

Sewerage, Drainage and Water By-Laws 1980 SI 888/79, 390/80, 425/80, 506/80, 572/81, 200/84.

Statutory Instrument 390 of 1980.

Bulawayo (Sewage, Drainage and Water) By-laws, 1980

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It is hereby notified that the Minister of Local Government and Housing has, in terms of section 180 of the Urban Councils Act [*Chapter 214*], approved the following by-laws made by the Bulawayo City Council: -

PRELIMINARY

Title

1. These by-laws may be cited as the Bulawayo (Sewerage, Drainage and Water) By-laws, 1980.

Application

2. These by-laws shall apply to –
 - a) the council area;
 - b) any local government area the administration, control and management of which is vested in the council in terms of section 5A of the Act;
 - c) any other area the administration and control of which is vested in the council;
 - d) any property outside the limits of the council area to which a water-connexion from a municipal supply has been provided or from which a connexion to the municipal sewerage system has been installed.

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Interpretation of terms

3. In these by-laws-

“*approved*” means approved by the council or by any employee of the council to whom

its powers of approval have been delegated in terms of section 93 of the Act;

“*bore-hole*” means any well, drill-hole or shaft, or any other hole in the ground, from which underground water is obtained;

“*communication-pipe*” means any pipe leading from a main to the premises of any consumer as far as the street boundary of such premises which is situated nearest to such main, or, in a case where the meter is installed inside the premises of any consumer, as far as the inlet of the meter;

“*consumer*” means the occupier of any premises which the council has agreed to supply with water, or the owner of such premises, or any other person who has entered into a contract with the council for the supply of water or who is lawfully obtaining water from the council;

“*council*” means the City Council of Bulawayo;

“*domestic purposes*” includes every kind of household purpose, but does not include the use of water for any engine or machine, or for any mining or quarrying operations, or for the flushing of any sewer or drain or for any purpose connected with any trade, manufacture or business, or for the cleansing of any road, or for garden purposes, or for watering of any tennis-court or bowling-green, or any other ground used for sporting purposes;

“*main*” means any pipe, aqueduct or other work under the exclusive control of the council, and used by it for the purpose of conveying water to consumers, but does not include a communication-pipe;

“*maintenance*” includes repair and renewal;

“*occupier*” includes any person in actual occupation of premises, without regard to the title under which he occupies and, in the case of premises subdivided and let to lodgers or various tenants, includes the person receiving the rent payable by the lodgers or tenants,

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whether on his own account or as agent for any person entitled thereto or interested therein;

“*owner*” includes any person receiving the rent or profit of any premises from any tenant or occupier thereof, or who would receive such rent or profit if such premises were let, whether on his own account or as agent for any person entitled thereto or interested therein;

coupling and necessary unions for connexion to such meter;

“*premises*” means land or any improvements or part thereof on any land;

“*prescribed*”, in relation to any tariff, deposit or charge in respect of a service provided –

- a) to or in connexion with residential accommodation in an area referred to in paragraph (b) of section 2, means fixed in by-laws made by the council for such area; or
- b) in any other case, means fixed by resolution of the council in terms of section 172 of the Act;

“*service*”, for the purpose of Parts II, III, and IV, means all pipes, fittings and apparatus used or intended to be used for or in connexion with the supply of water by the council and situated on the premises occupied or owned by the consumer, but does not include the communication-pipe or the meter or any portion thereof;

“*sewage*” means waste water, soil-water or other liquid waste, including trade effluent, but excluding storm-water, surface-water, subsoil-water or spring-water;

“*sewer*” means a pipe used for conveying sewage, and includes all other things necessary in connexion therewith;

“*sewer-connexion*” means that portion of a pipe which is provided to connect a private sewer or combined private sewer with a public sewer and the ownership of which is vested in the council;

“*stand*” means a piece of land the boundaries of which are indicated on a registered diagram or plan, and which has been numbered or indicated as a plot, lot or stand,

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farm or portion of a farm, reserve or open space, in the office of the registrar of deeds or the mining commissioner, including a subdivision thereof, which has been duly registered or which has been sanctioned by the council or the Government, and a consolidation of two or more such pieces of land intended to be used as a plot, lot or stand, farm or portion of a farm, reserve or open space;

“*trade effluent*” means any liquid, with or without particles of matter suspended therein, which is wholly or partly produced by, or results from, or has been or was intended to be used in, any trading, business, commercial, manufacturing or industrial process, and includes domestic sewage where mixed with trade effluent.

