

IZAZISO ZIKAMASIPALA — MUNICIPAL NOTICES — MUNISIPALE KENNISGEWINGS

M.N. 38, 1999

8 July 1999

ULUNDI TRANSITIONAL LOCAL COUNCIL

KEEPING OF ANIMALS AND BIRDS BYLAWS

REGULATIONS governing the keeping of animals and birds in terms of the provisions of sections 266 and 268 of the Local Authorities Ordinance, 1974 (Ordinance 25 of 1974)

DEFINITIONS

1. In these bylaws, unless inconsistent with the context —
 - “Council” means the Council of the Ulundi Transitional Local Council;
 - “health official” means a chief health officer or any health inspector or environmental health officer employed by the Council;
 - “poultry” means and includes fowls, duck, geese, turkeys, guinea-fowl and pigeons;
 - “rabbit” means and includes rabbits, guinea-pigs and any other similar animals;
 - “reptile” means any species which belongs to the class Reptilia;
 - “residential area” means any area within the Town which in terms of the Ulundi Transitional Local Council Scheme in course of preparation comprises the whole or portion of a zone for special or general residential purposes;
 - “stable” means and includes any stable, cow-shed, shed, kraal, sty, fowl-house or enclosure used for the keeping therein of any animal or bird;
 - “Town Planning Scheme” means the provisions of the Town Planning Scheme of the Ulundi Transitional Local Council or any scheme in the course of preparation.
2. No person shall keep any animal or bird in any stable which has not been approved for that purpose by a health official.
3. No person shall keep any animal or bird in any stable so constructed or so situated that the animals or birds kept therein are likely to cause a nuisance or constitute a danger to health, or on premises which a health official shall certify as unfit for the purpose.
4. No person shall keep any animal or bird, other than a domestic pet or small bird in a cage, in any sleeping or living apartment in any dwelling.
5. No person shall keep any cattle or any horse, mule or other animals or any cow, sheep, pig or goat on any premises unless such premises are of a greater extent than 4 hectares and have been zoned for agricultural purposes in terms of the Town Planning Scheme.
6. No person shall keep any cattle or any horse, mule or other animals or any cow, sheep, pig, goat or any poultry, or any rabbits on any premises without the written consent of the Council.
7. No person shall keep any cattle or any horse, mule or other animals or any cow, sheep, pig or goat on any premises of a lesser extent than 4 hectares within the Council unless he shall have provided therefor a stable which shall comply with the following requirements:
 - (a) Such stable shall not at any point be less than 50 metres from any dwelling or from any boundary of the property on which such stable is erected.
 - (b) The height of such stable from the floor to the lowest part of the roof shall not be less than 3 metres in the case of a stable for cattle or 2 metres in the case of a stable for sheep, goats or pigs.
 - (c) Such stable shall provide not less than 2 square metres of floor space and not less than 9 cubic metres of air space for each such animal or 2 square metres of floor space and 4 cubic metres of air space for each pig, sheep or goat to be accommodated therein.
 - (d) The walls of such stable shall be constructed of brick, concrete or other impermeable material rendered in cement and shall be plastered in cement on the inside, steel-floated to a smooth surface, and the floor shall be of cement, stone or other impermeable material prepared and graded in such a manner as to prevent absorption of all liquids or other noxious matter and to enable proper cleaning and draining.
 - (e) If sewerage is available, such stable shall be connected by drain to the sewerage system in such a manner as may be prescribed by the Town Engineer.
 - (f) If sewerage is not available the drainage from the stable shall be to the satisfaction of the Council’s health official and Town Engineer.
 - (g) Such a stable shall be sufficiently lighted and ventilated by means of openings into the external sufficient to maintain a free circulation of air in the stable and keep it in a wholesome condition. The conditions of this subclause shall however not be applicable to any cage which has specifically been erected for the keeping of poultry or birds.
 - (h) Such stable shall comply with the Building Bylaws of the Council.
8. Every person who keeps any cattle or any horse or other animal or any pig, sheep or goat in any stable shall —
 - (a) maintain such stable at all times in a thorough state of cleanliness;
 - (b) provide at a distance of not less than 50 metres from any dwelling or any boundary of the property on which such stable is erected, a manure midden constructed of impervious material and provided with a close-fitting cover;
 - (c) cause the contents of any catch pit or manure midden to be removed from the premises or buried or disposed of in such a manner as will prevent any nuisance arising therefrom, in the case of any catch pit, daily, and in the case of any manure midden, three times a week.
9. No person shall erect any stable or convert any building for use as a stable within the Council area until he shall have obtained the Council’s approval of plans and specifications of such stable as required by bylaw.
10. No cattle, horses, mules, pigs, sheep or goats shall be depastured in the streets or any public property. Any animals so found grazing, whether tended or not, shall be impounded, apart from any action which may be taken for a breach of the bylaw.
11. No person shall drive or cause any cattle, horses, mules or any other livestock, excluding for impounding purposes, to be driven in any street or upon any road within the area of jurisdiction of Council without the written consent of Council. Such approval may be issued subject to the conditions which may be determined by Council resolution.
12. No person shall keep any poultry and/or rabbits on any premises within the Council area without the written permission of the Council.
13. (1) No person shall keep pigeons on any premises within a residential area without the written permission of the Council.

