

SOUTHERN DISTRICT COUNCIL (PUBLIC STANDPIPES) BYE-LAWS

(sections 33 and 34)

(19th June, 1998)

ARRANGEMENT OF BYE-LAWS

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S.I. 40, 1998.

1. Citation

These Bye-Laws may be cited as the Southern District Council (Public Standpipes) Bye-Laws.

2. Application

These Bye-Laws shall apply to the whole area of the Southern District Council as defined under the Administrative Districts Act.

3. Interpretation

In these Bye-Laws, unless the context otherwise requires-

"authorized officer" means the Council Secretary, or any officer of the Southern District Council duly authorized in writing by the Council Secretary for the purpose of inspecting standpipes;

"Council" means the Southern District Council;

"designated area" means an area of the District which has been designated by the Council as an area for occupation by persons holding certificates of right or temporary

occupancy permits;

"**emergency**" means any situation giving rise to the possible loss of life or property caused by fire or other means;

"**occupier**" in respect of a designated area means a person residing within that area;

"**public standpipe**" means a water supply point within a designated area, and intended for use by the occupiers thereof;

"**unauthorized connection or attachment**" means a connection or attachment which has been made to a standpipe without the written permission of the Council.

4. Supervision of public standpipe

The Council Secretary may, in writing, from time to time authorise any officer or employee of the District Council to inspect and supervise the use of public standpipes.

5. Use of water from public standpipe

Subject to the provisions of bye-law 6, water from a public standpipe shall be available for use by occupiers of the designated area in which it is situated, or to persons so authorised in writing by the Council.

6. Use of water by persons other than occupiers

(1) Except with the written permission of the Council, or in an emergency, water shall not be drawn from a public standpipe for use outside the designated area in which it is located.

(2) An occupier in a designated area shall not supply water from a public standpipe in such area to any person not entitled thereto, for use outside the designated area, except-

- (a) for immediate personal consumption within the limits as may be specified by the Council;
- (b) in an emergency;
- or
- (c) as may be permitted in writing by the Council.

(3) A person who is not an occupier of the designated area, may, without further authorization draw water not exceeding 800 litres in any one day, for immediate personal consumption within the designated area, and such water shall only be drawn from an over head standpipe.

(4) Any person who contravenes the provisions of this bye-law shall be guilty of an offence and liable to a fine not exceeding P100 or in default of payment thereof to imprisonment for a term not exceeding one month.

7. Use of public standpipes

(1) Public standpipe water shall not be used for any purpose other than for domestic purposes, or in an emergency, or as may be specified, in writing, by the Council.

(2) The Council may, from time to time-

- (a) limit the quantity of water which may be drawn from a particular standpipe;
- (b) by notice in the *Gazette* and in a newspaper circulating in the country, prohibit the use of water for any specific purpose, in any specified area within the District Council; or
- (c) by written notice to occupiers, prohibit the use of public standpipe water for such purpose or purposes as may be specified in the notice.

(3) Any person who uses public standpipe water for any purpose contrary to the provisions of any notice issued by the District Council under sub-Bye-Law (2), shall be guilty of an offence and liable to a fine not exceeding P200, and in default of payment thereof to imprisonment for a term not exceeding two months, and such fine or imprisonment shall be without prejudice to the right of the District Council to recover the charges for water improperly used.

8. Withholding of supply of public standpipe water

Without prejudice to the right of recovery of any money due to it, the Council may turn off, or curtail, the supply of public standpipe water to any designated area where-

- (a) the occupiers, or any of them, have failed to pay any service levy, or failed to comply with any provision of these Bye-Laws with which it is their duty to comply;
- (b) the repair of, maintenance to or extension of the water system is required; or
- (c) a general water supply shortage occurs in the area.

9. Inspection of standpipes

(1) An authorized officer may, from time to time, inspect public standpipes for the purpose of detecting unauthorized connections or attachments, or the waste or misuse of water, and shall generally supervise the proper use of such standpipes.

(2) Where an authorized officer finds an unauthorized connection or attachment to a public standpipe he-

- (a) shall immediately remove it or cause it to be removed; and
- (b) may either return the unauthorized connection or attachment to the owner together with a stern written warning, or proceed to have the owner prosecuted under sub-Bye-Law (3).

(3) Any person found to have made an unauthorised connection or attachment may be, and shall be for a second or subsequent transgression, prosecuted and upon conviction shall be liable to have the unauthorised connection confiscated and to a fine not exceeding P200 or in default of payment thereof to imprisonment for a term not exceeding two months.

(4) Any person who hinders, obstructs or uses abusive or insulting language towards an authorised officer in the performance of his duties under these Bye-Laws shall be guilty of an offence and liable to a fine not exceeding P200 and in default of payment thereof to imprisonment for a term not exceeding two months.

10. Misuse of water

Any person who wilfully or negligently wastes or misuses water from a public standpipe shall be guilty of an offence and liable to a fine of P150.

11. Damage to public standpipe

(1) Any person who tampers with or wilfully or negligently causes damage to a public standpipe, or to any appliance or equipment connected therewith, shall be guilty of an offence and liable to a fine not exceeding P300 or in default of payment thereof to imprisonment for a term not exceeding three months.

(2) The imposition of a fine or imprisonment in terms of sub-Bye-Law (1) shall be without prejudice to the right of the District Council to recover from the offender the cost of any repair or replacement arising from the damage to the public standpipe concerned.

12. Prohibition of pollution

Any person who pollutes or causes the pollution of any public standpipe water, or causes or allows any liquid, gas or other matter to enter any fitting connected therewith, shall be guilty of an offence and liable to a fine not exceeding P200 or in default of payment thereof to imprisonment for a term not exceeding two months.