PART I

SEWARAGE AND DRAINAGE

Application for connexion and discharge of trade effluent

4. 1. Where a person wishes to connect any private sewer or private drain to a public sewer to a public drain, application for a sewer or drainage connexion, as the case may be, shall be made to the council on the form provided by the council for the purpose, which shall be submitted with applications for approval of plans to undertake sewerage and drainage work, as required in terms of the council’s building by-laws.

2. Where a person wishes to discharge trade effluent into any public sewer or public drain, or to alter, in any respect, any discharge previously approved, application shall be made to the council on the form provided by the council for the purpose.

3. Unless application has been made in terms of subsection (1) or (2), as the case may be, and approved by the council, no person shall –

- a) connect any private sewer or private drain to a public sewer or public drain; or
- b) discharge any trade effluent into any public sewer or public drain.

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Connections generally

5. 1. The council shall, in every case in which a private sewer is to be connected to a public sewer, specify the position on the public sewer to which the private sewer may be connected, and at what depth below the surface of the ground the connexion shall meet the private sewer.

2. The Council shall, in every case in which a private drain is to be connected to a public drain, specify the position on the public drain to which the private drain may be connected.

3. No person shall subdivide any stand unless proper provision has been made, to the satisfaction of the council, for the drainage and sewerage of each and every portion of such stand.

Openings to be sealed if required

6. 1. The council may require the owner of any premises, within such reasonable time as it may specify, to close and seal up the opening of any sewerage or drainage work upon the premises which is, or shows signs of becoming, dangerous or unhealthy, and, if the owner fails to comply with such requirement, the council may close and seal up such opening, at the owner's expense.

2. Where an opening has been closed and sealed in terms of subsection (1) the owner of the premises concerned shall ensure that it is kept properly closed and sealed until such time as the council, by written notice, permits the seal to be removed.

3. No person shall –

- a) Break or remove, or cause or permit to be broken or removed, a seal on; or
- b) Open, or cause or permit to be opened; any sewerage or drainage work which has been closed and sealed in terms of subsection (1)

4. The occupier of any premises upon which the opening of any sewerage or drainage work has been closed and sealed in terms of subsection (1) shall notify the council as soon as he becomes aware that the seal has been broken or removed or such work has been opened in contravention of the provisions of this section.

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Entry of matters to sewers and drains

7. No person shall cause or permit any liquid or solid matter to enter any sewerage or drainage work –

- a) the opening of which has been sealed up and closed in terms of subsection (1) of section 6 until the removal of such seal has been authorized by written notice addressed by the council to the owner of the premises upon which such sewerage or drainage work is situated;
- b) if the discharge of such matter into such sewerage or drainage work is prohibited by these by-laws.

Protection of public sewers

8. 1. No person shall discharge or put, or cause or permit to be discharged or to be put, into any public sewer any sewage or other substance which –
 - a) is in the form of gas or steam, or has a temperature higher than forty-five degrees Celsius; or
 - b) contains any calcium carbide or any other substance of whatsoever nature which is likely to produce or give off explosive, inflammable, poisonous or offensive gases, fumes or vapours; or
 - c) contains a substance which has an open flash-point of less than ninety-five degree Celsius, or
 - d) shows any visible signs of tar or associated products or distillates, bitumens or asphalts.
2. No person shall, except with the written permission of the council, and subject to such conditions as it may impose discharge or put, or cause or permit to be discharged or to be put, into any public sewer –
 - a) anything containing any substance in such quantities that, whether alone or in combination with other matter, it is likely to -
 - i. cause a nuisance to the public or injury or danger to the health of persons entering the public sewers or others; or
 - ii. impede the flow in the public sewers; or

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- iii. cause injury or damage to the public sewers or to any structures or any plant or land or crops used for the treatment or disposal of sewage; or
- iv. affect injuriously the re-use of treated sewage or any of the processes whereby sewage is treated ; or
- b) any liquid or solid substance which is of such strength or is amenable to treatment only to such degree that, after treatment at the sewage-treatment works, the effluent produced therefrom will not conform to the standards of quality prescribed by section 3 of the Water (Effluent and Waste Water Standard) Regulations, 1977, published in Rhodesia Government Notice 687 of 1977; or
- c) any liquid which has a pH value less than six comma five or greater than twelve.

