GOVERNMENT NOTICE NO. 417 published on 10/7/98

# THE LOCAL GOVERNMENT URBAN AUTHORITIES

(No. 8 of 1982)

# **BY-LAWS**

#### Made under section 80

THE ARUSHA MUNICIPAL COUNCIL (ENVIRONMENTAL PROTECTION AND GENERAL SANITATION) BY-LAWS, 1998

1. These By-laws may be cited as the Arusha Municipal Council (Environmental Protection and General Sanitation) By-laws 1998 and shall be applicable within the whole area of the Arusha Municipality.

# PART I

## PRELIMINARY

2. In these By-laws, the following words or expressions shall have the meanings hereby assigned to them unless the context otherwise requires:—

"The authority" means the Arusha Municipal Council;

- "Director" Means The Arusha Municipal Director and includes his Deputy or any other Senior Officer of the Council duly instructed;
- "Health officer" means any Health Officer employed by the Council for the purpose of these By-laws.

"Municipal Inspector" means any Municipal Inspector employed by the Council for the purposes of these By-laws.

"Occupier" includes any person in actual occupation of land or premises without regard to the title under which he occupies;

"Premises" includes land, buildings, vehicles, or other conveyances and tents, structures of any kind, ditches, or places open convered or enclosed, whether built or not;

"Persons" includes a corporation whether aggregate or sole,

- "Street" includes any street, road, path, lane and sanitary lane;
- "Footpath" includes any causeway or path at the side of any street or part of a street constructed or set apart for the use of accommodation or pedestrians;

"Plant" means any member of the vegetable kingdom and includes any part of a plant, whether severed therefrom or not;

"Building" includes any structure of whatsoever material constructed;

- "Linging room" means any room which between the hours of sunrise and sunset is ordinarily used for living purposes;
- "Sleeping room" means any room which between the hours of sunset and sunrise is ordinarily used for sleeping purposes:

- "Vehicle" means any cart wagon, carriage, bicycle, motor cycle, motor car or rickshaw, and includes any conveyance for the carriage or persons or goods however propelled or kept in motion;
- "Horse" includes mule and donkey, and any cattle when used for transport purposes;
- "Dangerous or offensive trade or business" means the trade or business of any of the following:

Blood boiler, bone boiler, soup boiler, boiler, tripe-boiler, glice manufacturer, hide factor, fell minger, manure manufacturer knacker, tanner and slaughter of cattle, and any other trade or business which the authority may by notice declare to be included in the said term for the purpose of these By-laws.

3. It shall be the duty of the authority to cause to be made from time to time inspection of all the area within its jurisdiction where nuisances exist calling for abatement under the powers of these By-laws and to carry out the provisions of these By-laws for the purpose of abating the same and otherwise to enforce the powers vested in it relating to public Health so as to secure the proper sanitary conditions of all premises, streets and drains within its jurisdiction.

4. No matter (or) thing done by the Authority or by any officer of any other person acting under its direction or acting under powers conferred by these By-laws shall, if the matter or thing was done bona fide for the porpose of carrying out any provision of these By-laws subject it or of any of them personally to any action, liability, claim or demand whatsoever.

5. The Authority or the Health Officer of any other person duly instructed shall have right to enter from time to time into any land, premises, vessels, or other conveyance:—

- (a) For the purpose of examining as to the existence thereon or therein of any nuisance liable to be dealt with summarily under these By-laws at any time between the hours of seven in the morning and six in the evening:—
- (b) Where under these By-laws a nuisance has been ascertained to exist or any order in respect thereto has been made by the authority, then at any such time as aforesaid until the nuisance is abated or the work ordered to be done is completed or the order is cancelled as the case may be;
- (c) Where any order made by Health Officer in respect of any nursance has not been complied with or has been infringed, at all reasonable hours for the purpose of securing the execution of the order;

# Arusha Municipal Council (Environmental Protection and General Sanitation) G.N. No. 417 (contd.)

- (d) For the purpose of inspecting and examining any article solid or liquid sold or exposed for sale or deposited for the purpose of sale or preparating for sale and intended for the food of man or beast at any time between the hours of seven in the morning and six in the evening;
- (c) Generally for the purpose of carrying out of its powers or duties under these By-laws at any time between the hours of seven in the morning and six in the evening; and;
- (f) At any hour of the day or night under the outhority of an order in that behalf granted by the Director upon it apprearing that there is reason to believe that any building or premises or part of any building or premises is so overcrowded as to be a nuisance liable to be dealt with summarily under these By-laws or that a closing order is being contravened or that a room is being used as a sleeping room contrary to these By-laws.

