

Rhodesia Government Notice No. 803 of 1966.

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[CAP. 124

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Bulawayo (Public Health) By-laws, 1966

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IT is hereby notified that His Excellency the Officer Administering the Government has been pleased, in terms of section 67 of the Local Government Act [*Chapter 124*] and section 279 of the Municipal Act [*Chapter 125*], to approve the following by-laws made by the City Council of Bulawayo:-

Title

1. These by-laws may be cited as the Bulawayo (Public Health), By-laws, 1966.

Application

2. These by-laws shall apply to-
 - (a) the municipal area of Bulawayo; and
 - (b) the commonage of Bulawayo; and
 - (c) the occupied areas outside the limits of the municipal area of Bulawayo and falling within the limits of the commonage of Bulawayo though excluded therefrom; and
 - (d) the African township areas under the jurisdiction of the Council.

Interpretation of terms

3. In these by-laws-

“animal” means-

- (a) any bovine, cat, dog, equine, ovine, poultry, pigeon, porcine or other domestic animal or bird; or
- (b) any wild animal which is in captivity; or
- (c) the young of any animal mentioned in paragraph (a) or (b);

“apartment rooms” means any premises where lodging only is provided for hire or reward for five or more persons who are not members of the family of the occupier of such premises;

“approved” means approved by the Council;

“chief hygiene officer” means the chief hygiene officer appointed by the Council and includes any person appointed by the Council to act as chief hygiene officer;

“contamination” or “pollution” means infection by dirt, dust, insects, rodents, vermin or any other substance or thing likely to encourage the spread of pathogenic organisms;

“Council” means the City of Bulawayo;

“domestic purposes”, when used in relation to the use of water, includes the use of water on any premises which is used for preparation, manufacture, storage or sale of any food and for every kind of ordinary household purpose, but does not include the use of water for or in connexion with-

- (a) any engine, machine or fitting used for industrial, trading or mining purposes; or
- (b) the flushing of any drain or sewer connected with any trade or manufacturing process; or
- (c) the cleansing of the exterior of any building, carriageway, footpath or vehicle; or
- (d) the watering of gardens or the filling of swimming baths;

“dwelling” means any boat, box, cave, house, hut, room, shed, tent, vehicle, vessel or other structure or place, any part whereof is used as a human abode;

“dwelling unit” means any self-contained premises designed for use as accommodation for person living under family conditions, but does not include any premises used as a boarding house, club, guest house, hostel, hotel or servants’ quarters;

“health inspector” means any person appointed by the Council as a health education officer, health inspector, hygiene officer or sanitary inspector;

“food” includes any animal product, beverage, chewing gum, condiment, confectionery, fish, fruit, spice, vegetables and any other article or thing whatsoever (other than drugs or water, but including ice) in any form, state or stage of preparation and however packed, which is intended or ordinarily for human consumption;

“medical officer of health” means the medical officer of health appointed by the Council and includes the deputy medical officer of health and any medical practitioner appointed to act in either capacity;

“monkey” includes any anthropoid to ape, baboon or lemur;

“new building” means-

- (a) any building, or any structural alteration or addition to any existing building, erected after the commencement of these by-laws; or
- (b) any building which has been taken down, burnt or destroyed for more than half its cubic content and re-erected or commenced to be re-erected after the commencement of these by-laws; or
- (c) any building the cubic content of which at the time of commencement of these by-laws has thereafter been increased by an amount equal to the cubic content of the building at such time;
- (d) any building to which an upper storey has been added after the commencement of these by-laws; or
- (e) any building to which has been structurally converted after the commencement of these by-laws to any purpose different from that for which it was originally intended;

“nuisance”, in relation to any substance, whether solid, liquid or gaseous, including buildings, structures or premises, means a condition which may tend to injure the health, or destroy the comfort or affect the rights of any person;

“occupier”, in relation to any premises, means the person in actual lawful occupation of these premises who has the right to exercise general control over such premises and actually resides thereon;

“open food” means any food which is not contained in a container capable of excluding all risk of contamination to the contents;

“owner”, in relation to any premises, means-

- (a) the person in whose name the title to those premises is registered, and includes the holder of the stand licence; or
- (b) if such person or holder is dead, insolvent, mentally disordered or defective, a minor, or under any legal disability, the person in whom the administration of that person’s or holder’s estate is vested, whether an executor, guardian or in any other capacity whatsoever; or
- (c) if the premises are under lease, the registration whereof is in law necessary for the validity of such lease, the lessee.

