Statutory Instrument--of ---- [CAP. 14:17

Manyame Rural District Council (Licensed Premises)

ARRANGEMENT OF SECTIONS

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FIRST SCHEDULE: Specified business and premises.

SECOND SCHEDULE: Prescribed forms.

It is hereby notified that the Minister of Local Government , Public Works has in terms of section 87 of the Rural District Councils Act [Chapter 29:13], have approved the following by-laws made the Manyame Rural District Council:-

Title

1)These by-laws may be cited as the Manyame Rural District Council (Licensed Premises) By-laws, 2022

Manyame Rural District Council (Licensed Premises) By-laws, ----

Interpretation

2. in these by law-

“approved” means approved by the Council;

“bakery product” means bread , biscuits, rolls, tarts, cakes, pies, confectionary or food-stuffs of a similar nature;

“building by-laws” means the Model (Building) by-laws;

“Council” means Manyame Rural District Council;

“equipment” includes apparatus, furnishings, utensils and vehicles;

“fee” means the appropriate fee specified in section –

“handling” in relation to food,means the manufacture, cooking or the treatment of food and includes the storage or display of food;

“authorized persons” means—

1. a police officer;
2. a health inspector;
3. any person appointed by council to carry out inspections for the enforcement of this bylaw

“License” means a license issued in terms of section 6 of this bylaw

“Licensee” means any person who is in the holder of a license;

“Licensed premises” means premises in respect of which a license is issued;

Premises to be licensed

3. (1) No person shall carry on any business specified in the Council area unless he /she is the holder of a valid licence; or

1. Except on the premises specified in such license

(2) An application for a license shall be submitted to Council.

Issue of licenses.

4 (1) A licence may be issued for any period not exceeding one year, notwithstanding the date of issue,expire on the 31st December of the year of issue.

*Application for licence*

1. No person shall, in any shop, store or other fixed place of business, carry on the trade or business of selling or letting for hire any goods, except in terms of a licence.
2. On the 1st of January in each year the owner of any shop, store or other fixed place

of business is required to take out or renew a licence in terms of this by law.

(3)The period of validity of every licence shall terminate on the 31st December in the year of issue.

(4)The application for a licence under these by-laws shall be made by the owner/his/her agent or tenant to the Council and shall be accompanied by-

1.New licence application should be accompanied by:

(a)an application form for each business trade

(b)current health inspection report,

(c)the requisite fees;

(d)proof that the provisions of any other enactment relating to the trade or business for which the licence is required have been complied with;

(e)sub lease agreement between the owner and the tenant if the business premises is leased out;

(f)clearance of payment of levies and rates

2. license renewal application,

(a) the expired licence,

(b) requisite fees and

(c) a health inspection report.

(d) sub lease agreement between the owner and the tenant.

(e) clearance of payment of levies and rates.

3. (5)The licence fees as prescribed in the council budget or by Councils resolution.

6 (a) Any person who fails to take out or renew a licence within one month of the date on which he becomes liable to take out or renew the licence shall be liable to a penalty as prescribed in the councils budget.

(2)A license shall be issued –

1. If Council is satisfied that all requirements have been met.
2. upon payment of an appropriate fee.

(3)A license shall subject to the provisions of these by-laws and any other applicable law, authorize the licensee to carry on the business or use the premises specified in the license at the premises and for the period specified therein.

1. The Council shall fix different fees for different classes of businesses, premises or vending machine.
2. A separate licence shall be issued in respect of each different class of trade even when being conducted in the same room.

(4)The Council may-

(a)refuse to issue a license to an applicant who has been convicted of an offence under these

by-laws; or

(b)cancel, in writing, any license if the holder thereof, or any servant or employee of his or hers, is convicted of an offence under these by-laws in respect of licensed premises.

(c) refuse if the premises do not comply with the section of these by-laws relating to the business in respect of which application is made.

(5)A license cancelled in terms of this by law shall be surrendered to Council within forty-eight hours of written notice being given to the holder thereof.

(6)A license shall not be transferred-

(a)from the premises in respect of which it was issued to any other premises; or

(b)from the person to whom it was issued to any other person.

(7)The fee payable for a license shall be determined from time to time by the Council.

(8)The current licence shall be displayed and maintained in a conspicuous place on all licensed

Premises General requirements for all food-handling premises

5.(1)In this section-

“take away” means premises in which food is prepared and packed for sale but which is not

consumed on the premises;

“restaurant” or “café” means premises in which food is prepared or cooked and sold for

consumption on or away from such premise.

“tea-room” means premises in which non-alcoholic beverages only, with or without bakery

products, are provided for sale for consumption on or away from such premises.

