeke ngama-ovaloli kumbe ezinye izimpahla zokuvikela abasebenzi futhi aqiniseke ukuthi bonke bayazigqoka uma besemsebenzini;
- (7) ahlinzeke ngegumbi eliseceleni lapho kuzogcinwa khona lezo zilwane ezigulayo kumbe ezibukeka zigula;
- (8) ahlinzeke ngokunikezelwa kwamanzi anele ukuphuza nokuhlaza;
- (9) ahlinzekele ukungena komoya owanele ukuqinisekisa inhlalakahle nempilo yezilwane; futhi
- (10) aqinisekise ukuthi inani lezilwane ezifuywayo ezifakwe ekhejini ngayinye azimpintshani, zinyakaza ngokukhululeka.

ISAHLUKO 10

UKUFUYWA KWEZILWANE ZASENDLE

22. Okudingekayo Esakhiweni

Akekho umuntu ongafuya izilwane zasendle endaweni engahambelani nalokhu okudingekayo okulandelayo:

- (1) zonke izilwane zasendle kumele zigcinwe endaweni evalekile bese iba nalezi zinto ezilandelayo –

- (a) indawo evalekile kumele ifanele izidingo zesilwane esithize njengoba kuchaziwe ngokwamagunya aqondene nezokongiwa kwemvelo;
- (b) indawo evalekile akumele yakhiwe eduze ngamamitha angama- 50-
 - (i) nanoma yimuphi umngcele wanoma iyiphi indawo;
 - (ii) noma iyiphi indawo yokuhlala abantu, ibhilidi noma isakhiwo esisetshenziselwa ukuhlalisa abantu;
 - (iii) noma iyiphi indawo yokuhlala abantu, ibhilidi noma isakhiwo okugcinwa, okulawulwa, noma okulungiswa kuso ukudla okuzodliwa ngabantu; noma
 - (iv) noma yimuphi umthombo wamanzi abekelwe ukusetshenziswa emakhaya;
- (c) kumele kuhlinzekwe ngamanzi anele okuphuza kanye nokuhlaza; futhi
- (d) kumele indawo evalekile igandaywe bese ivulwa umsele ngendlela yokuthi ayizongcolisa noma yinoma yimuphi umthombo wamanzi noma udale inkathazo empilweni yomphakathi;
- (2) kumele kuhlinzekwe ngendlu eseceleni, yokulungisa ukudla enetafula kanye nosinki wokugeza, onompompi futhi ochitha amanzi ngendlela efanele;
- (3) kumele kuhlinzekwe ngezimfanelo ezanele zokugeza yinoma yimaphi amakheji, amathileyi, amakreyithi, imigqomo yokufaka udoti kanye nezitsha zokudla okungaba wuhlobo-
 - (a) lomganga owunqenqema owakhiwe ngosimende noma ngenye impahla yokwakha engabhobozeki eyenziwe yaba bushелеlezi; noma
 - (b) usinki wensimbi engagqali noma isitsha sokuphuza izilwane esikhulu ngokwanele ukukwazi ukufaka impahla yokusebenza ezowashwa;
- (4) kumele zombili izimfanelo okubhekiswe kuzo esigatshaneni (3) zihlinzekwe ngompompi wamanzi okuphuza futhi kufanele zikwazi ukudedela amanzi ngendlela efanele; futhi
- (5) zonke izindawo kanye namakamelo okugcinwa kuwo ifoliji kanye nokudla kumele zingangenwa ngamagundane.

23. Imisebenzi yokumfuyi wezilwandle zasendle

Yinoma yimuphi umuntu ofuye izilwane zasendle kumele-

- (1) agcine indawo ihlanzekile futhi isesimweni esinempilo ngaso sonke isikhathi;
- (2) asuse wonke umanyolo kanye nezinsalelea zokudla endaweni evalekile ngezikhawu ezifanele; futhi
- (3) agweme umhlabathi ngaphansi noma eceleni kwendawo evalekile ukuba ugcwale umchamo.