Discharge of trade effluent

- 9.** 1. The council may, in its absolute discretion, permit the entry of trade effluent to the public sewerage system where, in the opinion of the council, sufficient capacity is available to convey the trade effluent in addition to the ordinary flow of domestic sewage:

Provided that the discharge of trade effluent accepted into the public sewers shall be subject to such charge for conveyance in the public sewers and for treatment and disposal at the council's purification works, in accordance with their natural strength and volume, as may be prescribed by the council.

2. The council may, by notice served on the owner or occupier of any premises from which a trade effluent is discharged, require him, without derogation from any other provision of these by-laws, to do all or any of the following things:

- a) regulate the temperature of the trade effluent at the time when it is discharged into the public sewer;
- b) subject the effluent before it is discharged into the public sewer to such pre-treatment or modification of the effluent cycle of the industrial or trade process as the council deems necessary;

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- c) restrict the discharge of the effluent to certain specified hours and the rate of discharge to a specified maximum, and to install, at his own expense, such tanks, valves, appliances and other equipment as may be necessary for compliance with the said restrictions;
- d) construct, at his expense, an inspection chamber of such dimensions as it may require on any pipe or channel which conveys trade effluent to a private sewer or public sewer;
- e) provide or construct, at his expense, such tanks, valves, appliances or other protective works which will prevent the accidental discharge into

the public sewer of any materials or liquid delivered or being delivered to, or from, or stored on, the premises the discharge of which would be a contravention of these by-laws.

Protection of public drains

- 10.** 1. No person shall discharge or deposit, or cause or permit to be discharged or to be deposited, into any public drain, either directly or through any private drain, any solid matter, suspended matter, mud, chemical, oil, grease, trade effluent or other refuse which may-
- a) cause a nuisance; or
 - b) obstruct the flow in the public drain; or
 - c) may be injurious to the structure of the public drain or the operation thereof.
2. No person shall discharge or cause or permit to fall, flow or enter, or be carried or washed into any public drain, whether directly or through any private drain, any liquid other than rain-water, subsoil-water or spring-water, except with the prior written permission of the council, and subject to such conditions as it may impose.

Obstruction of public sewers and public drains

- 11.** 1. No person shall interfere with, break into, damage, remove any part of or obstruct any public sewer or public drain, or any access thereto.
2. The owner or occupier of any premises on which is situated any public sewer or public drain shall ensure that access

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to such public sewer or public drain is always readily available, and that no obstruction occurs to or over any manhole or inspection chamber, or to any chamber, ventilation-pipe or other appliance associated with any such public sewer or public drain.

Clearance of obstructions in private sewers and private drains

- 12.** 1. Where, at the request of the owner of any premises, the council has cleared a private sewer or private drain situate on the premises of any obstruction, the owner shall be liable for the cost incurred by the council in clearing such obstruction or for the charge prescribed for such work, whichever is the greater.
2. The owners of any premises served by a combined private sewer or a combined private drain shall be liable, in such proportions as the council shall deem just, for the cost of clearing any obstruction from such combined

sewer or combined drain, or for the charge prescribed for such work, whichever is the greater:

Provided that, if the obstruction is found in a section of the private sewer or private drain used by one occupier or owner, the cost of clearing such obstruction shall be borne by the owner of the property served by such section of such private sewer or private drain.