- (2) In making application to the Council the permission referred to in sub-bylaw (1) the applicant shall also submit plans of the proposed loft or aviary (enclosure for keeping birds) for approval.
- (3) Notwithstanding the provisions of any other bylaw no person shall erect any pigeon loft or aviary without the prior approval of plans of the proposed pigeon loft or aviary by the Council.
14. No person shall keep any poultry and/or rabbits on any premises within the Council area unless he shall keep such poultry and/or cage within a runway attached, enclosed with wire netting.
15. No person shall erect or use as a fowl-house and/or rabbit cage any structure which does not comply with the following requirements:
- It shall be constructed in accordance with the Building and Drainage Bylaws of the Council.
 - The floor and walls shall be constructed of brick, cement, stone or other impermeable material.
 - The roof shall be constructed of unlined wood and covered with an approved roofing material.
 - The walls and roof shall not provide hollow spaces capable of harbouring rodents.
 - No part of any fowl-house, rabbit hutch or runway shall be within 10 metres of the nearest part of any dwelling or any boundary of the property on which it is erected.
 - No part of a pigeon loft shall be within 5 metres of the nearest part of any dwelling or may be situated nearer than 2 metres from the boundary of the property on which it is erected.
16. Every person using any fowl-house, rabbit hutch or runway for the keeping of poultry and/or rabbits shall —
- keep same thoroughly clean and free from vermin at all times;
 - prevent any manure kept for use as fertilizer from causing a health nuisance.
- Any person who shall keep on his premises any animal or bird which by reason of continued barking, yelping, howling, crowing or making other noises, disturbs the public peace or is a source of nuisance to the neighbourhood shall be guilty of an offence and liable, upon conviction, to the penalty prescribed for the breach of these bylaws. If any person shall be found guilty of a second contravention of this bylaw in respect of the same animal, it shall be competent for the Court which has found him guilty, in addition to imposing any other sentence, to order the destruction of the animal.
18. No person shall keep on any premises within a residential area any wild or domesticated wild animal, reptile or bird without the written permission of the Council.
19. No person shall keep on any premises within the Council any wild, ferocious or dangerous animal.
20. Any person claiming any animal impounded under the preceding bylaw shall be deemed to be the owner thereof and thus liable to prosecution for the contravention of these bylaws.
21. No person shall keep any hive or swarm of bees on any premises within a residential area.
22. No person shall keep any hive or swarm of bees on any premises within the Council area in such a manner as to be a source of nuisance to the neighbourhood.
23. No person shall feed any wild animal within the township, or permit such animal to be fed.
24. Any person who shall contravene any of these bylaws shall be guilty of an offence and liable, upon conviction, to a fine not exceeding fifty rand (R50,00) in the case of a first conviction or in the case of a second or subsequent conviction for the same offence, a fine not exceeding one hundred rand (R100,00), or, in default of payment of any fine imposed in either case, to imprisonment, for any period not exceeding three months; provided that in the case of a continuing offence a fine not exceeding five rand (R5,00) for each day upon which the contravention continued may be prescribed, but no such fine shall in any one prosecution or within any one month exceed one hundred rand (R100,00).