When an owner as herein defined is absent from the area specified in section 2 or his whereabouts are unknown, the expression “owner” includes an agent of such owner or any person receiving or entitled to receive rent in respect of the premises;

“poultry” does not include pigeons;

“premises” means any dwelling, building or structure together with any land on which the same is situated and any adjoining land used in connexion therewith;

“private premises” means any premises or any portion thereof in separate occupation;

“public building” means-

- (a) any church, chapel, meeting-house or building used for divine worship; or
- (b) any theatre, opera-house, hall, exhibition building or any other building open to members of the public, whether with or without payment;

“public place” includes any bridge, drain, enclosed space, foot pavement, garden, land, open space, overhead bridge, path, road, sanitary lane, sidewalk, square, street, subway, stream, thoroughfare, vested in or controlled by the Council for the use and benefit of the public;

“recreation ground” means any ground used as a place of resort for purpose of athletic sports, ball games, swimming or other outdoor sport or any kind of recreation whatsoever;

“sanitary convenience” means any aqua privy, earth closet, pail closet, pit, privy, urinal, water closet or any other construction used for the receipt, or disposal of human

excrement, and includes the ceiling, entrance, floor, fittings, fixtures, roof, screen, seat, walls and windows thereof;

“school” means any public or private establishment for primary or secondary or higher education and includes a hostel or boarding house kept for housing the pupils at any such establishment;

“servant’s quarters” means accommodation for domestic servants or other employees situated on the premises of the employer;

“stream” includes the banks and dry bed of stream;

“trade premises” means any premises used or intended to be used for carrying on any trade or business;

“wild animal” includes any wild bird or reptile.

Notices

4. (1) Every notice referred to in these by-laws requiring authentication by Council shall be deemed to be sufficiently authenticated if signed by the medical officer of health, chief hygiene officer or any other person duly authorised by the Council.

(2) Any person who fails to comply with any notice duly given or served or any person who willfully obstructs or interferes with the medical officer of health, any health inspector or any duly authorised servant of the Council in carrying out the provisions of these by-laws or any requirement duly made hereunder or doing any act hereby authorised shall be guilty of an offence.

(3) If any person upon whom a notice has been served requiring him to comply with any provision of these by laws fails to comply with any of the requirements thereof within the time specified, or if the failure is likely to recur, the Council may enter upon the premises in respect of which such compliance is required or failure is likely to recur and may itself carry out such work as may be necessary to comply with such notice or prevent the recurrence of such failure.

(4) The Council may recover from any person referred to in subsection (3) the amount of any costs incurred by it in carrying out such work and such person shall, on demand, refund such costs to Council.

(5) Where it appears that a contravention has been caused either wholly or in part by the act or default of some person outside the area specified in section 2, the

provisions of subsections (3) and (4) shall, *mutatis mutandis*, apply to such person in respect of such act or default.

Cesspools forbidden

5. No person shall cause or permit any cesspool to be constructed or used.

Cloakrooms and sanitary conveniences in new buildings

6. (1) In all new buildings, excluding private dwellings, hotels and those for which provision is made under the Factories and Works Act [*Chapter 229*], in which domestic and other employees are employed or are to be employed and who are housed elsewhere than on the site of the new building, there shall be provided by the owner of such new building for such employees one cloakroom and one sanitary convenience -

(a) for every six flats or part thereof;

(b) for a combination;

(c) for every five thousand square feet or part thereof of office space;

(d) for every ten thousand square feet or part thereof shop or warehouse area.

(2) In multi-storey new buildings, cloakrooms and sanitary conveniences may be sited at any floor level:

Provided that-

(i) not more than three floors shall separate such facilities; and

(ii) no such facilities shall be sited on the roof.

(3) For the purpose of this section, cloakroom shall-

(a) have floor area, excluding the area required for a sanitary convenience and a shower cubicle, of at least twenty-five square feet but not more than thirty square feet; and

(b) have a ceiling with a minimum height from the floor of seven feet six inches; and

(c) be lighted and ventilated directly from the open air by means of hopper type windows glazed with opaque glass, capable of being opened, and providing a lightning area of not less than four and a half square feet and a ventilating area of not less than two and a quarter square feet; and

(d) be provided with a sink with a piped water supply; and

(e) have an impervious floor graded to a fall to discharge into a trapped waste pipe; and

(f) have the walls to a height of seven feet six inches rendered with cement plaster or other approved impervious material to a smooth finish and painted with oil paint or similar washable material; and

(g) be positioned and screened so as not to cause a nuisance; and

(h) be provided with a shower cubicle.

(4) Where the cloakroom and sanitary convenience provision in a new building is in excess of one each, at least one of the cloakrooms and sanitary conveniences shall be reserved by the owner for the use of female employees and the entrance thereto adequately screened and separated from those of male employees:

Provided that where no female employee is employed in the new building it shall not be necessary to reserve such female accommodation.

(5) Cloakrooms or sanitary conveniences reserved for female employees shall be as nearly as possible central situated within the height of the building so as to render them convenient to all parts of the building.