Removal of trade effluent or trade refuse

- 13.** 1. Where the discharge of trade effluent or trade refuse, either solid or liquid, is prohibited in terms of section 4, 8 or 10, alternative disposal arrangements shall be provided by the owner or the occupier of the premises, to the satisfaction of the council.
2. The council may, subject to such conditions as it may impose, provide a service for the removal of any trade waste referred to in subsection (1).
3. All trade waste removed by the council in terms of subsection (2) or deposited for removal in any receptacle provided for the purpose shall be the property of the council, and no person, other than a council employee, shall remove or interfere with any such trade waste, except with the written permission of the council.
4. The cost of removal of any trade waste by the council in terms of subsection (2) shall be recoverable from the owner or the occupier of the premises from which it is to be removed.

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PART II

SUPPLY OF WATER

Application for supply of water

- 14.** 1. Where a person wishes to obtain a supply of water from a main, application shall be made on the forms provided by the council for the purpose, and the applicant shall sign such forms and any contract or agreement appertaining thereto, indicating his acceptance of the conditions of supply as set out therein.
2. Unless an application has been made in terms of subsection (1), and approved by the council, no person shall connect any service to, or take any water from, any main.

Provision of communication-pipe

- 15.** 1. Upon an agreement having been entered into between the council and any person in regard to the supply of water to premises, and after payment of the prescribed charges and deposits, the council shall provide and install a communication-pipe to such premises on a line to be determined by the council, and the council shall, at its own cost and expense, thereafter maintain such communication-pipe.
2. The council may, on giving not less than one month's notice to the owner, alter the position of the communication-pipe and carry out such alterations to the consumer's service-pipe as may be necessary to connect to the new communication-pipe.
3. For the purpose of supplying water thereto, a separate communication-pipe shall be provided in respect of each and every premise in single ownership or any portion thereof in separate occupation:
- Provided that one communication-pipe shall be permitted by the council for the supply of water to a group or block of dwellings, flats, shops, offices or other buildings in single ownership where the owner or occupier thereof undertakes to pay for the water supplied to each of the buildings or units comprising such group or block.
4. Where, in terms of subsection (3), more than one building, dwelling, flat, shop or suite of offices is supplied from one

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communication-pipe, the owner of the premises concerned shall fix a stop-tap on each branch pipe leading therefrom to each such building, dwelling, flat, shop or suite of offices for the purpose of turning off the supply to each of such premises without interrupting the supply to the others.

Cutting off supply

- 16.** 1. Without paying compensation and without derogation from its rights to obtain payment for water supplied to the consumer, the council may, after not less than twenty-four hours' notice, cut off or restrict the supply to any consumer where such consumer has –
- a) failed to pay due date any sum due to the council under these by-laws in respect of such supply; or
 - b) committed a breach of any of the provisions of these by-laws relating to the waste or misuse of water or contamination of the council's supply.
2. Where his water-supply has been cut off in terms of subsection (1), a consumer shall pay to the council the prescribed charge for cutting off water, unless he establishes that the council was not entitled to cut off such supply.

3. In the event of the council at any time resuming the supply of water to a consumer whose supply has been cut off or restricted in terms of subsection(1), the consumer shall pay to the council the prescribed charge, unless he establishes that the council was not entitled to cut off or restrict such supply.

Disconnection of supply on termination of agreement

17. 1. Where any consumer requires an agreement for supply to be terminated, he shall give a minimum of forty-eight hours' written notice on the form provided by the council, and shall be liable to pay for all water supplied up to the expiration of such notice.

2. Where any agreement for supply between the council and the consumer has been terminated in terms of subsection (1), the council shall be entitled to disconnect such supply:

Provided that no such disconnection shall be carried out where a new consumer accepts liability for payment for water consumed

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from the date of the previous ordinary reading of the meter or for a special reading of the meter at the prescribed rates.

Quality

18. The council undertakes only to supply potable water suitable for domestic purposes.

Pressure

19. 1. Subject to the provisions of this Part, no under-taking or guarantee shall be presumed on the part of the council to maintain any specified pressure of water at any time at any point in the council's water-system.

2. The council undertakes only to supply water under pressure at the meter, and, where application is made for a supply of water and that supply is required to serve any premises or portion of premises situated above a level which can be served by the normal pressure in the council's water main, or where the pressure is insufficient to maintain an adequate supply to all fittings, it shall be incumbent upon the applicant to provide adequate and satisfactory means of supplementing the rate of supply by means of a gravity-tank, reserve storage-tank or approved booster-pump system.