C. F. A. RADEMAN
Chief Executive Officer

ULUNDI TRANSITIONAL LOCAL COUNCIL
KEEPING OF ANIMALS AND BIRDS BYLAWS

1. DEFINITIONS

“Council” means the Council of the Ulundi Transitional Local Council;

“Town Planning Scheme” means the provisions of the Town Planning Scheme of Ulundi Transitional Local Council or any scheme in the course of preparation;

“Health Official” means a Chief Health Officer or any Health Inspector or Environmental Health Officer employed by the Council.

“Stable” means and includes any stable, cow-shed, shed, kraal, sty, fowl-house or enclosure used for the keeping therein of any animal or bird.

“Poultry” means and includes fowls, duck, geese, turkeys, guinea-fowl and pigeons;

“Rabbit” means and includes rabbit, guinea-pigs and any other similar animals;

“Reptile” means any species which belongs to the class Reptilia;

“Residential Area” means any area within the Town which in terms of the Ulundi Transitional Local Council Scheme in course of preparation comprises the whole or portion of a zone for special or general residential purposes.

2. *No person shall keep any animal or bird in any stable which has not been approved for that purpose by Health Official.*
3. *No person shall keep any animal or bird in any stable so constructed or so situated that the animals or birds kept therein are likely to cause a nuisance or constitute a danger to health, or on premises which a Health Official shall certify as unfit for the purpose.*
4. *No person shall keep any animal or bird, other than a domestic pet or small bird in a cage, in any sleeping or living apartment in any dwelling.*
5. *No person shall keep any cattle or any horse, mule, or other animals or any cow, sheep, pig or goat on any premises unless such premises are of a greater extent than 4 hectares and have been zoned for agricultural purposes in terms of the Town Planning Scheme;*
6. *No person shall keep any cattle or any horse, mule, or other animals or an cow, sheep, pig, goat, or any poultry, or any rabbits on any premises without the written consent of the Council.*
7. *No person shall keep any cattle or any horse, mule, or other animals or any cow, sheep, pig or goat on any premises of a lesser extent than 4*

hectares within the Council unless he shall have provided therefore a stable which shall comply with following requirements:-

- (a) such stable shall not at any point be less than 50 metres from any dwelling or from any boundary of the property on which such stable is erected;*
- (b) the height of such stable from the floor to the lowest part of the roof shall not be less than 3 metres in the case of a stable for cattle or 2 metres in the case of a stable for sheep, goats or pigs;*
- (c) such stable shall provide not less than 2 square metres of floor space and not less than 9 cubic metres of air space for each such animal or 2 square metres of floor space and 4 cubic metres of air space for each pig, sheep or goat to be accommodated therein;*
- (d) the walls of such stable shall be constructed of brick, concrete or other impermeable material rendered in cement and shall be plastered in cement on the inside, steel floated to a smooth surface, and the floor shall be of cement, stone or other impermeable material prepared and graded in such a manner as to prevent absorption of all liquids or other noxious matter and to enable proper cleaning and draining.*
- (e) If sewerage is available, such stable shall be connected by drain to the sewerage system in such a manner as may be prescribed by the Town Engineer;*

- (f) *If sewerage is not available the drainage from the stable shall be to the satisfaction of the Council's Health Official and Town Engineer;*
 - (g) *Such a stable shall be sufficiently lighted and ventilated by means of openings into the external sufficient to maintain a free circulation of air in the stable and keep it in a wholesome condition. The conditions of this subclause shall however not be applicable to any cage which has specifically been erected for the keeping of poultry or birds;*
 - (h) *Such stable comply with the Building Bylaws of the Council;*
8. *Every person who keeps any cattle or any horse or other animal or any pig, sheep or goat in any stable shall:-*
- (a) *maintain such stable at all times in a thorough state of cleanliness;*
 - (b) *provide at a distance of not less than 50 metres from any dwelling or any boundary of the property on which such stable is erected, a manure midden constructed of impervious material and provide with a close fitting cover;*
 - (c) *cause the contents of any catch pit or manure midden to be removed from the premises or buried or disposed of in such a manner as will prevent any nuisance arising therefrom, in the case of any catch pit, daily, and in the case of any manure midden, three times a week;*
9. *No person shall erect any stable or convert any building for use as a*

stable within the Council area until he shall have obtained the Council's approval of plans and specifications of such stable as required by Bylaw;