“food handler” means any person engaged in the manufacture, preparation, handling, storage or any other treatment of food.

(2)No person shall use any premise for handling of any food in the course of carrying on any business specified in the First Schedule unless he/she complies with the provisions of this section.

(3)Any person carrying on any business referred to in the First Schedule shall comply with the

following :

1. the premises shall be connected to the water supply of the Council or a water supply approved by the Council and
2. lighting and ventilation shall be provided in accordance with the provisions of the Building by-laws; and
3. the floors of every room in which food is handled shall-
4. be constructed of cement , concrete or other approved impervious material, brought to a smooth finish; and
5. when so required by the Council, be sufficiently graded and drained to a gully connected to the drainage system.
6. Walls of every room in which food is handled shall be constructed using brick, concrete or other approved material , and the internal surface of every such wall shall be finished to the satisfaction of the Council; and
7. All junctions between walls and floors in rooms where food is handled, and in staff sanitary accommodation and changing rooms shall be covered; and
8. Every room in which food is handled shall have a ceiling or other approved means of preventing the entry into the room of dust from above; and
9. Adequate storage of things shall be provided by means of
   * 1. Glazed show cases, cabinets or other approved facilities for the protection of open food from the risk of contamination by dirt dust or flies, or in any other manner whatsoever; and
     2. refrigerators, refrigerator-counters or refrigerated rooms for perishable food, which shall be capable of being maintained at a temperature not exceeding seven degrees Celsius; and
     3. Store rooms or other approved vermin proof and rodents-proof for bulk food storage; and has an approved number of wash-hand basins with an adequate and constant piped supply of hot and cold water connected thereto, shall be provided, and such sinks shall be of stainless steel or other approved materials and shall be adequate for the washing of all equipment used in the handling, preparation or consumption of food; and

i. an approved number of wash up sinks, with an adequate and constant piped supply of hot and cold water connected thereto, shall be provided, and such sinks shall be stainless steel or other approved materials and shall be adequate for the washing of all equipment used in the handling , preparation or consumption of food; and

j. all tables, equipment and furniture in or upon which food is handled shall be of stainless steel or other approved impervious material; and

K. approved sanitary accommodation shall be provided for employees of each sex, and , when so required by the medical officer of health, there shall be provided , for the exclusive use of food-handlers, sanitary accommodation which-

1. forms an integral part of the building accommodating the business; and
2. shall be entered from within the building; and

l. approved facilities shall be provided for the storage of employees clothing; and

m. a sufficient yard, paved throughout, shall be available for the use of the licenced premises

and direct access shall be provided from the premises to such yard; and

n. a platform constructed for concrete or other impervious material, for the placing of refuse

bins shall be provided in an approved position , and when so required by the medical

officer of Health, such platform shall be roofed, graded and drained to a gulley connected

to the drainage system provided with a piped water-supply; and

o. grease-traps shall be provided where oily food effluent is discharged into municipal drains;

and

p. no person shall handle food intended for public consumption without a valid medical

examination certificate.

(4) In premises which were used for the handling of food in connection with any business specified in the First Schedule before the fixed date stated in section 3, the Council may relax or waive the requirements of subsection (3) (k) if he is satisfied that-

1. the premise cannot reasonably be to comply with those requirements; and
2. no danger to public health is likely to arise if such requirements are waivered:

Provided that the Council may withdraw any relaxation or waiver granted in terms of this section if he/she is satisfied that , since the granting of the relaxation or waiver, a danger to public health has arisen or is likely to arise.

(5) No food which has been produced or prepared outside the area referred to in subsection 2 shall be introduced, distributed or sold within such areas unless where such food was produced or prepared have been approved by the Council by the medical officer of health.

*Requirements for all cafes, restaurants , take-away food premises and tea-rooms*

6 (1)All requirements ,cafes and tea-rooms shall for the following requirements-

1. at least one double bowl sink with draining boards in molded (not jointed) stainless steel and with a piped supply of hot and cold water connected thereto for washing equipment or utensils used in the preparation and consumption of food;
2. at least one deep bowl sink in molded (not jointed stainless steel) with piped hot and cold water supply for the cleaning and preparation of food;
3. kitchen accommodation which shall be at least one third of the provided dining room area and such may include washing up areas;
4. such kitchen accommodation shall have adequate approved cleaning; cooking and food-handling facilities;
5. a separate area of not less than five square metres for the preparation of beverages and similar foodstuffs
6. approved sanitary accommodation for use by patrons of each sex in addition to staff sanitary accommodation;
7. sitting facilities for the patrons provided to the o f the medical officer of health;
8. adequate ventilation by means of an extractor fan, extractor hood or such openings as the Council may approve where kitchen fumes are generated;
9. All food handlers shall have valid medical examination certificates.

