

**No. 83**

**12 June 2009**

**ABAQULUSI MUNICIPALITY**

**No. 10 of 2009**

I, under powers vested in me by section 14(2) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), and after a resolution by Council in a meeting open to the public and public consultation hereby publish a set of by-laws as per schedule attached hereto.

Signed at Vryheid on this 27<sup>th</sup> day of June 2008.

**M.J. MATHENYWA**  
**MUNICIPAL MANAGER**

## KEEPING OF ANIMALS BY-LAWS

Be it enacted by the Council of the Abaqulusi 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:

### INDEX

<b>CHAPTER 1 : DEFINITIONS</b>	<b>4</b>
Section 1 : Definitions	4
<b>CHAPTER 2 : GENERAL PROVISIONS RELATING TO THE KEEPING OF ANIMALS</b>	<b>5</b>
Section 2 : Application of by-laws	5
<b>CHAPTER 3 : KEEPING OF CATTLE, HORSES, MULES AND DONKEYS</b>	<b>6</b>
Section 3 : Requirements for premises	6
Section 4 : Duties of keepers of cattle, horses, mules and donkeys	7
<b>CHAPTER 4 : KEEPING OF GOATS AND SHEEP</b>	<b>8</b>
Section 5 : Requirements for premises	8
Section 6 : Duties of keeper of goats and sheep	9
<b>CHAPTER 5 : KEEPING OF POULTRY</b>	<b>10</b>
Section 7 : Application	10
Section 8 : Permit requirements for poultry	10
Section 9 : Requirements for premises	10
Section 10 : Duties of keeper of poultry	12
<b>CHAPTER 6 : KEEPING OF RABBITS</b>	<b>13</b>
Section 11 : Application	13
Section 12 : Permit requirements for rabbits	13
Section 13 : Requirements for the premises	13
Section 14 : Duties of keeper of rabbits	15

<b>CHAPTER 7 : KEEPING OF BIRDS OTHER THAN POULTRY</b>	<b>16</b>
Section 15 : Requirements for the premises	16
Section 16 : Duties of keeper of an aviary	16
<b>CHAPTER 8 : DOG KENNELS AND CATTERIES</b>	<b>17</b>
Section 17 : Requirements for the premises	17
Section 18 : Food preparation area	18
Section 19 : Duties of a keeper of kennels or catteries	19
<b>CHAPTER 9 : PET SHOPS AND PET PARLOURS</b>	<b>20</b>
Section 20 : Requirements for premises	20
Section 21 : Duties of pet shop or pet parlour keeper	22
<b>CHAPTER 10 : KEEPING OF WILD ANIMALS</b>	<b>23</b>
Section 22 : Requirements for the premises	23
Section 23 : Duties of keeper of wild animals	24
<b>CHAPTER 11 : KEEPING OF PIGS</b>	<b>25</b>
Section 24 : Requirements for premises	25
Section 25 : Duties of keeper of pigs	26
<b>CHAPTER 12 : MISCELLANEOUS PROVISIONS</b>	<b>27</b>
Section 26 : Drainage	27
Section 27 : Dangerous animals	27
Section 28 : Requirements for keeping of bees	28
Section 29 : Keeping of slaughtering animals for religious and ceremonial purposes	28
<b>CHAPTER 13 : APPEALS</b>	<b>29</b>
Section 30 : Appeals	29
<b>CHAPTER 14 : GENERAL</b>	<b>30</b>

Section 31 : Offences	30
Section 32 : Repeal of By-laws	30
Section 33 : Short title and commencement	30

## CHAPTER 1

### DEFINITIONS

#### Definitions

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

“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;

“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 bred for commercial purposes;

- (c) dogs are kept for the purposes of being trained or hired out with or without handlers; or
- (d) dogs are kept for commercial security purposes;

"livestock" means horses, cattle, sheep, goats, pigs, mules, donkeys and poultry;

"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

#### Application of by-laws

2. These by-laws, with the exception of section 28, 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

##### Requirements for premises

- 3.(1) No person may keep any cattle, horse, mule or donkey in a stable or other enclosure that does not comply with the following requirements:
  - (a) every wall and partition of the enclosure must be constructed of brick, stone, concrete or other durable material;
  - (b) the internal wall surfaces of the enclosure 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 enclosure must -
    - (i) if the roof is a pitched roof be 2,4 metres;
    - (ii) if the roof is a flat roof be 2,7 metres;
    - (iii) if the roof is a lean to roof be a mean height of 3 metres with a minimum of 2,4 metres on the lowest side;
    - (iv) in the case of a stable which has an opening along the entire length of one of it's long sides be not less than 2 metres;
  - (d) the enclosure must have a floor area of at least 9m<sup>2</sup> 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 0,3m<sup>2</sup> for each animal to be accommodated in it except in the case of an enclosure open along the entire length of one of it's long sides;

- (f) the lowest point of every opening, window or louvers must be at least 1,8 metres above floor level;
- (g) the floor of the enclosure must be constructed of concrete or other durable and impervious material brought to a smooth finish graded to a channel;
- (h) no enclosure may be situated within -
  - (i) 15 metres of the boundary of any land, property, dwelling or other structure used for human habitation; or
  - (ii) 50 metres of any water resource or water supply intended or used for human consumption;
- (i) there must be a water supply adequate for drinking and cleaning purposes next to every enclosure.