ISAHLUKO 11

UKUFUYWA KWEZINGULUBE

24. Okudingekayo Esakhiweni

Akekho ungafuya izingulube endaweni okungeyona igoqo elihambelana nalokhu okudingekayo okulandelayo:

- (1) zonke izindonga kumele-
 - (a) zakhiwe ngezitini, amatshe, usimende noma impahla yokwakha eqinile;
 - (b) zibe nobuncane obulinganiselwe obuyimitha eliyi-1,5 ubude; futhi
 - (c) zibe nendawo engaphezulu ebushелеlezi, engabhobozeki endaweni engaphezulu ngaphakathi;
- (2) iphansi kumele okungenani libe ngama- 3m² ukwenela ingulube ngayinye ehlahiswe egoqweni, elinephansi selilonke elingama- 6 m²;
- (3) uphahla lwayo yonke ingxenywe yegoqo lezingulube kumele lube nobuncane obulinganiselwe obungamamitha angama-1,5 ubude
- (4) ngaphandle kwesakhiwo esinophahla esinamacala aso amade avuleke wonke, okokungenisa ukukhanya kanye nomoya kumele-
 - (a) kwakhiwe kubhekane ezindongeni ezingaphandle; futhi
 - (b) kuhlinzekelwe ingulube ngayinye ngokulinganiselwe kuma-0,15 m²;
- (5) iphansi kumele -
 - (a) okungenani libe ngama- 150 mm phezu kwendawo ephansi ezungezile;
 - (b) lakhiwe ngosimende noma ngenye impahla yokwakha engabhobozeki eyenziwe yaba bushелеlezi; bese
 - (c) ligandaywa ukuze kuhambe amanzi ayongena emseleni ngaphandle kwegogo;
- (6) umsele ovulekile okubhekiswe kuwo esigatshaneni (5)(c) kumele -
 - (a) wakhiwe ngosimende noma ngenye impahla yokwakha e engabhobozeki;
 - (b) ube yidayamitha elingama-100 mm, futhi
 - (c) uchithe amanzi ngendlela efanele;
- (7) igoqo kumele liqine ngokwanele ukuze kugwemeke ukuba izingulube zifohle ;
- (8) igoqo akumele lakhiwe eduze ngamamitha ayi-100 -
 - (a) nomngcele wezakhiwo;
 - (b) nanoma iyiphi indawo yokuhlala abantu, ibhilidi noma isakhiwo esisetshenziselwa ukuhlalisa abantu;
 - (c) nanoma iyiphi indawo yokuhlala, ibhilidi noma isakhiwo okulungiselwa, kugcinwe noma kudayiselwe kuso ukudla okudliwa ngabantu;
 - (d) nanoma yimuphi umthombo wamanzi lapho abantu bephuza khona;
- (9) kumele kuhlinzekwe ngomganga onophahla owakhiwe ngosimende-
 - (a) ukuze kugcinwe ukudla kwezingulube ezitsheni; futhi
 - (b) ukuze kulungiselelwe ukuphiwa kwezingulube ukudla;

(10) umganga okubhekiswe kuwo esigatshaneni (9), kumele uhambelane nezihlinzeko sezigatshana (5) futhi phezu kwalokho, kumele ube nonqenqema elinobude obulinganiselwe obungama- 100 mm onqenqemeni ngalunye; futhi

(11) kumele kuhlinzekwe ngamanzi, anele egoqweni noma eduzane nalo ukuze kube ngowokuphuza nokuhlanza.