2. All take-away food premises shall

(a)not provide sitting and sanitary accommodation for the patrons;

(b)have food preparations areas of at least ten square metres and such may include wash up areas;

1. have adequate facilities to keep food hot, at a temperature of not less than 63 degrees Celsius.

*Requirements for hotels, boarding-houses and lodging-rooms*

7.(1) In this section-

“boarding-house” and “hotel” means premises in which food is prepared or cooked and sold for consumption on the premises, and in which accommodation is provided for hire or reward for persons who are not members of the family of the occupier of such premises;

“lodging-rooms” means premise in which accommodation only is provided for hire for five or more persons who are not members of the family of the occupier of such premises.

(2) In all premises where the business referred to in subsection (1) is carried on, the following provisions shall be complied with-

1. the premises shall be connected to the water –supply of the Council or water supply approved by the Council; and
2. the total area of all windows in each room in such premises shall be equal to at least one tenth of the floor area of each room, and approved means of through ventilation or cross-ventilation for each room shall be provided.

(3) no persons hall carry on the business of a hotel or boarding-house or of providing lodging-rooms unless-

1. bathrooms and wash-hand basins are provided in an approved position within the premises-
   * 1. in the proportion of one bath and one basin for every six residents or part thereof; and
     2. with a minimum of one bathroom for each sex, clearly marked as being for the use of either men or women; and
     3. with a piped supply of hot and cold water connected to each bath and basin;
2. approved sanitary accommodation for residents is provided within the premises
3. in an approved position ; and
4. with minimum of one water closet for each sex clearly marked as being for the use of either men and women; and
5. in rooms separate from the bathrooms, excluding bathroom *ensuite:*
6. adequate refuse receptacles, which shall be determined by the Council on a 1

is to 5 rooms ratio, shall be provided:

Provided that, where accommodation includes bathrooms and water close *ensuite*, such residents and facilities shall not be included when assessing the number of bathrooms and water closets required for the remainder of the accommodation.

(4)Every person carrying on the business of a hotel or boarding-house or of providing lodging-rooms shall-

1. Provide for each person occupying a room at least five square metres of floor space; and
2. Provide for adequate artificial lighting in any accommodation; and
3. Supply , for the use of residents, bedding, blankets, bed linen and towels which are clean and in good repair.

*Requirements for butcheries and fishmongers*

8 (1)In this section-

“butcher” means any person who sells meat in a butcher’s shop for human consumption;

“burtcher’s meat” means flesh or offal of any bovine, ovine, caprine, porcine, equine or game or animal, but does not include products manufactured from such flesh or offal, or bacon, ham or biltong; or canned or cooked meats;

“fish” means flesh or offal of fish intended for human consumption and include fresh or frozen but does not include fish which has been canned, cured, smoked or dried, or fish made up into sealed packets in an approved manner for sale from deep freezer units;

“fishmonger” means any person who sells fish other than fried fish for human consumption;

“fishmonger’s shop” means premises used for carrying on the business of a fishmonger, andincludes any fore court or yard used in connection with such business.

(2)No person shall carry on the business of a butcher or fishmonger unless he/she complies with the provisions of sections 3, 4 and 5.

(3)In all premises where the business referred to in subsection (2) is carried out , the following additional provisions shall be complied with-

(a) a thermostatically controlled refrigerated room shall be provided, with a capacity of not less than six cubic metres and fitted with hanging rails and shelving or racks of non-corrodible material:

Provided that in fishmongers shops adequate cold storage facilities, to the satisfaction of the medical officer of health, may be provided instead of refrigerated room; and

(b)serving counters shall be provided , of approved impervious material, supported on solid impervious pedestal and so constructed as to afford a clear view from the front to the

back to the back of such counter; and

(c)a sufficient number of containers of metal or other approved material shall be provided for the reception of all meat waste or fish waste; and

(d)adequate fly-screening or approved fly traps shall be provided; and

(e)the minimum integral area for the butchery premises shall not less than twenty-seven square metres

(4)No person who carries on the business of a butcher shall-

(a)carry out fat-rendering or cooking in his butcher’s shop in such a manner as to cause a nuisance; and

(b)use or permit the use of sawdust on the floors in his butcher’s shop; and

(c)keep any live animals or poultry, or carry on the slaughtering or dressing of any kind of poultry, in his butcher’s shop; and

(d)sell or expose for sell any meat offal unless it has been inspected by the Council

and passed as unconditionally fit for human consumption

(5)No person shall convey any butchery’s meat except in a suitable vehicle which is-