Common rooms

7. (1) In all new buildings, excluding private dwellings, hotels and those for which provision is made under the Factories and Works Act [*Chapter 229*], in which domestic or other employees are employed and who are housed elsewhere than on the site of the new building for such employees -

(a) for every six flats, a common room which shall have a minimum area of seventy square feet with the addition of thirty square feet for each additional six flats or apart thereof:

Provided that where there are less than six flats no common room need be provided;

(b) for the first three thousand square feet of office area, one common room which shall have a minimum area of seventy square feet with the addition of thirty square feet for each additional three thousand square feet office space or part thereof:

Provided that where the office area is less than three thousand square feet no common room need be provided;

(c) for the first five thousand square of shop or warehouse area or part thereof, a common room which shall have a minimum area of seventy square feet with the addition of thirty square feet for each additional five thousand square feet of shop or warehouse area.

(2) The owner of a common room provided in terms of this section shall not permit such common room to be used for this section shall not permit such common room to be used for sleeping purposes and, if erected at ground level, shall site such common room in a position adjacent to the rear boundary of the premises subject to the provisions of the Bulawayo Buildings, Roads and Streets By-laws, 1939, relating to building line, heights and distances.

(3) A common room provided in terms of this section may be situated in the new building at any floor level, excluding the roof, but not on any street frontage if, in the opinion of the medical officer of health, the sitting of the common room in the new building constitutes a nuisance.

(4) The owner of a common room shall provide such common room with facilities for cooking food and a sink with piped water supply to the satisfaction of the medical officer of health.

Sanitary conveniences during erection of buildings

8. Every person employing workmen for the erection of any building or in the construction of any public works shall provide for such workmen so many sanitary conveniences, properly constructed, as may be required by the chief hygiene officer or any health inspector.

Premises where sewage connexion is available

9. The owner of any premises for which a sewerage connexion is available shall provide-
 - (a) in dwellings, not less than one water closet for every ten persons or part thereof normally residing in such dwellings:

Provided that the Council may designate in writing that the provision of this paragraph shall not apply to the owners of dwelling units in any specified area;

(b) in trade premises, not less than one water closet for every fifteen persons or part thereof normally employed on such premises and, where there are more than five male persons, urinals in the proportion of at least one urinal stall or at least sixteen inches of urinal trough or slab for every twenty-five males or part thereof employed in such premises;

(c) in public buildings, one water closet for every one hundred persons or part thereof normally using or occupying such building, with a minimum of one water closet for the use of each sex and, where there are more than five male persons, urinals in the proportion of at least one urinal stall or at least sixteen inches of urinal trough or slab for every fifty males or part thereof normally using or occupying such premises;

(d) in day schools-

(i) for boys, one water closet and one urinal stall or sixteen inches of urinal trough or slab for every twenty-five boys part thereof;

(ii) for girls, one water closet for every fifteen girls or part thereof;

(e) in residential schools-

(i) for boys, one water closet for every ten boys or part thereof and one urinal stall or sixteen inches of urinal trough or slab for every fifteen boys or part thereof ;

(ii) for girls, one water closet for every eight girls or part thereof;

(f) in recreation grounds, two water closets for females and one water closet and one urinal trough or slab for every two hundred persons or part thereof normally attending such grounds:

Provided that in case of special functions or meetings where a large number than the normal attendance may be anticipated, extra sanitary accommodation of a temporary nature in accordance with the provisions of subsection (2) of section 10 shall be provided for such large number.

Premises where sewerage connexion is not available

10. (1) The owner of any premises for which there is no available sewerage connexion shall, unless a conservancy or septic tank is permitted, provide on such premises

one pail and one pail closet or other approved sanitary convenience for every six persons or part thereof employed or residing on such premises.

(2) The owner of any recreation grounds for which there is no available sewerage connexion shall provide on such ground-

(a) two pails and two pail closets or other approved sanitary convenience for females for every one hundred persons or part thereof normally attending such ground; and

(b) one pail and one pail closet, or other approved sanitary convenience and two urinals with closet provided and thirty inches of urinal trough for every hundred males or part thereof normally attending such ground.

(3) Where any premises are required to be provided with pail closets the owner shall obtain from the Council the use of a sufficient supply of pails for such closets of urinals, and for such purpose shall pay the Council such charges as are fixed by the Council in the tariff for sanitary services.

(4) Except with the permission of the medical officer of health, no person shall sell, hire or transfer to any other person or any other premises any pail supplied by the Council.

(5) In addition to the person in whose name a night soil removal service is registered, the cost of such service may be recovered from the owner or occupier of the premises.

(6) In the event of any premises to which a night soil removal service is being rendered becoming vacant, the person in whose name the service is registered shall forthwith notify the fact to the medical officer of health and, in the event of his failure to give such notice, he shall, until such notice is given, remain liable to pay for the night soil removal service.

Sanitary convenience for other premises

11. The owner of any premises occupied for any purpose other than those mentioned in sections 9 and 10 shall provide on such premises sufficient and adequate sanitary

conveniences to the satisfaction of the medical officer of health, who shall have regard to the availability or otherwise of a sewerage connexion, the number of persons normally occupying or using such premises and the maintenance of public health.