10. *No cattle, horses, mules, pigs, sheep or goats shall be depastured in the streets or any public property. Any animals so found grazing, whether tended or not, shall be impounded, apart from any action which may be taken for a breach of the Bylaw;*
11. *No person shall drive or cause any cattle, horses, mules, or any other livestock, excluding for impounding purpose to be driven in any street or upon any road within the area of jurisdiction of Council without the written consent of Council, such approval may be issued subject to the conditions which may be determined by Council resolution;.*
12. *No person shall keep any poultry and/or rabbits on any premises within the Council area without the written permission of the Council;*
13.
 - (1) *No person shall keep pigeons on any premises within residential area without the written permission of the Council.*
 - (2) *In making application to the Council the permission referred to in sublaw (1) the applicant shall also submit plans of the proposed loft or aviary (enclosure for keeping birds) for approval;*
 - (3) *Notwithstanding the provisions of any other bylaw no person shall erect any pigeon loft or aviary without the prior approval of plans of the proposed pigeon loft or aviary by the Council;*
14. *No person shall keep any poultry and/or rabbits on any premises within*

Council area unless he shall keep such poultry and/or cage within a runway attached, enclosed with wire netting;

15. *No person shall erect or use as a fowl-house and/or rabbit cage any structure which does not comply with the following requirements:-*

- (a) it shall be constructed in accordance with the Building and Drainage Bylaws of the Council;*
- (b) the floor and walls shall be constructed of brick, cement, stone or other impermeable material;*
- (c) the roof shall be constructed of unlined wood and covered with an approved roofing material;*
- (d) the walls and roof shall not provide hollow spaces capable of harbouring rodents;*
- (e) no part of any fowl-house, rabbit hutch or runway shall be within 10 metres of the nearest part of any dwelling or any boundary of the property on which it is erected;*
- (f) no part of a pigeon loft shall be within 5 metres of the nearest part of any dwelling or may be situated nearer than 2 metres from the boundary of the property on which it is erected.*

16. *Every person using any fowl-house, rabbit hutch or runway for the keeping of poultry and/or rabbits shall:*

- (a) *keep same thoroughly clean and free from vermin at all times.*
 - (b) *prevent any manure kept for use as fertilizer from causing a health nuisance.*
17. *Any person who shall keep on his premises any animal or bird which by reason of continued barking, yelping, howling, crowing or making other noises, disturbs the public peace or is a source of nuisance to the neighbourhood shall be guilty of an offence and liable, upon conviction, to the penalty prescribed for the breach of these Bylaws. If any person shall be found guilty of a second contravention of this Bylaw in respect of the same animal shall be competent for the Court which has found him guilty, in addition to imposing any other sentence, to order the destruction of the animal;*
18. *No person shall keep on any premises within a residential area any wild or domesticated wild animal, reptile or bird without the written permission of the Council;*
19. *No person shall keep on any premises within the Council any wild, ferocious or dangerous animal.*
20. *Any person claiming any animal impounded under the preceding Bylaw shall be deemed to be the owner thereof and thus liable to prosecution for the contravention of these Bylaws;*
21. *No person shall keep any hive or swarm of bees on any premises within the a residential area;*

22. *No person shall keep any hive or swarm of bees on any premises within the Council area in such a manner as to be a source of nuisance to the neighbourhood;*
23. *No person shall feed any wild animal within the township, or permit such animal to be fed;*
24. *Any person who shall contravene any of these Bylaws shall be guilty of an offence and liable, upon conviction, to a fine not exceeding fifty rand (R50,00) in the case of a first conviction or in the case of a second or subsequent conviction for the same offence, a fine not exceeding one hundred rand (R100,00), or, in default of payment of any fine imposed in either case, to imprisonment, for any period not exceeding three months; provided that in the case of a continuing offence a fine not exceeding five rand (R5,00) for each day upon which the contravention continued may be prescribed, but no such fine shall in any one prosecution or within any one month exceed one hundred rand (R100,00).*