6. On the conviction of any person for any offence or on making any order on any person under these By-laws the authority so convicting may also order that such person shall pay the actual expenses incurred by the authority in serving any notice, making any complaint or obtaining any order.

7. Where no penalty is expressly imposed by any By-laws any person contravening any of the provisions of these By-laws, or failing to comply with any order or direction lawfully given thereunder, or obstructing or molesting any person exercising powers conferred thereby or performing duties imposed thereby or convicted of an offence against these By-laws shall be liable to fine not exceeding five thousand shillings to any such offence.

8. Service of every order or notice which the Health Officer or the authority is authorised to give may be effected as follows:

- (a) Such order or notice shall if practicable be served personally upon the person to whom it is addressed by delivering to him a true copy thereof and showing him the original and every person upon an order or notice is so served shall, unless illiterate sign a receipt therefore upon the original if so required by the serving officer;
- (b) When the addressee cannot by the exercise of due diligence be found, the order or notice may be served by leaving a true copy thereof (with) some adult member of his family or house-hold and the person with whom the same is so left shall, if so required by the serving officer, sign 2 receipt therefore on the Original order or notice;

Arusha Municipal Council (Environmental Protection and General Sanitation)

G.N. No. 417 (contd.)

(c) If service as above provided for can not by the exercise of due diligence be effected, the serving officer may affix a copy of the order or notice to some conspicuous part of the house in which the addressee ordinarily resides; or if the order or notice is made in respect of any house, building, premises or area he may affix a copy of such order or notice on a conspicuous part of the house, building or area.

# PART II

#### SANITATION

# SUPPRESSION OF NATURAL FOES

9.—(1) The Health Officer or any person authorised by him shall have power to enter any land or any house or buildings between the hours of seven in the morning and six in the evening for the purpose of satisfying himself that there are no mosquitoes breeding upon such land, premises, houses or buildings.

(2) The occupier of any area, plot or premises on which mosquito larvae are found shall be quilty of an offence.

(3) The occupier of any land, house or premises upon which there is any well, tank, barrel, tub, bucket or other receptable for the storage of water shall provide the same with a cover so constructed as to prevent the ingress of mosquitoes and any person failing to provide a cover as aforesaid after reasonable notice has been given by the Health Officer shall be quilty of an offence.

(4) The Health Officer, or any person authorized by him shall have power to enter in any premises or lands on which water may have accumulated in any natural hollow and take such steps as he may consider necessary for the removal or insecticide treatment of such water.

(5) Any occupier of any land, house or premises upon which natural foes are found shall be quilty of an offence.

(6) A person who contravenes any provision of this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding five thousand shillings to any such offence or to imprisonment not exceeding five months or to both fine and imprisonment.

For purposes of these By-laws,

10. "Nuisance" means anything whatsoever which is in such condition or is so used or disposed of or is so stutated or constructed or is so unclean as to be:—

(a) Dangerous to human life or limb;

(b) Injurious to the health of men or animals;

(c) Offensive;

(d) Likely to harbour mosquitoes and other insects;

(e) Likely injureously to affect the food or water supply of the Instute.

11. If the Health Officer has reasonable grounds for suspecting that a nuisance exists on any premises he may himself or by any person authorised by him enter, inspect and make inquiries upon such premises at any time between 9.00 am. and 6.00 pm. or at any time when operations suspected or causing the nuisance are believed to be in progress or are usually carried on, and may do any act or thing which may be necessary for the effectual examination of the said premises.

12.—(1) Whenever a nuisance exists or has existed on any land or premises and is likely to recur whether on that land or premises or on any other land or premises the Health Officer or any person duly instructed may serve a notice on the person in default or requiring him with the time specified in the notice to abate the nuisance or to do what is necessary to prevent its recurrence;

(2) Where a notice has been served on any person under this By-laws, and either the nuisance arose from the wilful or culpable negligence of the said person, or such person makes default in complying with any of the requisitions of the notice within the time specified, he shall be guilty of an offence.