Special conditions relating to supply of water by portable meter

20. Without derogation from other provision of these by-laws, the following special provisions shall apply to the supply of water by portable meter, and shall be deemed to have been included in every agreement for such supply –

- a) Where water is to be supplied by the council from hydrants, the council shall supply a portable meter-unit;
- b) the consumer shall pay to the council in advance, the prescribed deposit in respect of each portable meter-unit supplied, which deposit shall be held by the council as security for the due fulfillment of all provisions of any agreement relating to the supply of such unit and the payment by the consumer to the council for all water supplied to him and any other sums due by him to the council under such agreement;

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- c) the consumer shall pay a charge for water so supplied and for the use of the portable meter-unit at the prescribed rate;
- d) all accounts for water so supplied shall be paid by the consumer to the council within fifteen days of the date of rendering by the council;
- e) where water is taken by the consumer from a hydrant without such water passing through the portable meter, or where water is wasted before passing through such portable meter, the prescribed charge shall be paid by the consumer to the council for every day during which water is so taken or such waste continues;
- f) the consumer shall-
 - i. upon taking delivery of the portable meter-unit, sign a receipt acknowledging such unit to be in good order and condition;
 - ii. maintain and return such unit in the same good order and condition, fair wear and tear excepted;
- g) If the consumer fails to return the portable meter-unit, he shall pay to the council the cost of a new unit or, if he returns such unit in a damaged condition, he shall pay to the council the cost of a new unit or the cost of repairs where such damaged unit can be satisfactorily repaired;
- h) The consumer shall take delivery of, and shall return, the portable meter-unit at such place as the council may from time to time direct.

Supplies for building purposes

- 21.**
- 1. Where, upon the application of any owner, builder or other person, a temporary supply of water for building purposes is laid on to any premises, the cost of providing and fixing the communication-pipe and the meter shall be borne by such owner, builder or other person in accordance with the rates prescribed.
 - 2. Such owner, builder or other person shall pay for water supplied according to the prescribed tariff.

3. If suitable for the purpose, the same communication-pipe as is supplied under this section may be used for the permanent

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supply to the premises, and any connexion in respect of such permanent supply made with the service shall be in accordance with the provisions of this Part.

PART III

METERING

Provision of meter

- 22.** 1. The council shall supply and install a meter, of a size approved by the council, in the communication-pipe to any premises to which it has agreed to supply water.
2. Where required by the council, the consumer shall provide a suitable and approved place on his stand in which the council can install the meter.
3. When a meter is installed on a stand, the consumer or owner of the stand shall take all steps to ensure that any authorized official of the council shall at all times have access to such meter for the purpose of reading, overhauling, removing or carrying out any such work on the meter as may be considered necessary.

Meters generally

- 23.** 1. Any meter provided and installed by the council, together with the fittings connected therewith, shall be, and shall remain, the absolute property of the council.
2. The council shall, at its own cost and expense, maintain and repair any meter provided by it, to the extent of ordinary wear and tear.
3. The consumer shall be responsible to the council for taking all reasonable precautions for the safe keeping and protection of any meter installed upon his premises, and shall be liable to the council for any damage which may be done to or sustained by such meter as a result of any failure to take such reasonable precautions.
4. The council may, at any time and at its own expense, disconnect and remove any meter and install and substitute any other meter.

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Quantity of water registered and payment therefor

- 24.** 1. Save as is provided in section 26, the quantity of water which is registered by the meter as having been supplied to any consumer shall be deemed to be the quantity actually so supplied.
2. The quantity of water so registered shall be paid for by the consumer in accordance with the prescribed charge or tariff.
3. If it is found that –
- a) an account submitted to a consumer contained a factual error or omission in regard to –
- i. any meter-reading or conversion of any results into other terms; or
 - ii. a calculation; or
 - iii. the application of the appropriate scale of charges or minimum charge or fixed charge in terms of any prescribed tariff;

or

- b) The basic terms or conditions on which metering, tariffing and accounting of water supplied to a consumer has changed as a result of a change in his service or premises or usage or supply of water;

the council shall submit an amending account to the consumer, covering any period with the four months prior to the date on which any such error, omission or change was discovered, so that such amending account correctly adjusts the amount of money due to the council for the said period.