Sanitary conveniences in common rooms

12. The owner of any dwellings, flats, offices, shops, workshops, or other premises in which a sanitary convenience is used in common by two or more occupiers shall ensure that such sanitary convenience is maintained in a clean condition and free from any nuisance.

Screening and sanitary conveniences

13. (1) The medical officer of health may by notice require the owner of any premises on which a sanitary convenience is provided to screen, within the time specified in such notice, the entrance and interior of such sanitary convenience from observation.

(2) Where a separate sanitary convenience is provided for each sex, a notice at the entrance of such convenience shall be placed by the owner or occupier of such premises indicating which sex may use such sanitary convenience.

Toilet paper and disinfectants

14. The medical officer of health may by notice require the occupier of any private premises or the owner of any other premises on which sanitary conveniences are situated to provide, within the time specified in such notice, a proper and sufficient supply of toilet paper and disinfectants for use in such sanitary conveniences.

Use of sanitary conveniences

15. (1) No person shall damage, destroy, dirty or make improper use of any sanitary convenience wherever situated.

(2) No person shall urinate or defecate in any public place except in a sanitary convenience.

Dwelling units

16. (1) In every dwelling unit there shall be provided by the owner -

- (a) room space, separate from any food preparation room or toilet room, of at least one hundred and ninety-two square feet of floor space for living and sleeping purposes; and
- (b) for each person over the age of ten years simultaneously occupying such dwelling unit, at least forty square feet of floor space and four hundred cubic feet of air space, and for each child under the age of ten years, at least twenty square feet of floor space and two hundred cubic feet of air space; and
- (c) windows capable of being opened for at least half their area and so placed as to ensure cross or through ventilation, and placed on external walls of each room of at least ten per centum of the floor area of such room; and
- (d) a separate room which shall contain a bath or shower to which a water supply has been connected; and
- (e) a separate room for the preparation of food, equipped with a sink and drainage board to which a water supply has been connected; and
- (f) an approved sanitary convenience:

Provided that the Council may designate in writing that one or more of the provisions of this subsection shall not apply to the owners of dwelling units in any specified area.

(2) The owner of any premises which are let or occupied as a dwelling unit shall at all times maintain the premises in good order and repair shall carry out or cause to be carried out any repair or renovation which he may be required to do by any health inspector.

(3) No person shall use or cause or permit to be used any premises as a dwelling unit which do not comply with the provisions of subsection (1).

(4) The occupier of any dwelling unit shall ensure that all portions of his premises are kept in a clean condition.

Apartment rooms

17. (1) In all premises used as apartment rooms, there shall be provided by the owner-

- (a) for each person simultaneously occupying an apartment room, at least fifty square feet of floor space and five hundred cubic feet of air space; and
- (b) in each room windows capable of being opened for at least half their area and so placed as to ensure cross or through ventilation, covering an area of at least ten per centum of the floor area of such room, and placed on an external wall; and
- (c) in separate chambers, approved sanitary conveniences in the ratio of not less than one for every eight persons normally resident in the apartment rooms:

Provided that separate sanitary conveniences for each sex shall be provided with notices at the entrance thereof indicating the sex of the persons who may use such inconveniences and;

- (d) In each sanitary convenience an adequate supply of toilet paper and, in the case of sanitary conveniences for females residents , a metal sanitary dejector; and
- (e) In separate bathrooms, baths in the ratio of not less than one for every eight persons normally resident in the apartment rooms together with a piped hot and cold water supply for each bath:

Provided that-

(i) separate baths and bath rooms shall be provided for each sex with notices at the entrance thereof indicating the sex of the persons who may use such bathroom;

(ii) A shower fitted with hot and cold water in separate room may be substituted for every third bath required for each sex;

and

- (f) A bed , mattress and chair for each person simultaneously occupying an apartment and;
- (g) Clean bedding and linen; and
- (h) A clothing cupboard and dressing table for each apartment room:

Provided that the Council may designate in writing that one or more of the provisions of this subsection shall not apply to the owners of premises used as apartment rooms in any specified area.

(2) the owner of any apartment room shall -

(a) maintain all parts of the apartment room inclusive of bathrooms, entrances, furniture, passages and sanitary conveniences in good order and repair and clean condition; and

(b) carry out any cleaning, renovation or repair which may be required by any health inspector; and

(c) not permit the cooking of meals in such rooms

(3) the occupier of any apartment room shall ensure that-

(a) the room which he occupies is kept in a clean condition and

(b) no meals are cooked in the room

(4) no person shall use or cause or permit to be used as apartment rooms any rooms which do not comply with the provisions of subsection(1)

Servant's Quarters

18. (1) in any building which is used or is intended to be used as servant's quarters-

(a) The walls shall be constructed of burnt brick, stone, concrete or other approved impervious material, and the interior of the walls shall be covered with smooth cement plaster and the height of the walls shall be not less than eight feet, measured from floor to ceiling at the lowest point; and