#### **INSANITARY PREMISES**

13. If, in the opinion of the authority, any premises, tent or tents or any hut constructed of wood, mud or grass, or any other temporary erection used for human habitation is unfit for that purpose or dangerous or is likely to be dangerous to health, the authority may serve a notice upon the occupier of such premises, tent, hut, or temporary erection to remove or destroy the same within the time specified in the notice, and if the occupier fails to comply with any of the terms of the said notice, he shall be guilty of an offence and the occupier of any premises has to cause the same to be limewashed or otherwise cleansed or disinfected and if the said occupier fails to comply he shall be guilty of an offence and the Health Officer may enter upon the said premised and do such work as required and recover the cost thereof from the said occupier.

15. Every person owning any building or premises used as a dwelling houses shall provide such building or premises with proper and sufficient sanitary accommodation to the satisfaction of the authority.

16. No person shall dig or construct any hole for the reception of night soil, urine, dirty water or rubbish of any description except as authorised under these By-laws or by written permission of the Health Officer or he shall not throw any matter or thing or dirty water or allow any such foul matter or thing or dirty water to flow to any yard, plot, street, footpath or public place or into any drain not constructed for the purpose of receiving such foul matter or thing or dirty water.

17. The Health Officer may at any time require the owner or occupier of any premises to cause the same to limewashed or otherwise cleansed or disinfected and if the said owner fail to comply he shall be, guilty of an offence and the Health Officer may enter upon the said premises and do such work as required and recover the cost thereof from the said owfie? or occupier.

e als conse Si Trace

# DISPOSAL OF REFUSE AND NIGHT SOIL DUSTBIN

18. The occupier of any building or premises shall provide and maintain a dustbin of sufficient size, and fitted with a good and efficient lid and shall daily cause to be placed within such dustbin the domestic refuse from the said building or premises in so far as the said dust bin shall be sufficient to contain the same.

19. No person shall throw or deposit or cause to be thrown deposited in or upon any street or public place any accumulation of dust, refuse, garbage, decaying animal, vegetables, or noxious matter.

20. The Authority may require the occupier of any premises to make such arrangements for the removal and disposal of night soil as it may think fit.

21. The occupier of any plot or portion of a plot shall not in any street or open place throw or lay down any dirt, filth, rubbish, or stone or building materials, or cause or allow any offensive matter to turn from any house, pantry, dungheap, or the like.

## **PROTECTION OF VEGETATION**

22.—(1) No person shall wilfully or negligently cause any bush or grass fire, or fell, cut, burn, injure or remove any standing tree, shrub, bush, sampling, seedling or anypart thereof within the jurisdiction of the authority except by and in accordance with the written permission previously sought and obtained from the authority.

(2) It is prohibited to cause fire, clear or destruct vegetation, gather honey or forest produce without the permit of the authority.

(3) Any person who contravenes this condition shall be guilty of an offence and shall be liable on conviction to a fine not exceeding five thousand shillings or to a term of imprisonment not exceeding six months or to both fine and imprisonment.

#### FOOD PROTECTION

23. The Health Officer or any person authorised by him may at all reasonable hours inspect and examine any article exposed for sale or deposited in any place for the purpose of sale or of preparation for sale and intended for the food of man, the burden of proof the same was not so sold, exposed or deposited being upon the party charged, and if

#### Arusha Municipal Council (Environmental Protection and General Sanitation)

G.N. No. 417 (contd.)

any such article appears to him to be diseased or unsound or unwholesome or unfit for human consumption he may seize it and take it before the Municipal Director and if satisfied that it is diseased or unsound or unfit for the food of man, he may condemn it and the person to whom it belong or did belongs or did belong at the time of sale or exposure for sale or in whose possession or permises the same was found shall be guilty of an offence against these by-laws, in respect of each article condemned.

24.—(1) Every person engaged in serving meat to customers within the authority shall be clothed in a clean white apron or, garment from neck to knee. In case of a breach or this by-laws, he shall be guilty under this by-laws and authority may refuse him a permit to serve meat.

(2) No person shall spit, urinate and smoke in the market place, or in any place within the authority not reserved for that purpose.

(3) No dog shall be in the market, or in any dairy, or in any place where meat is exposed for sale.

(4) All articles of food attractive to flies, kept, held, or offered for sale shall be protected by proper screening or otherwise, against contamination by flies or other insects.

25.—(1) No person shall carry on the business of a butcher, greengrocer, fishmonger, or preparation of food for sale within the residential premises without first obtaining a permit from the authority and without complying with the requirements of the Health Officer as to the condition of the premises in which the business is conducted and the health of employees serving therein.

(2) A permit granted under this by-laws may be suspended at any time if in the opinion of the authority the condition of the business or the premises in which it is conducted is unsatisfactory until such time as the same is remedied to the satisfaction of the authority.