(a)constructed in accordance with the requirements of the Council; and

(b)used solely for the conveyance of butcher’s meat or meat products; and

(c)kept thoroughly clean all the times; and

(d)maintained so as to prevent such butcher’s meat or meat products from coming into contact with flies, dust, dirt, or any unclean matter or things; and

(e)provide with a separate, clean compartment for containing offal, and so constructed as to prevent any contact between such offal and such butcher’s meat provided that the Council may relax or waive the requirements of paragraphs (b) and (e) in respect of vehicles used for delivery of butchers meat from butcher’s shops if such meat is contaminated in an approved wrapping of such quality as will preclude the risk of contamination of such butcher’s meat

(6)In this section, ”offal” shall include tripe, or heads and feet which have been skinned and cleaned,

or liver, kidneys, hearts, tongues and brains

*Requirements for bakeries and food factories*

9.(1)In this section-

“aerated water” means every kind of non-alcoholic, effervescent liquid prepared for human

consumption and sold in bottles, siphons, casks, or other vessels;

“aerated water factory” means any premises in which the manufacture or preparation of aerated

water, soft drinks or cordial is carried on;

“baker” means a person whose business is to carry on baking or other manufacture of bakery

products for the sale of human consumption

“bakery” means premises in which the business it is to carry on baking or the manufacture of

bakery products is done for sale, the consumption of which is to be done off the same premises;

“cordial” means every kind of non-alcoholic liquid, whether frozen or not, which is-

(a)intended for human consumption; and

(b)ordinarily diluted with water before being consumed

“food factory” means any premises in which food is manufactured or prepared or packed or repacked for sale from premises other than those in which such food is manufactured or packed prepared or repacked and shall include an aerated-water factory but not a slaughter- house or

a dairy or premises in which fewer than five persons are employed;

“soft drinks” includes every kind of non –alcoholic liquid other than aerated water, whether frozen or not which is

(a)intended for human consumption; and

(b)not ordinarily diluted before being consumed.

(2)No person shall carry on the business of a bakery or a foo-bakery unless the person complies with the provisions of section 3, 4, and 5

(3)In all premises in which a business referred to in subsection (2) is carried on, the following

additional requirements shall be complied with

(a)approved dough-making machinery shall be provided where appropriate; and shall be used for the mixing of dough or batter; and

(b)the opening of any boiler or oven-furnace shall be sited outside any room in which food is handled, and at least three metres from any part of any door or window orb such room;

and

(c)the premises shall not form part of, or communicate directly with any other premises in which processes other than those connected with the handling of food are carried on; and

(d)approved facilities shall be provided for then washing and sterilizing of all bottles, siphons, vessels and other containers used in the handling of food and drink

Provided that, in premises which were used as bakery or a food-factory before the fixed date, the Council may relax or waive the requirements of paragraph (b)if he /she is satisfied that-

(a)the premises cannot reasonably be made to comply with such requirements; and

(b)No danger to health is likely to arise if such requirements are waived.

(4)The Council may withdraw any relaxation or waiver granted in terms of the

provisions of subsection (3) if a danger to the public health arises or is likely to arise of such

waiver or relaxation.

*Requirements for food-purveyors and caterers*

10 (1) In this section

“butcher’s meat “ means flesh or offal of any bovine, ovine, caprine, porcine, equine, or game animal;

”caterer” means a person whose business is to supply food on or at the premise other than licensed premises

“catering premises” means premises used for handling of food for the purpose of the business of a caterer;

“food purveyor” means a person whose business is to sell food for human consumption, and includes a meat purveyor and a fruit-and vegetable dealer, but does not include a hawker, a street vendor or street food-vendor;

“food purveyor’s shop” means any premises used for the purpose of the business of a food purveyor;

“meat purveyor” means a person whose business it is to sell prepared butcher’s meat for human consumption;

“prepared butcher’s meat” means butcher’s meat which has been prepared, wrapped,

and chilled in approved premises.

(2)No person shall carry on the business of a food purveyor or a caterer unless he complies withthe provisions of sections 3, 4 and 5.

(3) Where the applicant for a licence indicates in writing that no preparation or cooking or waiver handling of open will be carried on in the licensed premises, the Council may relax or the requirements of section 5(3)(1) and (k).

*Requirements for food-vending machines*

11. (1) I n this part, “food vending machine” means an automatic machine from which food is dispensed upon the deposit into such a machine of the appropriate coin specified on or for such machine.

(2) No person shall carry on the business of dispensing food from a food vending machine-

(a)except with written consent of the Council, other than in premises which are licensed as cafe, restaurants, takeaway food-premises, tea-room or food purveyor’s shop; and

(b)unless he complies with the provision of section 3.