- (b) The floors shall be smooth rendered concrete or other impervious non absorbent easily cleaned materials and the finished floor level shall be not less than six inches above ground level; and
- (c) The roof shall be sufficient pitch to permit water to gravitate downwards and be water tight ; and
- (d) The cubic capacity shall be not less than one thousand cubic feet and for each servant there shall be at least five hundred cubic feet of air space; and
- (e) All rooms have window space of an area not less than ten per centum of the floor area, and a minimum of one half of such window space shall be capable of being opened; and
- (f) Sufficient ventilation shall be provided by suitable outlets within two feet of the floor area of such window, and the area of such outlets shall be not less than twenty-four square inches per occupant; and
- (g) A separate room for personal ablution shall be provided, together with a graded floor and bath, shower or washing area connected with a piped water supply; and
- (h) Efficient cooking facilities sheltered from the elements; and
- (i) An approved sanitary convenience

(2) All parts of any building referred to in subsection (1) shall be maintained in a clean condition and in good repair

(3) No person shall cause or permit a building not complying with the requirements of this section to be used as servant's quarters;

Provided that, in the case of buildings the erection of which began prior to the commencement of these by-laws, the medical officer of health may permit such buildings to be used as servants quarters if he is satisfied that such buildings do not constitute a nuisance.

(4) No person shall permit any other person except his *bona fide* employees or domestic servants to be accommodated in his servants' quarters:

Provided that children under the age of six months may be permitted to be accommodated in such servant's quarters with their mother, if the mother is entitled to accommodation in such quarters.

Open food and non-alcoholic drink

19. (1) No person shall store or expose any open food or non-alcoholic drink for the purpose of sale on any trade premises unless -
- (a) the walls are constructed of burnt brick, concrete, stone or other approved impervious material and the internal surfaces of such walls covered with smooth cement or lime plaster and painted with light coloured material; and
 - (b) the floors are of impervious washable material closely jointed; and
 - (c) the ceiling is dust -proof and colour-washed or painted with a light coloured material; and
 - (d) every room is naturally lighted with a window or windows of a total area of not less than ten per centum of the floor area and sufficiently ventilated by two or more ventilation openings or by windows capable of being wholly or partly opened to an extent of five per centum of the floor area and such windows are so placed as to secure through or across ventilation:

Provided that where it is impracticable to provide such lighting and ventilation artificial lighting and ventilation shall be provided to the satisfaction of the medical officer of health; and

- (e) wash-hand-basins, to which have been connected a piped hot and cold water supply, are provided for use by the employees engaged in food handling; and
- (f) a change room with a minimum area of sixty square feet and additional six square feet for each employee in excess of ten, is provided, together with a locker for each employee:

Provided that it shall not be necessary to provide such change room and lockers on premises where three persons or less are employed; and

- (g) a wash-sink, to which has been connected a piped supply of hot and cold, is provided and used for the washing apparatus, utensils and vessels used in the premises; and
- (h) a supply of clean hot water is provided in sufficient quantity for cleansing of apparatus, cloths, counters, cupboards, floors, implements, utensils and vessels and walls; and

- (i) the entire premises are kept in good repair and all parts of the premises, including apparatus, containers, counters, fittings and shelving, are kept in a clean condition; and
- (j) adequate storage for all food normally kept on the premises is provided, and such food is stored in such a manner as-
 - (i) To permit the thorough cleansing of all parts of premises; and
 - (ii) To prevent contamination:

Provided that Council may designate in writing that one or more of the provisions of this subsection shall not apply to trade premises in any specified area.

(2) No person shall keep any apparatus, article, equipment, food or liquid, other than clothing, in any changing room provided in terms of paragraph (f) of subsection (1).

Separation of open food and new clothing from soiled fabrics

20. No person carrying on any trade, business or occupation involving the delivery, handling, preparation, sale, serving or storage of open food or new clothing shall accept on the premises where such articles are being delivered, handled, prepared, served, sold or stored any other articles of clothing, linen or other fabric for dry-cleaning, laundering or washing upon such premises, unless such other articles are handled and kept in a separate room.

Persons trading in open food

21. (1) No person trading in or assisting in the trade of open food shall -
- (a) place such food or permit it to be so placed as to involve any risk of contamination; or
 - (b) in or about forecourt, market, open premises, public place, stall or yard, place, pack, unpack, grade or sort any such food lower than eighteen inches from the ground, unless it is adequately protected by other means from any risk of contamination; or
 - (c) expectorate in a manner likely to involve any risk of contamination to such food; or

- (d) carry any such food in a container or vehicle with an article from which there is a risk of contamination or with any live animal, without taking precautions to avoid the risk of contamination; or
- (e) convey, deposit or expose any such food in an offensive or unclean manner or in such a manner as to involve the risk of contamination; or
- (f) recline, sit or stand on any such food; or
- (g) allow any printed material or paper, other than printed material or paper designed exclusively for containing or wrapping food, to come into contact with such food, other than uncooked vegetables; or
- (h) use for containing or wrapping any such food any paper, wrapping or container which is not clean or which is liable to contaminate food.