25. Imisebenzi yokumfuyi wezingulube

Wonke umuntu ofuye izingulube kumele-

- (1) aqinisekise ukuthi zonke izingulube zigcinwa ngaphakathi egoqweni;
- (2) agcine indawo kanye nempahla yokusebenza, imishini yokusebenza, izitsha noma imigqomo kuhlanzekile futhi kusesimweni esinempilo futhi sigcinwe kahle;
- (3) ahlinzeke ngemigqomo yokufaka enokuthuthwa, eyakhiwe ngempahla yokwakha engabhobozeki bese ivalwa ngezivalo ezivaleka kahle, ukuze agcine kuyo umanyolo;
- (4) agcine zonke izikhongozelo zokugcina umanyolo phezu komganga ohambelana nesigaba 24(9);
- (5) asuse wonke umanyolo egoqweni okungenani kanye emahoreni angama – 24 bese ewubeka emigqomeni yokuwugcina;
- (6) asuse esakhiweni okuphakathi emigqomeni yokugcina umanyolo okungenani kanye njalo osukwini lwesibili bese elahla umanyolo ngendlela engeke idale inkathazo empilweni yomphakathi;
- (7) ahlinzeke ngendlu yokugcina impahla engangenwa ngamagundane lapho konke ukudla, okungaba ukudla kwezingulube okufanele kugcinwe khona; futhi
- (8) ahlinzeke ngemigqomo engangenwa ngamagundane, enezivalo ezivaleka kahle, okugcinwa kuyona ukudla okungekho emaphaketheni.

ISAPHLUKO 12 UKUFUYWA KWEZINYOSI

26. Okudingekayo Esakhiweni

(1) Akekho umuntu ongafuya izinyosi kunoma yisiphi isakhiwo ngaphandle uma –

- (a) lowo muntu enemvume esemthethweni ekhishwe ngumkhandlu; futhi
- (2) indlu yezinyosi yakhiwe –
 - (a) yaqhela ngamamitha amahlanu okungenani ukusuka kunoma yimuphi umngcele wesakhiwo; futhi
 - (b) okungenani ngamamitha ayishumi kusukela kunoma iyiphi indawo yomphakathi noma ibhilidini elisetshenziselwa ukuhlala abantu;
 - (3) izinyosi zihlala endlini yezinyosi egunyaziwe; futhi
 - (4) indlu yezinyosi –
 - (a) igcinwe endaweni izingane kanye nezilwane ezingakwazi ukungena kuyo;
 - (b) ehlale igcinwe isethunzini ngaso sonke isikhathi; futhi
 - (c) zihlinzekwa ngamanzi okuphuza eseduze ngamamitha amahlanu nendlu yazo.
 - (5) Akekho umuntu okumele alahle noma achithe yinoma yimuphi udoti, umquba, utshani obusikiwe noma umanyolo eduze ngamamitha amahlanu kwanoma iyiphi indlu yezinyosi;

ISAPHLUKO 13 IZILWANE EZIYINGOZI

27. Izilwane eziyingozi

- (1) Akekho umuntu ngaphandle kwemvume ekhishwe ngumasipala, okumele agcine noma yisiphi isilwane sasendle esiwuhlobo olunobungozi kubantu, kubandakanya nokungabi nazithibelo, izilwane ezinkulu ezidla inyama, izinyoka ezinobuthi, izicabucabu noma ofezela.
 - (2) Imvume okubhekiswe kuyo esigatshaneni (1) ingakhishwa namayelana naleyo mibandela njengoba umkhandlu ungabona kufanele, kubandakanya ngaphandle kokunqumela ukubukeka kohlobo lwendawo ebizelweyo edingakalayo ukuqinisekisa ukuthi isilwane asifohli endaweni noma asizukudala ingozi kubahlali bakuleyo ndawo, noma izivakashi

ISAPHLUKO 14 IZIHLINZEKO EZINHLOBONHLOBO

28. Imisele Yamanzi

Yinoma yimuphi umuntu ofuye izilwane kumele aqinisekise ukuthi bonke osinki, izitsha zokugeza izandla, obhavu, obhavu bokugeza, izitsha zokudla kwezilwane, iphansi, imisele kanye nenqenqema lokuwasha kudingeka ukuba kukhishwe amanzi ngokwalo mthetho kamasipala, kumele kukhishwe amanzi ngokuhambisana nezihlinzeko zoMthetho ngobu kaZwelonke Wezokwakha kanye noMthetho Wamaqophelo Ezokwakha we-1977, (uMthetho uNo. 103 we- 1977).