(3) No person shall install a food-vending machine , or permit a food-vending machine to be

installed ,on any premises unless-

(a)the premises comply with the provisions of section 6: and

(b)such machine is in a position on the premises which enables it to be replenished or

recharged with food from within the premises; and

(c)if perishable food is to be dispensed , such machine is

1. Fitted with a thermometer which indicates the temperature at which perishable food in the machine is maintained; and
2. Provided with an automatic trip switch which operates to prevent the dispensing of any perishable food from the machine if the temperature within the machine exceeds seven degrees Celsius

(4)No person shall dispense food or permit food to be dispensed from a vending machine unless such food is prepared in approved premises and in contained in hygienically sealed packets: Provided that the Councilmay permit food to be dispensed from a food-vending machine in an unwrapped state if he is of the opinion that the consumption of such food by humans will not constitute a danger, or be injurious, to health

(5)Every licensee of a food-vending machine shall -

(a)maintain such machine is thoroughly clean condition; and

(b)strip and thoroughly cleanse and sterilize all containers used for dispensing liquid foods from the food-vending machine at each refilling or once a week, whichever is the lesserperiod; and

(c)take precautions to ensure that all perishable food in the food-vending machine is-

1. kept at a temperature not exceeding seven degrees Celsius; and
2. remove from such machine if the temperature within the machine exceeds seven degrees Celsius

(6)if upon examination of food vending-machine or any food therein, the Council

or a health inspector is of the opinion that such machine or such food is dangerous or is likely to

become a danger to health , he may prohibit the use of such machine until he is satisfied that

such danger has ceased to exist

(7)Nothing contained in these by-laws shall be deemed to prohibit the dispensing of hot food from vending machine if such food is maintained at a temperature not less than sixty-three degrees Celsius; and the provision of this section are complied with, *mutatis mutandis.*

*Requirements for barbers and hairdressers*

12. (1)In this section-

“barber or hairdresser” means any person who carries on the business of shaving, cutting or dressing the hair of human beings;

“barber or hair dresser’s shop” means any premises in which the business of a barber or hairdresser is carried on.

(2)No person shall carry on or conduct the business of a barber or hairdresser unless he/she

complies with the provisions of section 4.

(3)In all premises where the business referred to in subsection (2) is carried on, the following

provisions shall be complied with-

1. all parts of the premises shall be lighted and ventilated in accordance with the provisions of the model building by-laws;
2. an adequate number of wash-basins or other approved fitments with an adequate supply of piped hot and cold water connected thereto shall be provided;
3. the splash back area to every basin or fitment shall be covered with glazed tiles or other approved material to a height of not less than five hundred millimeter above, and for the full width of the wash basin fitment;
4. the surface of all shelves of furniture on which instruments used by any barber or hairdresser are placed shall of glass or other approved material;
5. the floors shall be so constructed as to be easily cleaned;
6. approved sanitary accommodation shall be used as a dwelling or place where food is handled;

Provided that a part of the premises may be approved for the preparation of refreshments health incidental to the business, upon such conditions as may be specified in writing by the medical officer of health.

(4)Every barber and hairdresser and every person in his/her employ, shall

1. At all times maintain his or her premises, equipment and instruments in a state of thorough cleanliness and in good repair; and
2. Wear clean and approved clothing; and
3. Use a clean and approved towel or covering for each customer; and
4. Use soap liquid, powder or tablet form only; and
5. Use septic agents in liquid or powder form only; and
6. Ensure that all hair cuttings are placed in an approved covered receptacle provided for the purpose; and
7. After each time of use on any one customer, clean and disinfect all scissors, clipper, combs, brushes and other instruments or equipment used in any process of or incidental to his/her work; and
8. Use only hair-brushes and neck-brushes which are clean , and which shall be washed and disinfected at least once every day; and
9. Ensure that adequate refuse receptacles are provided.

(5)No barber or hairdresser shall permit any person who appears to him/her to be verminous, or suffering from any disease of the skin or hair, or from any infectious, contagious or communicable diseases, immediately.

(6)No barber or hairdresser shall permit any person who appears to him to be verminous, or disease,

suffering from any disease of the skin or hair, or from any infectious, contagious or communicable to remain in his/her shop and shall-

(a)ensure that such person ceases working in such premises; and

(b)notify the Council of such disease.

(7)No barber’s or hairdresser’s shop shall be used as, or communicate directly with, a sleeping-apartment or place used for the preparation or storage of food.

(8)No person shall deposit, throw or place, or cause to be deposited, upon any street , side-walk or public place any human hair.

(9)No person shall carry on or perform any hairdressing or haircutting in any street or public place.

(10)No barber’s or hairdresser’s shop shall be used for any purpose other than the carrying on of the business of a barber or hairdresser without the approval of the Medical officer of health.