(2) Any person trading in or assisting in the trade of open food shall, whilst handling such food-

- (a) Keep clean all parts of his person which may be liable to come into contact with such food; and
- (b) wear overalls or a smock and keep clean all parts of his clothing, overalls or smock which are likely to come into contact with such food; and
- (c) keep any open cut or abrasion on an exposed part of his person covered with a waterproof dressing; and
- (d) refrain from the use of tobacco or snuff; and
- (e) refrain from expectorating.

(3) Any person trading in or assisting in the trade of open food shall wash his hands prior to handling such food and after every visit to a sanitary convenience.

Persons suffering from or carrying diseases when engaged in handling food

22. (1) As soon as any person engaged in the handling of food becomes aware that he is suffering from or is the carrier of diphtheria, typhoid fever or any other salmonella infection or pathogenic organism likely to cause food poisoning or other disease, he shall forthwith give notice of the fact-
- (a) to the occupier of the food premises, if he is engaged on the handling of food at or from such food premises; or

(b) the owner of the food business, if he is engaged in the handling of food otherwise than at or from food premises;

and such occupier or owner shall immediately, after such notification, inform the medical officer of health.

(2) When the person referred in subsection (1) is himself the occupier of the food premises or the owner of the food business, as the case may be, he shall give notice immediately to the medical officer of health.

(3) No person who has been notified to the medical officer of health in terms of subsection (1) or (2) shall handle any food other than food for his own consumption unless he has obtained the certificate referred to in section 24 and received written authority from the medical officer of health.

(4) Any person who has been notified to the medical officer of health in terms of subsection (1) or (2) shall take all measures as are necessary to prevent the spread of the disease from which he is suffering.

Food unfit for human consumption or a nuisance

23. (1) No person shall deliver, expose or offer for sale any food which is a nuisance.

(2) For the purposes of subsection (1), the onus of proving any food is not for sale shall rest upon the person charged.

(3) No person shall keep on his premises any food which is a nuisance.

(4) The medical officer of health, a health inspector or an approved veterinary surgeon may examine any food which has been-

(a) sold; or

(b) offered or exposed for sale; or

(c) deposited with or consigned to any person for the purpose of sale or preparation for sale;

And if such food appears unfit for human consumption may seize such food for the purpose of destruction or for taking such measures to render it harmless.

(5) Any food which has been seized in terms of subsection (4) may be destroyed upon an order signed by any two persons selected from the medical officer and any approved veterinary surgeon.

Medical certificates for certain employees

24. (1) No person shall employ and no person shall undertake employment as-

- (a) a domestic servant; or
- (b) a worker in the delivery, handling, manufacture, preparation, processing, production or storage food; or
- (c) a worker in any industrial process likely to affect his health;

unless such servant or worker has been certified by a private medical practitioner or at the medical examination centre of the Council, to be free from the diseases set out in the First Schedule.

(2) The certificate issued by a medical practitioner in terms of subsection (1) shall be-

- (a) on the form prescribed in the Second Schedule; and
- (b) be valid for a period of twelve months from the date of issue:

Provided that the validity of such certificate shall cease forthwith upon the person to whom it was issued becoming the sufferer or carrier of any of the diseases, infections or organisms referred to in subsection (1) of section 22.

Occupiers of trade or work premises

25. The occupier of any trade premises shall-

- (a) keep his entire premises in a clean condition; and
- (b) keep his premises ventilated in a satisfactory manner and render harmless and inoffensive any gases, vapours, dust or other impurities generated in the course of the work carried on therein, which are a nuisance; and
- (c) ensure that his premises are kept adequately lighted and not so overcrowded as to be nuisance; and

- (d) not allow his premises or apparatus to emit dust, gases, smoke or other impurities in such a manner as to be a nuisance;
- (e) ensure that at least twenty-five square feet of floor space and two hundred and fifty cubic feet of air space is provided for each person working therein, which space shall be kept clear and unobstructed except by articles in use.

Trades likely to cause obnoxious effluvia

26. No person shall establish or carry on the trade of blood boiler, bone boiler, blood drier, brick burner, charcoal burner, fat extractor, fat melter, fellmonger, glue maker, soap boiler, tallow melter, tanner, tripe boiler any other trade likely to cause obnoxious effluvia without first having obtained the permission of the Council in writing.

Hides

27. No person shall expose, keep or store any green, raw, salted, sun-dried or untanned hides without the prior written permission of the Council.

Cleanliness of certain parts of premises

28. (1) The owner of any flats, offices, shops, workshops or other premises occupied by two or more occupiers shall ensure that all ablution rooms, bathrooms, change rooms, cloakrooms, common rooms, laundry rooms, passages, pavements, servants' quarters, sanitary conveniences, stairways, yards and other parts of the premises in common use are maintained in a clean condition.