29. Ukugcinwa kwezilwane ezizohlatshwa ngemicimbi yezenkolo noma yemigubho

- (1) Yinoma yimuphi umuntu ogcina isilwane ngaphambi kokuba sihlathwe ngezihloso zezenkolo noma zomgubho, noma ohlaba isilwane ngalezo zihloso, kumele ahambelane nezihlinzeko zale mithetho kamasipala.
- (2) Umuntu ohlose ukuhlaba isilwane ngezihloso zezenkolo noma zomgubho kunoma iyiphi indawo ngaphandle kwasemadeleni agunyaziwe kumele:
 - (a) azise uMkhandlu ngokubhala, ezinsukwini eziyishumi nane ngaphambi kokuba kube ngumcimbi;

- (b) azise bonke omakhelwane ngokuba abhale, ezinsukwini eziyisikhombisa ngaphambi kokuba kube ngumcimbi;
- (c) inqubo yokuhlaba ayisithe emphakathini;
- (d) asebenzise inyama eqhamuke esilwaneni ebeshlatshwa ukuba idliwe ngezinhloso kuphela zezenkolo noma zomgubho;
- (e) aphahe inyama ngendlela enempilo ngazo zonke zikhathi; futhi
- (f) alahle noma yiziphi izingxenye zesilwane ezingasetshenziselwa ukuba zidliwe, ngendlela okunqunywe ngayo ngumkhandlu.

30. Izilwane ezithile ezingeke zafuywa ezindaweni emalokishini

Akekho umuntu okumele afuye noma yiziphi izinkomo, amahashi, iminyuzi, izimbongolo, izimbuzi, iziklabhu, izingulube noma izilwane zasendle noma yikuphi ngaphakathi kwemingcele yendawo eyaziwa ngokusemthethweni ngelokishi.

31. Izimvume

- (1) Uma ngabe kuhlinzekiwe kule mithetho kamasipala ukuthi isilwane singafuywa kuphela ngokwemvume ekhishwe ngumkhandlu, kuzosebenza lokhu okulandelayo:
 - (a) Umuntu ofisa ukuthola imvume kumele afake isicelo sayo esibhaliwe emkhandlwini, futhi kuyomele akhokhe leyo mali ekhokhwayo yokufaka isicelo njengoba kunganquma umkhandlu;
 - (b) Ukwengeza, lowo muntu kumele anikeze noma yimiphi imininingwane engadingwa ngumkhandlu ngenhloso yokucubungula lesi sicelo;
 - (c) umkhandlu ngokubona kwawo ungasemukele lesi sicelo futhi ukhiphe imvume, ngokwemibandela njengoba ungabona kufanele, noma ungasichitha lesi sicelo.
- (2) Umkhandlu ungadlulisela amandla awo ngaphansi kwezindima 31(1) (a) no (b) zesigatshana esikhulwini sikamasipala esigunyaziwe.

32. Izikhulu Ezigunyaziwe

Umasipala angaqoka abasebenzi bakamasipala njengezikhulu ezigunyaziwe ukuba ziqhubefuthi ziqalise ukusebenza kwemithetho kamasipala kanye nokwenza noma yimiphi imisebenzi evunyelwe ngaphansi kwalo mthetho kamasipala.