26.--(1) Every cowshed, building in which cows are kept for the purpose of milk production shall be permitted by the authority and permit shall be issued unless the said premises are deemed by Health Officer to be suitable for such purposes.

(2) The authority must be satisfied that the air space, cleansing, drainage and water-supply of the dairy or cowshed are such as are necessary for:—

- (a) The Health and good condition of the cattle;
- (b) The cleanliness of the milk vessels and all the utensils used in the manufacture of such milk;
- (c) the protection of the milk against infection and contamination.

## SLAUGHTER HOUSES AND ANIMAL

27.—(1) No animal shall be slaughtered within the authority except at the Council's abattoir.

(2) No meat of any animal slaughtered outside the abattoir shall be brought into or sold within the authority unless it has been inspected and passed fit for human consumption by the Health Officer or other person authorised by him, or unless the carcass has been taken to a Government or Registered slaughter-house.

(3) No carcass or portion of carcass shall be removed from a slaughter house until it has been inspected and certified by the Health Officer or a Veterinary Officer.

(4) All animals awaiting slaughter shall be provided with sufficient space and water, and the slaughtering shall be carried out with due regard to prevention of cruelty.

(5) No dogs shall be permitted at any time to enter a slaughter house.

(6) No hide or skin shall be removed from the slaughter house unless it has been dried in the place provided therefore and is in a fit and sanitary condition to be sold or otherwise disposed.

28.—(1) Every person who conveys or causes to be conveyed any meat, which is to be used for human consumption, in any vehicle shall—

- (a) cause the meat to be placed in a clean receptable;
- (b) cause the inside of such vehicle to be kept clean;
- (c) cause the meat to be protected by means of clean cloth or other suitable material if the top, sides or back of such vehicle is open;
- (d) not permit any live animal to be conveyed in such vehicle at the same time as the conveyance of such meat.

(2) Every person engaged in the handling of conveyence of meat which is to be used for human consumption shall—

- (a) not permit any part of the meat to come into contect with the ground.
- (b) cause the inside of such vehicle to be kept clean.
- (c) shall cause the meat to be protected by means of clean cloth or other suitable material if the top sides or back of such vehicle is open.
- (d) not permit any live animal to be conveyed in such vehicle at the same time as the conveyence of such meat.

(3) Every person engaged in the handling of conveyance of meat which is to be used for human consumption shall—

- (a) not permit any part of the meat to come into contact with the ground;
- (b) take such other precautions as are reasonably necessary to prevent the exposure of the meat to contamination by flies or other insects:

(c) while so engaged, be clothed in a clean and washable head covering and overall.

(4) In case of any breach of this by-laws the authority may refuse or rescind to issue him a meat serving permit within the authority.

29.--(1) No person shall keep any hourses, cattle, sheep, goats or pigs, or wild animals within the authority except with the written permission of the authority.

(2) Every stable cowyard, cattlehed, pigstry or other place used for the keeping of hourses, cattle, sheep, goats, pigs of other animals or birds shall be kept in a sanitary condition to the satisfaction of the authority and any place in which animals or birds are kept shall be constructed and drained to the satisfaction of the authority.

(3) No person shall throw or deposite or cause to be deposited by corpse or carcass upon any street.

(4) No person shall keep any cattle having glanders, hog cholera, magna, or other forms of typanosomiasis, piroplasmaosis or other contagious diseases of domestic animal.

(5) The owner or person in charges of any such cattle either remove or destroy the same when required to do so by the Health Officer or by authority.

(6) No compensation shall be payable to the owner of cattle so destroyed.

(7) Any person who contravenes of fails to comply with any of the provisions of these By-laws shall be guilty of an offence and shall be liable on conviction to a fine not exceeding five thousand shillings or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

## CEMETERIES

30---(1) The authority may appoint or set aside any area or areas as cemetery or cemeteries and appropriate any such cemetery or part thereof to the burial or cremation of person of any specified Religion.

(2) When a cemetery has been so appointed-

- (a) no corpse of any person shall be buried except in such cemetery without the written permission of the authority.
- (b) No corpse shall be buried less than 6 feet below the ground adjouning the grave.
- (c) No person shall dig up take out or in any way interfere with a corps once buried except under special licence in that behalf granted by the police, or in accordance with the law.

(3) No person shall bury cremate or otherwise despose of the corpse of any person who had died within the authority without a permit signed by the Heald Officer or by a Government Medical Officer.