Entry in books of council binding

25. Where a consumer disputes a meter-reading, in the absence of evidence showing either that the entry in the books of the council has been incorrectly made or that the meter was at the time of such reading registering incorrectly, the consumer shall be bound by the entry in the books of the council showing the meter-reading.

Dissatisfaction with reading

26. 1. If any consumer is at any time dissatisfied with any particular reading of a meter supplied by the council, and is

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desirous of having such meter tested, he shall give written notice to the council within thirty days after receipt of notice from the council of such reading, and shall, at the same time, pay to the council the prescribed deposit, and thereupon the meter shall be tested by the council.

2. If such meter is found to be registering incorrectly, the council shall retain the deposit.

3. If such meter is found to be registering incorrectly, the council shall refund the deposit to the consumer, and shall reattach a meter in good working order without charge to the consumer, and the charge for water consumed during the four months preceding the reading in dispute shall be adjusted in accordance with the degree of error found:

Provided that, where such meter has been installed for a period of less than eight months, such adjustment shall be made in respect of fifty per centum of such lesser period.

4. For the purposes of this section –

- a) the meter shall be considered to be registering correctly if no error in excess of the permitted tolerance of three per centum is recorded at the rate of normal flow;
- b) “*normal flow*” means two-thirds of the maximum flow-capacity of the meter.

Failure of meter to register

27. 1. Where any meter is found to have ceased to register, the council shall repair or replace such meter as soon as possible.

2. Unless the council is satisfied that a lesser or greater quantity of water has been consumed, the quantity of water to be paid for by the consumer from the date of the reading of the meter prior to its failure to register until the time of its repair or replacement shall be estimated by the council on the basis of –

- a) the average monthly consumption of water upon the premises served by the meter during the two months prior to the last registration; or
- b) if an estimate in terms of paragraph (a) is not possible or practicable, the consumption in the corresponding period of the previous year upon such premises; or
- c) if an estimate in terms of paragraph (a) or (b) is not possible or practicable, the average monthly consumption

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upon the premises served by the meter over a period of two months after repair or replacement of the meter has been effected.

PART IV

WATER-SUPPLY FOR FIRE-FIGHTING SERVICES

General conditions relating to fire-fighting services

28. 1. Notwithstanding anything contained in this Part, the provisions of Parts II and III shall, mutatis mutandis, apply to the supply of water for fire-

extinguishing services, and shall be deemed to have been included in every agreement for such supply.

2. Water-supply installations which are intended for preventive or automatic use in the event of fire shall be used only for fire-extinguishing purposes.

3. Connexions to mains for fire-extinguishing purposes shall be at the discretion of the council, which shall be entitled to disconnect any fire-fighting service at any time.

Metering of fire-connexion

29. 1. The connexion of a meter to a communication-pipe provided for fire-fighting purposes shall be at the discretion of the council.

2. Where a connexion has been made in terms of subsection (1), the consumer shall pay, on demand, any charges prescribed therefor.

Sprinkler installation

30. A sprinkler installation may be installed in direct communication with the main, but the council shall be deemed not to guarantee any specified pressure of water at any time.

Annual charge for sprinkler and drencher installation

31. 1. The annual charge prescribed in respect of the maintenance of the connexion to the main of sprinkler and drencher installations and the inspection of such installations shall be paid in advance.

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2. The charge referred to in subsection (1) shall cover the emptying and refilling of any tanks where necessary;

Provided that the supply of water used in so doing shall be paid for according to the prescribed tariff, the amount being calculated according to the capacity of the tank or any part thereof, and shall be subject to the minimum charge prescribed.

Annual charge for private hydrant installations

32. The annual charge prescribed in respect of the maintenance of the connexions to the main for private hydrant installations, other than sprinkler or drencher installations, and for the inspection of such private hydrant installations, shall be paid in advance.