*Requirements for laundries, launderettes and laundry depots*

13. (1)In this section –

“dry-cleaning” means cleaning with spirit or any means other than with water;

”laundry” means any premises or place in which washing or dry-cleaning is carried on for payment, but excludes a launderette;

“launderettes” means premises in which-

(a)domestic-type washing machines, with or without domestic-type ironing-appliances, are provided by the occupier for the use of his customers, whether or not such

washing –machines or ironing-appliances are operated sorely by the customer; and

(b)fewer than five persons are employed on the premises;

“laundry depot” means any premise utilized by the licensee of any laundry or launderette for the reception or storing of wearing apparel, household and domestic linen or other

textile or fabrics intended for washing;

“washing” means washing, cleaning by means, managing or domestic linen or other textile or fabrics and includes any process incidental thereto.

(2)No person shall carry on the business of a laundry or launderette unless he/she complies with the provision of section 3.

(3)In all premise where the business referred to in subsection (2) is carried in, the following

provisions shall be complied with-

(a)the promises shall be connected to the water-supply of the Council or a water-supply approved by Council; and

(b)all parts of the premises shall be lighted and ventilated in accordance with the provisions or the building by laws; and

(c)effective means shall be provided for the removal from the premises of all vapours, gas and dust and for their innocuous disposal into the open air; and

(d)the walls shall be constructed of bricks, concrete or other approved material, and their internal surface shall be plastered and brought to a smooth finish and covered with a

light-colored, washable paint or other approved impervious material; and

(e)the floors shall be constructed of smooth cement, concrete or other similar approved approved substantial and impervious material, and when so required by the medical

officer of health, shall be sufficiently graded and drained to a gully connected to the sewerage system; and

(f)all junctions between the wall and floors shall be covered; and

(g)approved sanitary accommodation and ablution facilities shall be provided for

employees of each sex; and

(h)change room facilities for employees shall be provided to the satisfaction of the medical officer of health; and

(i)a store room or other approved facilities shall be provided for the storage of soap, dry cleaning fluids and other articles incidental to the business; and

(j)no part of the premises shall be used as, or communicate directly with, a dwelling orplace where food is prepared handled or stored; and

(k)all tables, shelving and other furniture used in the laundry or launderette shall be of approved impervious material.

(4)No person shall use any premises as a laundry depot unless he/she complies with the

provisions of section 4.

(5)In all premises where the business referred to in subsection (4) is carried on, the following provision shall be complied with-

1. The internal surfaces of the wall shall be so formed as to be capable of being easily cleaned;
2. The laundry depot shall not form part of, or communicate directly with, any dwelling or premises, or portion of any dwelling or premises, on which is carried on any trade, business or occupation involving the manufacture, preparation, handling, sale or storage of articles of food or drink, or the business of a hairdresser;
3. Containers of metal or other approved material shall be provided for the storage of soiled or dirty articles prior to removal to the laundry or launderette
4. A wash hand basin, with an adequate and constant piped supply of hot and cold water connected thereto, shall be available on the premises for the use of any person engaged in the handling of soiled or dirty articles.

(6) Every licensee or person in charge of laundry, launderette or laundry depot shall-

1. Keep the premises at all times in a clean and sanitary condition, and in good repair;
2. Maintain at all times in a clean condition all equipment, utensils and vehicles used in connection with the business
3. Cause every person, while employed in the laundry or launderette, to wear clean over-clothing;
4. Provide and maintain a sufficient supply of soap, nailbrushes and clean towels or any other approved drying facilities for the use of persons employed on the premises;
5. Keep untreated articles at all times isolated from all treated articles, and all articles shall in all other respects, be so handled and transported that they are not exposed to contamination or infection;
6. Take all reasonable measures to maintain his premises free from flies, rodents, cockroaches or other vermin;
7. Keep in the premises only such articles as have been or are required to be, washed or dry-cleaned;
8. Ensure that the name and address legibly written in a conspicuous position on every vehicle used for the conveyance or articles which have been washed or are collected for the purpose of washing.

(7) Nothing in these by-laws shall be deemed to apply to any washing carried out not for payment in a private dwelling house.

(8) No person who is known or suspected to be suffering from any infectious or contagious disease, or who is known or suspected to have been in contact with any person suffering from any infectious or contagious disease, shall-

1. Remain or be employed in any laundry, launderette or laundry depot; or
2. Perform any duty or do any act connected with a laundry depot:

Provided that the Councilmay, where he is satisfied that no risk or the spread of disease is involved, exempt any person from the requirements of this subsection.

