

**Manyame Rural District Council**

**Stand No. 34**

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Statutory Instrument of 2022 [CAP.29:15]

Manyame Rural District Council (Urban Agriculture), By-laws, 2022

IT is hereby notified that The Minister of Local Government and Public Works has, in terms of section 94 of the Rural District Councils Act [chapter 29:13], approved the following by-laws made by Manyame Rural District Council:-

*Title*

1. These by-laws may be cited as the Manyame Rural District Council (Urban Agriculture) By-laws 2022

*Interpretation*

1. In these by-laws:

“Council” means the Manyame Rural District Council;

“Crop residue” means any plant or crop material left in a field after harvesting;

“Cultivate “means to prepare and use land in order to grow crops on it;

“Land” means any land within the control or management of the Council.

“Council” means the person holding office under the council as Council, and includes any employee of the council who is authorised by the Clerk to perform any of the functions or exercise any of the powers assigned to the Council in terms of these by-laws.

*Permit requirements*

1. (1) Any person intending to cultivate shall apply for a permit from Council prior to commencing any agricultural activities.

(2) The issuance of agricultural permits shall be on a first come first served basis.

(3) Payment of the requisite application and permit fees shall be mandatory for all applicants and as per the approved Council budget.

(4) Applications for agricultural permits shall be received and processed between June and September of every year.

(5) (a) No person may cultivate on any land without a permit from the Council this includes all utilities servitudes, wetlands

(b) Council may destroy without previous notice any plant, shrub, bush, flower, vegetable, fruit or other crop grown in contravention of this section.

*General conditions for permits*

4. (1) A permit issued in terms of section 3 shall specify the-

(a) Location of land

(b) Size of land

(c) Duration for which the land may be cultivated; and

(d) Land conservation conditions as set by EMA and AGRITEX

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(2) A permit issued in terms of section 3 shall be subjected to annual renewal.

*Disqualification from obtaining a permits*

5. The Council shall not grant a permit unless satisfied that-

1. The cultivation will no way detract from the value of the land or its suitability for future development; and
2. The applicant is capable of managing the land in accordance with sound and best farming practices; and
3. The cultivation will in no way cause nuisance to the neighbouring land users.
4. The household does not have a permit for other pieces of land
5. The applicant has paid the requisite application and permit fees.
6. The applicant has no record of previous offences as specified in Section 6 and 7

*Prohibition of structures on land for cultivation*

6. (1) No person shall erect any structure, whether temporary or permanent, on any council land which has been issued a permit for cultivation.

(2) Any person who contravenes the prohibition on building structures referred to in subsection (1) shall be guilty of an offence and liable to a fine not exceeding level 3.

(3) All structures built on land for cultivation shall be demolished on site without notice.

*Crop residue*

7. (1) Every person who has cultivated land within the council area shall ensure that all crop residue is removed from the land immediately after harvesting.

(2) Council undertakes to remove all leftover crop residue from cultivated land:

Provided that such costs of removal shall be borne by the land user.

*Penalties*

8. a) Any person who contravenes or fails to comply with any provisions of these laws shall be guilty of an offence and liable to a fine not exceeding level 5 or six months imprisonment or both such fine and imprisonment.

b) Repeated offenders shall be liable to a fine not exceeding level 5 or both fine and imprisonment