33. Ukudluliswa Kwezikhalo

- (1) Umuntu okuthintekile amalungelo akhe ngenxa yesinqumo esithathwe yinoma yisiphi isikhulu esigunyaziwe ngaphansi kwale mithetho kamasipala noma isikhulu esigunyazwe ngumkhandlu ngokwesigaba 32(2), angadlulisa isikhalo sesinqumo ngokuba ahambise isaziso esibhaliwe yokudlulisela isikhalo kanye nezizathu kwimenenja kamasipala zingakapheli izinsuku ezingama-21 emva kokwaziswa ngesinqumo.
- (2) Imenenja kamasipala kumele ngokushesha ihambise isikhalo kwisiphathimandla esiqondene sokudluliswa kwezikhalo esishiwo esigatshaneni (4).
- (3) Isikhulu sokudluliswa kwezikhalo kumele sisicubungule isikhalo esidlulisiwe, bese siqinisekisa, siguqule noma sichithe isinqumo, kodwa akukho kuguqulwa noma ukuchithwa kwesinqumo okungahoxiswa kunoma yimaphi amalungelo angakheka ngenxa yesinqumo.
- (4) Uma ukudluliswa kwesikhalo kuphikisana nesinqumo esithathwe –
 - (a) Ngumsebenzi ongeyona imenenja kamasipala, imenenja kamasipala iba yisikhulu sokudluliswa kwezikhalo; noma
 - (b) Yimenenja kamasipala, imeya iyona eba yisikhulu sokudluliswa kwezikhalo.
- (5) Isikhulua sokudluliswa kwezikhalo siqalise ukucubungula isikhalo esidluliselwe kungakapheli amaviki ayisithupha futhi sinqume ngesikhalo esidlulisiwe singakapheli isikhathi esifanele.

34. Eminye imithetho okufanele kuhanjiswa nayo

Ukuhambelana nanoma yiziphi izihlinzeko zalo mthetho kamasipala yinoma yimuphi umuntu angeke kwakhululwa lowo muntu ekuhambelaneni nanoma yiziphi izihlinzeko zanoma yimuphi omunye umthetho kamasipala noma umthetho kumbe umthethonqubo wesifundazwe noma wezwe owakhiwe ngaphansi kwawo, futhi ukukhishwa kwanoma iyiphi imvume kunoma yimuphi umuntu ngokwalo mthetho kamasipala angeke kwakhululwa lowo muntu ekutholeni imvume edingwa yimuphi omunye umthetho kamasipala noma umthetho kumbe umthethonqubo wesifundazwe noma wezwe owakhiwe ngaphansi kwawo.

35. Ukwaphulwa komthetho

Yinoma yimuphi umuntu-

- (a) owaphula noma ohluleka ukuhambelana nanoma yiziphi izihlinzeko zale mithetho kamasipala;
- (b) ohluleka ukuhambelana nanoma yimuphi umyalelo wangokomthetho okhishiwe ngokwale mithetho kamasipala; noma
- (c) ovimba noma ophazamisa noma yisiphi isikhulu esigunyaziwe ekwenzeni imisebenzi yaso ngaphansi kwale mithetho kamasipala, uyoba necala lokwaphula umthetho, futhi uyokhokha inhlawulo, uma eselahlwe icala, njengalokhu kubalulwe eMithethweni kaMasipala waseNdumeni ephathelene naMacala, Izinhlawulo kanye Nokudluliswa Kwezikhalo njengoba kumenyezwe ngokufanelekile mhla ziyi- 6 kuMandulo wezi- 2011.

36. Imithethonqubo

Umasipala ungenza imithethonqubo engaphambene nalo mthetho kamasipala, unquma -

- (a) noma yiluphi udaba olunganqunywa ngokwalo mthetho kamasipala; futhi
- (b) noma yiluphi udaba olungendlela ukusebenza kwalo mthetho kamasipala.

37. Ukuchithwa kwemithetho kamasipala

Noma yimuphi umthetho kamasipala Wokufuywa Kwezilwane ogunyazwe ngumasipala noma ngomunye umkhandlu kamasipala ngaphambilini manje osunophiko lokuphathwa kwehhovisi likamasipala uzochithwa kusukela osukwini lokumenyezwe kwalo mthetho kamasipala.

38. Isihloko esifishane

Lo mthetho kaMasipala ubizwa ngokuthi uMthetho kaMasipala, Wokufuywa Kwezilwane wezi-2012, futhi uzoqala ukusebenza ngosuku olunqunywe ngumasipala ngokumemezela kwiGazethi yesiFundazwe.