#### **Duties of keepers of cattle, horses, mules and donkeys**

4. 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 enclosure;
- (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 enclosure 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 enclosure at least once a week and store it in the manure receptacles or heap until it is removed from the premises; and
- (9) 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

#### Requirements for premises

- 5.(1) No person may keep sheep or goats in an enclosure that does not comply with the following requirements-
- (a) a minimum overall floor area must be 30m<sup>2</sup>;
  - (b) at least 1,5 m<sup>2</sup> 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 metres 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 m<sup>2</sup> of floor space must be provided for every goat or sheep accommodated in it with an overall minimum floor area of 6m<sup>2</sup>; and
  - (g) lighting and ventilation openings totalling at least 0,15m<sup>2</sup> per goat or sheep must be provided.



- (2) No person may keep sheep or goats in an enclosure within –
  - (a) 15 metres of any boundary of any land, dwelling, building or other structure used for human habitation; or
  - (b) 50 metres 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 enclosure used to accommodate sheep or goats.

**Duties of keeper of goats and sheep**

6. 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 enclosure, 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

#### Application

7. The provisions of sections 10(4) to (7) inclusive and 11(5), do not apply to the persons keeping ten or less poultry.

#### Permit requirements for poultry

8. 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.

#### Requirements for premises

9. 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 m<sup>2</sup> for each grown fowl, duck, muscovy duck or guinea fowl;
      - (ii) 0,5 m<sup>2</sup> for each grown goose, turkey, peacock; and
      - (iii) 0,14 m<sup>2</sup> for each grown pigeon;

- (e) the minimum aggregate floor area must be 4m<sup>2</sup>;
- (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 the environmental health 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 environmental health 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 metres 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 environmental health 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.

#### **Duties of keeper of poultry**

10. 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

#### Application

11. The provisions of sections 14(2) to (4) inclusive and 15(4) to (6) inclusive, do not apply to persons keeping ten or less rabbits.

#### Permit requirements for rabbits

12. 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.

#### Requirements for the premises

13. 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 environmental health 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 metres 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 environmental health officer, the floor surface must be graded to a channel drained in terms of section 27;
  - (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 metres 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.

#### **Duties of keeper of rabbits**

14. 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

#### Requirements for the premises

15. 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 metres 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.

#### Duties of keeper of an aviary

16. 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

#### Requirements for the premises

17. 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 metres 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.

#### **Food preparation area**

18. Any keeper of kennels or a cattery who is instructed by an environmental health 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.

#### **Duties of a keeper kennels or catteries**

19. 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

#### Requirements for premises

20. 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 m<sup>2</sup>, 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 metres 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 metres 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 m<sup>2</sup> for each employee;
  - (b) have a minimum overall floor area of 6m<sup>2</sup> and width of two metres; 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 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.

#### **Duties of pet shop or pet parlour keeper**

21. 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

#### Requirements for the premises

22. 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 metres 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.

#### **Duties of keeper of wild animals**

23. 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

### Requirements for premises

24. No person may keep pigs in or on premises that do not comply 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 metres; and
    - (c) have a smooth, impervious internal surface;
  - (2) the floor area must provide at least 3m<sup>2</sup> for each pig accommodated in the pigsty, with an overall minimum floor area of 6 m<sup>2</sup>;
  - (3) the roof over any portion of a pigsty must have a minimum height of 1,5 metres;
  - (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 m<sup>2</sup> 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 metres 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.

#### **Duties of keeper of pigs**

25. 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

### MISCELLANEOUS PROVISIONS

#### Drainage

26. 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).

#### Dangerous animals

- 27(1) No person may without a permit issued by an environmental health officer, 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 environmental health officer 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.

### **Requirements for keeping of bees**

28(1) No person may keep bees on any premises unless –

- (1) the person is in possession of a valid permit, which may be issued subject to such conditions as the environmental health officer may deem fit; and
- (2) the bee hive is situated –
  - (a) a minimum of five metres from any boundary of the premises; and
  - (b) a minimum of ten metres 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 metres of the hive.
- (5) No person may dump or deposit any garbage, compost, grass cuttings or manure within five metres of any bee hive;

### **Keeping of and slaughtering animals for religious and ceremonial purposes**

29(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 environmental health officer.

## CHAPTER 13

### APPEALS

#### Appeals

- 30(1) A person whose rights are affected by a decision taken by any authorised official under these by-laws, 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 executive 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.

**CHAPTER 14  
GENERAL**

**Offences**

31. 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 shall be liable on conviction to a fine not exceeding R5 000 or imprisonment for a period not exceeding 3 months or both.

**Repeal of existing By-laws**

32. The Council's existing keeping of animals by-laws are hereby repealed.

**Short title and commencement**

33. These by-laws shall be called the Keeping of Animals By-laws, 2009, and shall come into operation on 12 June 2009.