*Requirement for keeping equine animals*

14. (1) In this section-

* “dwelling” means any house, hut, room, shed or other structure or place the whole or part of which is used as a human abode, or which is capable of being used as human abode;
* “keep” includes to keep, stable, walk, exercise ,rest, feed or permit to remain;
* “premises” includes a stand, a lot or plot or any piece of land;
* “stable” means any building, shed or structure in which equine animals are kept;
* “trade premises” include any premises to which members of the public resort for the purchase of goods or services, but does not include any land used for an agricultural show or an approved enclosed market

(2)No person shall keep any equine animal on any premises unless s/he complies with the provisions of section 4

(3) Every stable shall comply with the following requirements-

1. The walls and floors shall be constructed of brick, concrete or other approved material; and
2. The roof shall be so constructed as to be thoroughly waterproof; and
3. Natural light and ventilation shall be provided in accordance with the provision of the building by-laws; and
4. Floor space of not less than five square metres shall be provided for every equine animal:

Provided that the person of this subsection shall not apply for stables which were in existence before fixed date until a period of six months has elapsed from the date on which a person who uses a stable or keeps an equine animal on his/her premises receives notice, in writing, from the medical officer of

(4)No person shall keep any equine animal on any premises other than licenced premises, unless the written consent of the Council has been obtained.

(5)The Council may withdraw any consent given in terms or subsection (4) if, in

his/her opinion, the keeping of equine animals on the premises is causing a nuisance.

(6)No person shall keep any equine animal

1. On any premises less than ten thousand square metres in extent; and
2. At a density greater than one equine animal for each complete four thousand square metres of land; and
3. On any premises which are not adequately fenced so as to prevent the animals straying there from; and
4. In such a manner as to cause a nuisance:

Provided that, on any premises in excess of four hectares, the number of equine animals which may be kept shall be at the discretion of the Council.

(7)The Councilmay relax or waive the requirements of subsection (6)(a) and (b) in

respect of any premises which were used for the keeping of equine animals before the fixed date

mentioned in section 1, and in so doing, may impose such conditions as he/she sees fit:

Provided that-

(i)the Council shall exercise the powers conferred on him by this subsection only is he/she satisfied that no nuisance is likely to arise if the requirements of paragraphs (a) and (b) of subsection (6) are waived or relaxed;

(ii)the Council may withdraw any waiver or relaxation granted in terms of this subsection if he/she is satisfied that, since the granting of the waiver or relaxation a nuisance has arisen or is likely to arise.

(8)No person shall after the fixed date, erect any stable unless it is situated at least-

1. Thirty metres from the nearest dwelling on any adjacent premises; and
2. Fifteen metres-

(i)any water supply, other than a stand pipe; and

(ii)the boundary of premises ; and

(iii)any trade premises

(9)Every person who keeps any equine animals on any premises shall-

1. Maintain any stable in a clean condition and in good repair; and
2. At least once in every twenty-four hours, cause all manure to be-
3. Removed therefrom; and
4. Disposed off, to the satisfaction of the Councilor a Health Inspector; and
5. Provide a sufficient and wholesome supply of water for drinking and cleansing purposes.

(10)Any person who keeps an equine animal shall take all necessary precautions to prevent the breeding of flies, and shall, when required to do so use such traps and insecticides for the destruction of flies as may be considered necessary by the medical officer of health.

*Inspections*

15. An authorised person may at all reasonable times enter and inspect any premises to which these by-laws apply, for the purpose of ascertaining whether the by-laws are being complied with.

*Suspension of trade or business*

1. Council may, if it is satisfied that the carrying on of any trade or business violates conditions of lease or contravenes the provision of this by law or licence requirements under which the licence was granted shall;
2. Suspend forthwith in whole or in part, the licence concerned until such a time the business owner has rectified and complied with the provisions of the by law or the licence.
3. *During the suspension the premises shall be locked by Council and the business of such licence suspended from operating at the premises.*
4. when Council locks a premise for non-compliance and violation of licence requirements the owner or agent or tenant shall be required to fully lock and secure their premises first in the presence of an authorized person.
   * + 1. The authorized person shall on behalf of Council lock and seal the premises in the presence of the owner/agent/ tenant .

(b)The premises shall be unlocked upon

(i)fulfillment of the licence requirements has been met or rectified.

(ii) payment of penalty or unlocking fee as prescribed in the Council budget*.*

*Violation of enforcement conditions*

(1) Any person who tempers or breaks Council lock or seal shall be guilty of an offence and liable to a fine not exceeding level 8 or imprisonment or both such fine or imprisonment.

*Register of licences*

6.Council shall keep a register of all licences which have been issued in terms of this by-laws and shall record in such a register;

(a)the name and residential address or company address or the owner ; and

(b)the receipt, date of issue of the licence and the date on which the licence shall expire.