31.—(1) For the purpose of carrying out the supervision of the sanitation and safeguarding the health within the authority, the Health Officer or any person authorised by him shall have a power of entry, inspection and taking the necessary measures.

(2) Any person obstructing inspection or entry of premises for the purposes above mentioned shall be guilty of an offence under this by-laws and upon conviction he will be liable for a fine not exceeding five thousand shillings.

32. Any person keeping any wild, dangerous or ferocious, dog, monkeys, snake or other animal, or pigs, ducks, geese or other poultry so as to be a nuisance or dangerous to a neighbour or to the public shall be guilty of an offence and shall be liable to pay for any damages caused by the animal.

33. Where these by-laws are silent or in conflict with other laws the Principal shall have power to direct.

# PART III

#### WATER POLLUTION

1. No person shall be permited to wash any vehicle in any river, stream, water course, spring, well or other water supply within the area of jurisdiction of the Arusha Municipality.

2. The Council shall authorise and issue a licence to any person, or body of persons to establish and operate vehicle washing facilities within the area of jurisdiction of the Council.

3. It shall be the duty of the person or body of persons operating any vehicle washing facilities to ensure that no water from the washing centre enters any river, stream, water course, spring or any other water supply within the area of jurisdiction of the Council so as to create water pollution within the Municipality.

4. Any vehicle which will be caught being washed in any river, stream water course, spring or any other water supply shall be taken to the Municipal yard or Police station and the cover thereof will be penalised to a fine of 5,000/- (five thousand shillings) to retrain back the said vehicle. If the offence is repeated by the same owner of the vehicle a penalty of the hundred thousand shillings (100,000/-) will be imposed upon the habitual offender.

5. Any person who contravenes of fails to comply with any provisions of these by-laws commits an offence and if convicted shall be liable to a fine not exceeding five thousands (5,000/-) or imprisonment for a term not exceeding twelve months or both that fine and imprisonment.

Arusha Municipal Council (Environmental Protection and General Sanitation) G.N. No. 417 (contd.)

# PART IV

## **REMOVAL OF OBSTRUCTIONS**

1. No person shall leave any vehicle object or load within a street. open spaces, roadreserve, without the permission of the Council.

2. The Council may at any time and in any manner remove any obstruction and may take it to any place as may seen expedient to the Council at the costs of the owner.

Provided that no such obstruction shall be removed until the Council has first taken all reasonable steps to require the owner of the obstruction, or where the obstruction is a vehicle, the owner, driver or person incharge of such vehicle, to remove the obstruction. A Notice of seven days to such person will be deemed to be enough notification.

3. Where the Council removes any object under the provisions of these by-laws the Council shall make such arrangement as reasonable for necessary costs incurred to be refunded in the soonest.

4. The Council shall not be liable for any loss or damage that may occur, in such circumstances, under the provisions of these by-laws.

•

5. Any Police Officer or any official of the Council duty instructed may required the owner, driver or person incharge of any vehicle causing an obstruction to remove such vehicle, and any such requirement may include a requirement that the vehicle shall not be removed to any similar position on a road as the police officer or official of the council may direct.

6. Any person who fails to comply as soon as possible and practicable with any requirements lawfully given by the Council or a Police Officer under the provision of these by-laws shall be guilty or an offence and shall be liable on conviction to fine not exceeding five thousand shillings or imprisonment on a term not exceeding one year or both such fine and imprisonment.

#### PART V

#### **REGULATIONS OF CULTIVATION**

.

Planting and cultivation of crops prohibited

1. No person shall plant or cultivate any crops in any of the areas indicated in the first schedule appended to these by-laws.

The Council remove obstruction

Excemption

power of Police Officers

officials of

Council

Penalty

loss

for

or damage of obstruction

Area where

crops may

be cultivated

Council to annex

areas

2. No person shall cultivate in the areas indicated in the second schedule appended to these by-laws any of the following;crops, coffee, bananas, rice, finger millet, sun-flower, sugar-cane, cassava, wheat and sorghum.

3. All crops may be cultivated in the areas indicated in the third schedule provided that no person shall plant any permanent crops in those areas without written permission from the authority.

4. The Council may by a resolution from time to time annex areas to the schedules as it deems proper.

5.—(1) No person shall plant or cultivate any crop or plant in prohibited areas without the written permission of the Council.

(2) No person shall cultivate in all surveyed areas by using tractors ploughs or any machinery which shall destroy the survey beacons.