(2) No occupier of premises or any portion thereof shall leave any refuse, rubbish, shop or store sweepings or offensive matter of any kind whatsoever in any ablution room, bathroom, change room, cloakroom, common room, laundry room, passage pavement, sanitary convenience, servants' quarters, stairway or yard.

Maintenance of premises

29. (1) The occupier or, in the case of unoccupied premises, the owner of any premises shall not maintain the premises in a clean condition and free from debris, disused motor vehicles, filth, glass, lumber, paper, rags, rubbish, tins or any other thing which is a nuisance.
- (2) The occupier or, in the case of unoccupied premises, the owner of any premises shall keep the grass on the premises cut.
- (3) The occupier or, in the case of unoccupied premises, the owner of any premises shall not maintain the premises in a manner likely to harbor or provide potential breeding places for bed bugs, cockroaches, flies, rodents or other vermin.

Depositing of refuse on public places and premises

30. No person shall deposit or cause or permit to be deposited any containers, cinders, dead animals, filth, packets, paper, rubbish, tins, trade effluent, waste or flushing water, wrappings or other refuse, whether liquid or solid, on any premises or public place.

Burning of offensive matter on premises

31. No person shall on any premises burn any weeds, rubbish or other offensive matter so as to cause a nuisance.

Manure and stable litter

32. No person shall store or use manure or stable litter for gardening purposes unless such manure or stable litter is incapable of encouraging the breeding of flies or of causing a nuisance.

Washing of articles

33. No person shall wash any article whatsoever in any aquaduct, conduit, drain, pool or stream.

Collection of water

34. (1) No owner or occupier of premises shall keep or permit to be kept any collection of water in which mosquitoes are capable of breeding.

(2) The owner of any premises shall maintain any roof gutters on the premises in such a manner as to be completely self-draining.

(3) Any person whilst constructing and any person who is responsible for the maintenance of any canals, furrows or irrigation or other works shall take adequate measures to prevent the breeding of mosquitoes or bilharzia transmitting snails.

Drainage of surface water

35. If any yard or open space on any premises does not permit the drainage therefrom of surface water, the Council may by notice require the owner or occupier of such premises to take, within a specified time, such measures as are necessary to permit the drainage of such yard or open space.

Waste liquid in conservancy tanks

36. No person, other than an employee of the Council, shall remove or otherwise interfere with any waste liquid deposited in a conservancy tank.

Pollution of water

37. The owner of any premises who provides water to the occupiers thereof shall render such water free from pollution.

Pollution of wells and other water sources

38. (1) The owner of any well shall equip such well with an efficient cover so constructed as to prevent any person or animal, dirt, vermin or other substance capable of polluting water from falling into such well.

(2) The owner of any well from which a water supply for domestic purposes is derived shall protect such well as to prevent pollution from surface drainage.

(3) Every person shall take precautions to ensure that the water of any well or other source of water supply situated on the premises occupied by him is not polluted.

(4) Whenever a well or other source of water supply-

(a) is found on analysis to be so polluted as to be a danger to health; or

(b) is likely, in the opinion of the medical officer of health, to be so polluted as to be a danger to health;

the medical officer of health may order the closing down of the well or other source of water supply and no water shall be used or taken from such well or water supply for any purpose whatsoever:

Provided that the medical officer of health may permit such well or other source of water supply to be reopened if, after treatment, the water in analysis is proved to be free from pollution or the likelihood of pollution has ceased to exist.

(5) The occupier of any premises on which any cistern, tank or other receptacle is in use for the storing of water which is or is likely to be used for drinking or domestic purposes, shall empty and cleanse the same as often as may be found necessary to keep such receptacles in a clean state and free from pollution.

(6) Where receptacles referred to in subsection (5) are used for supplying water to two or more separately occupied premises, the provisions of subsection (5) shall apply to the owner of such premises instead of to any occupiers thereof.

Compulsory use of water supply of Council for domestic purposes

39. The Council may by notice compel owners of any premises, within a reasonable distance of which a supply of water has been brought by the Council, within a specified period-

(a) to connect with the pipes or mains of the Council; and

(b) to use only such water for domestic purposes.

Expectoration on public buildings and places

40. No person shall expectorate in or on any public building or public space in such a manner as to cause a nuisance.

Keeping of bovine, ovine and swine

41. No person shall keep or permit to be kept any bovine, ovine or porcine on such premises as the Council may from time to time designate.

Keeping of snakes and monkeys

42. No person shall keep or permit to be kept any snake or monkey on any premises, except on such premises and under such conditions as the Council may from time to time designate.