*Exemption*

10. Council may consider exemptions where by Council resolution if;

1. it is desirable in the interests of the public or any section of the public; or
2. any trade or business for which a licence is required in terms of this by law has been, is, or is likely to be, curtailed or restricted by virtue of anything done or required to be done under any law relating to defence or the preservation of public safety or the maintenance of law and order or by virtue of any hostile act or activity directed towards the Government or inhabitants of Zimbabwe.

*Offences and penalties*

16.Any person who contravenes or fails to comply with any provision of these by-laws shall be guilty of an offence and liable to a fine prescribed in the approved Council budget.

*First Schedule (Section 4)*

SPECIFIED BUSINESS AND PREMISES

1. Café.
2. Fish fryer.
3. Restaurant.
4. Tea room.
5. Hotel.
6. Boarding house.
7. Lodging rooms.
8. Butcher.
9. Fishmonger.
10. Bakery.
11. Food factory.
12. Aerated-water factory.
13. Food purveyor.
14. Caterer.
15. Meat purveyor.
16. Fruits and vegetables dealer.
17. Food vending machine
18. Barber.
19. Hairdresser.
20. Laundry.
21. Launderette.
22. Laundry depot.
23. Keeping of equine animals.
24. Take-away food premises.
25. Service station.
26. Garages.
27. Financial instructions.
28. Professional bodies.
29. Funeral parlours.
30. Tuck shops.
31. Kiosks.
32. Curio shops.

Second Schedule (Section)

PRESCRIBED FORMS

MANYAME RURAL DISTRICT COUNCIL (LICENSED PREMISES) BY-LAWS 2013

APPLICATION FOR LICENCE

TO: date………………………………

The CEO

P.O Box 99

Beatrice

Type of licence………………………………………………………………………year ending December, 20………………....

Full name……………………………………………………………………………………………………………………………………………..

BLOCK LETTERS

Trading name (if applicable)………………………………………………Number of the Stand……………………………

Number or position of premises on the stand………………………………………………………………………………….

Street/Road:…………………………………………………………………………………………………………………………………….

Applicant’s postal address:………………………………………………………………………………………………………………

………………………………………………………………………………………………………………………………………………………..

Applicant’s telephone number:……………………………………………………………………………………………………….

Applicant’s signature:……………………………………………………………………………………………………………………..

For office use only

N.A R C. of O.

Reference……………………………………………………………………………………………………………………………………….

Application entered-

Report of C.E:………………………………………………………………………………………………………………………………………………….

…………………………………………………………………………………………………………………………………………………………………………

Date:…………………………………………………………………………………………………………………………………………………………………

Signature…………………………………………………………………………………………………………………………………………………………

Report of C.VE.M/T.P:…………………………………………………………………………………………………………………………………….

………………………………………………………………………………………………………………………………………………………………………

Date:……………………………………………………………………………………………………………………………………………………………………

Signature:…………………………………………………………………………………………………………………………………………………………

Report of D.A.A:……………………………………………………………………………………………………………………………………………………

…………………………………………………………………………………………………………………………………………………………………………

Date:…………………………………………………………………………………………………………………………………………………………………

Signature:…………………………………………………………………………………………………………………………………………………………

Report of Health Inspector:……………………………………………………………………………………………………………………………..

………………………………………………………………………………………………………………………………………………………………………..

Date:……………………………………………………………………………………………………………………………………………………………….

Signature:…………………………………………………………………………………………………………………………………………………………

Recommendation of Chief Health Inspector:…………………………………………………………………………………………………..

…………………………………………………………………………………………………………………………………………………………………………

Date:………………………………………………………………………………………………………………………………………………………………..

Signature:…………………………………………………………………………………………………………………………………………………………

MANYAME RURAL DISTRICT COUNCIL

Issued in terms of Manyame Rural District Council (Licensed Premises)

By-laws,

Type of licence:………………………………………………………………Fee:………………………………………………………………

Licence:………………………………………………………………………….Other details:……………………………………………….

Address of licensed premises:………………………………………………………………………………………………………………

…………………………………………………………………………………………………………………………………………………………….

Council health approval reference and date:……………………………………………………………………………………...

…………………………………………………………………………………………………………………………………………………………….

……………………………………………………………………………………………………………………………………………………………

Not transferable unless previously suspended.

Valid to the 31st December 20……………………………………….

This is to notify that the Manyame Rural District Council has approved the issue of this licence.

This document does not represent a valid licence unless the correct fee has been paid and it an official receipt.

Date:…………………………………………………………………………………………………………………………………………………

Council Treasurer’s signature:…………………………………………………………………………………………………………………………………………..