6.—(1) Any person planting or cultivating any crop or plant and find such crop to be infected with either insect of plant post or desease shall report such infestation to the council and shall comply with such instructions as may be given by the Council or its duly authorised officers for the destruction of such insect or plant pest or disease.

(2) The Council shall cause to be destroyed any crops planted in any area prohibited in these by-laws and the person who cultivated the said crops shall bear all the costs for such destruction.

(3) Subject to the provisions contained in these by-laws no person shall be permitted to cultivate maize or any crop in any open space, or road reserve.

## FIRST SCHEDULE

#### AREA WHERE CULTIVATION OF CROPS IS COMPLETELY PROHIBITED

1. (a) AREAS COVERING THE WHOLE CENTRAL BUSINESS AREAS (CBD)

- (i) Kati Ward;
- (ii) Kaloleni Surveyed area;
- (iii) Ngarenaro Surveyed area;
- (iv) Levolosi Surveyed area;
- (v) Sekei Surveyed area including Corridor and uzunguni area;
- (vi) Unga Ltd. Surveyed area.
- (b) River Banks and Valleys of the following rivers, Themi Naura, Kijenge and Goliondoi this shall be 20 metres from the river banks of valleys.
- (c) HILL TOPS AND SLOPES: Themi Hill and Suye Hill.
- (d) ALL AREAS OF ROAD Reserve up to a distance of fourteen feet from the road edges on both sides, this covers all roads within the Arusha Municipality.
- (e) All Public Open Spaces within the CBD (Central Business District).

Infestation of crops to be reported Arusha Municipal Council (Environmental Protection and General Sanitation)

G.N. No. 417 (contd.)

#### SECOND SCHEDULE

# 2. AREAS WHERE CERTAIN CROPS ARE PROHIBITED:---

Maize, plantains, elephant grass millet (except finger millet)

Surveyed area within

(i) Themi Ward;

(ii) Oloirien Ward;

(iii) Lemara ward - Njiro the following Blocks, A,B,C,D and E.

## THIRD SCHEDULE

# AREAS WHERE CULTIVATION MAY BE CARRIED OUT UNDER PERMISSION:---

Njiro the following Blocks, F,G,H and J,

7. Any officer or employee of the Council duly authorised in writing may at all reasonable times enter into or upon any land premies for the purpose of inspecting and or carry out works which in the opinion of the Council are contraventions to the provisions of these by-laws and may recover all costs and expenses incurred by the Council from the person who has fails to comply with the provisions of these by-laws.

Right of entry 8. Any person who contravences of fails to comply with any of the provisions of these by-laws shall be guilty of an offence and shall be liable on conviction to a fine not exceeding five thousand shillings or to imprisonment for a term not exceeding six months or to both such fine and imprisonment and for orders that the crops be removed.

# PART VI

# PREMISES FROM MAINTENANCE

1. It shall be the duty of any person owing or occupying any building to construct and maintain of frontage pavement of his building to the satisfaction of the Council, or remit an amount of money to the Council for such work as will be estimated and determined by the council.

2. If the owner or occupier has failed to contract and maintain a frontage pavement in a period specified in the notice served upon him or cannot be found, the council may construct and maintain the same and recover the cost.

3. Upon completion of the job the Engineer will handover the work to the owner. A writen statement of handingover signed by the Engineer and authenticated by the Director delivered to the premises of the owner shall be deemed to be a sufficient handing over. The owner shall accept the same and pay the costs involved.

If after seven days upon such handingover the owner will not have paid the demanded sum representing the cost, legal proceedings will be instituted to recover the same.

4. Any person contravening any of the provisions of these by-laws of failing to comply with an order or direction lawfully given there under or obstructing any person carrying out work conferred there by the by-laws shall be guilty of an offence against these by-laws shall be liable, on conviction, to pay a fine of five thousand shillings or six months imprisonment or to both such fine and imprisonment, in addition to being ordered to pay the full costs incurred towards construction of the payment.

The Seal of the authority was affixed to these by-laws pursuant to the resolution of the authority passed at a meeting of the authority dully convened and held on the 27th day of February, 1998 and the same was so affixed in the presence of:—



PHILIF KIVUYO, Mayor of the Council

ASUMPTA F. NDIMBO, Municipal Director

# I APPROVE

Dodoma, 26<sup>th</sup> June, 1998 HON. MUSSA S. K. NKHANGAA (MP.), Minister of State, Regional Administration and Local Government

GOVERNMENT NOTICE NO. 418 published on 10/7/1998