Keeping of poultry, pigeons and other animals

43. (1) No person shall keep any poultry in any place other than in a poultry house and run, the situation and construction of which shall be to the satisfaction of the medical officer of health or chief hygiene officer.
- (2) No person shall erect or use any poultry house, poultry run or pigeonry, unless there is at least fifteen feet of clear, un-obstructed space between such enclosure and the nearest point of any boundary or dwelling.
- (3) No person shall keep or permit to be kept any animal on any premises in such a place or in such a manner as to pollute or be likely to pollute any water supply used or likely to be used by humans for drinking or domestic purposes.
- (4) No person shall keep pigeons or any poultry in such a manner as to be a nuisance.

Harbouring of bees

44. (1) No person shall harbour bees on any premises less than ten thousand square feet in area.
- (2) No person shall harbour bees except with the written permission of the Council and subject to such conditions as the Council may from time to time impose.
- (3) Subject to the provisions of subsection (1), no person shall maintain more than four hives on any premises.
- (4) No person shall maintain any hive unless it is surrounded by an enclosure not less than six feet in height and keep inaccessible to children or any cats, dogs, bovine or swine.
- (5) No person shall keep any equine or bovine on any premises on which bees are harboured.
- (6) No person shall harbour bees in such a manner as to cause a nuisance.

Places unfit for animals

45. If, in the opinion of the medical officer of health or chief hygiene officer, any place is unfit for the keeping of any animal, and notice may be served on the owner of such animal or place requiring the immediate removal of such animals or prohibiting the future use of such places for such purposes.

Dead animals

46. (1) The owner of any dead animal shall, within twenty four hours of the death thereof, cause the carcass to be buried or otherwise disposed of in such a manner as to prevent any nuisance.

(2) In order to comply with the provisions of subsection (1), the owner of any dead animal may notify the medical officer of health or chief hygiene officer and the Council shall thereafter be responsible for the disposal of the carcass thereof, and the cost of such disposal may be recovered from the owner of such dead animal.

(3) Any dead animal found in any public place or premises may be removed and disposed of by the Council, and the cost of such disposal may be recovered from the owner of such dead animal.

Destruction of maimed, injured and diseased animals

47. (1) The owner of any animal so maimed or injured as to be unable to rise or in a dying state or infected with any incurable contagious disease shall take immediate steps to destroy such an animal.

(2) Where such owner neglects or refuses to comply with provisions of subsection (1), the animal may be destroyed and disposed of by the Council, and the cost of such destruction and disposal recovered from the owner.

Provisions of other by-laws

48. If the provisions of any other by-laws are in conflict or inconsistent with the provisions of these by-laws, the provision of these by-laws shall prevail.

Repeals

49. The by-laws and regulations set out in the Third Schedule are repealed.

FIRST SCHEDULE (*Section 24 (1)*)

DISEASES

Acute poliomyelitis (or infertile paralysis)

Amoebic or bacilliary dysentery
Anthrax
Chickenpox
Dermatitis (contact or allergic)
Epidemic cerebro-spinal meningitis (or cerebro-spinal fever or spotted fever)
Erysipelas
Food poisoning
Leprosy
Measles
Mumps
Plague
Ring worm of other fungal diseases of the skin
Silicosis or other industrial diseases of the lungs
Small pox
Typhus fever
Tuberculosis-all forms
Typhoid and allied diseases
Venereal diseases.

SECOND SCHEDULE (*Section 24 (2)*)

MEDICAL CERTIFICATE

I, (Full name)

being a registered medical practitioner, hereby certify that I have medically examined
Mr./Mrs./Miss (Full name)

on this day of, and state-

1. I have vaccinated him/her on this day against small pox; or I am satisfied that he/she has been successfully vaccinated against small pox in the past three years.
2. I have caused him/her to undergo an X-ray of the chest and he/she is not suffering from pulmonary tuberculosis.
3. I have satisfied myself clinically that he/she is free from any of the infections and contagious diseases listed in the first schedule to the Bulawayo (Public Health) by-laws, 1966.
4. He/She is suffering from(state disease) and should be employed in the following employment-

(e.g. If he is suffering from silicosis, he should not be employed in any dusty occupation such as quarrying.)

..... (Signed)
 (Name in block letters)
 (Qualifications)
 (Address)
 (Date)

THIRD SCHEDULE *(Section 49)*

REPEALED REGULATIONS AND BY-LAWS

1. The regulations published in Rhodesia Government Notice No. 106 of 1985.
2. The regulations published in Rhodesia Government Notice No.146 of 1987.
3. The Bulawayo Commonage Bye-laws, 1950 (No. 3: Public Health), published in Rhodesia Government Notice No. 856 of 1950.
4. The Bulawayo Public Health Bye-laws, 1957, published in Rhodesia Government Notice No. 51 of 1958.

5. The Bulawayo Public Health (Amendment) By-laws, 1958 (No. 1), published in Rhodesia Government Notice No. 432 of 1958.
6. The Bulawayo Public Health (Amendment) By-laws, 1961 (No. 2), published in Rhodesia Government Notice No. 364 of 1961.
7. The Bulawayo Public Health (Amendment) By-laws, 1961 (No. 2), published in Rhodesia Government Notice No. 547 of 1961.