PART V

RECLAIMED WATER

Conditions of supply of reclaimed water

- 33.** 1. The council may supply reclaimed water to such consumers as it shall determine by resolution, and in such quantities and under such conditions as it may specify in each case.
2. The provisions of Parts II and III shall apply to the supply of reclaimed water, but the water so supplied shall be a non-potable water which is not suitable for domestic purposes.

Distribution pipe-work

- 34.** 1. Water supplied to a consumer from a reclaimed-water main shall be distributed in a reticulation system which shall be entirely separate from any system for the distribution of potable water.
2. No person shall connect any source of reclaimed water to any pipe, storage-tank, cistern or other appliance which is connected with the council's potable domestic water-supply.
3. All pipe-connexions from a reclaimed-water distribution network to any irrigation system shall be below ground –level, and operating valves and valve-box covers shall be painted bright yellow in colour.

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4. Any above-ground pipe-work used for the distribution of reclaimed water shall be painted bright yellow in colour on all exposed surfaces throughout its length.

Warning notices

- 35.** 1. On all premises supplied with reclaimed water, warning notices in red lettering at least forty millimeters in height on a bright yellow background shall be provided at all entrances to such premises, on all storage-tanks and cisterns, and at such other points as the council may require.
2. The wording of notices required in terms of subsection (1) shall provide a warning to indicate that reclaimed water is in use or in storage, and is unfit for human consumption, and, where required by the council, such notices shall be provided in both English and Sindebele.
3. The consumer shall maintain such notices in a legible and serviceable condition, to the satisfaction of the council.

Standard of purity

36. The standard of purity of any reclaimed water supplied by the council shall be as specified in the Schedule to the Public Health (Effluent) Regulations, 1972, published in Rhodesia Government Notice 638 of 1972.

Restricted use

37. No person shall use any reclaimed water for the irrigation of any land on which salad crops, vegetable crops or berry fruits, which are to be eaten raw, are grown.

PART VI

INTERFERENCE WITH WATER-SYSTEM AND POLLUTION OF SUPPLY

Interference with water system

38. 1. No person, other than the duly authorized representative of the council, shall interfere with, or break open, any public fountain, stop-cock, hydrant, valve, meter, communication-pipe, meter-cabinet, pipe-work or other apparatus belonging to the council.

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2. No person shall do any willful act whereby water belonging to the council and flowing in the council's pipes is wasted.

Pollution of supply

39. No person shall-

- a) bathe in any stream, reservoir, aqueduct or other place which contains water belonging wholly or partly to the council, and which is used for, or in connexion with, the supply of water to the inhabitants of the area of supply, or wash or throw, or cause or permit to enter therein, any animal, except with the written permission of the council or except where a notice has been erected by the council in the vicinity of such stream, reservoir, aqueduct or other place stating that bathing or the entry of animals is permitted in such stream, reservoir, aqueduct or other place; or
- b) throw any rubbish, dirt, filth or other deleterious matter into such stream, reservoir, aqueduct or other place, or wash or cleanse therein any cloth, wool, clothes or leather, or the skin of any animal, or other matter; or
- c) cause or permit the water of any sink, sewer, drain, steam-engine or boiler, or other unclean water or liquid for the control of which he is responsible, to run or be brought into any such stream, reservoir, aqueduct or other place, or any main, or perform any other act whereby the water of the council intended for supply to the inhabitants of the area of supply may be polluted.

PART VII

BORE-HOLES

Applications respecting bore-holes

- 40.** 1. No person shall, without the prior written permission of the council, and, except under such conditions as the council may specify, sink or dig a bore-hole on any stand.
2. Where a person wishes to obtain the permission of the council in terms of subsection (1), he shall-
- a) make written application to the council at least fourteen days prior to undertaking any work; and

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- b) Submit with the application an accurately drawn plan, to and scale of at least one to five hundred, indicating there on the site of the bore-hole and the position of any aqua-privy, pit-latrine, septic tank or French drain in the vicinity; and
- c) Provide details of the bore-hole respecting its diameter, the purpose for which the water is required and any further specifications, particulars of other information as the council may reasonably require.
3. Any person drawing water from any bore-hole shall register such bore-hole with the council when called upon to do so.

Conditions relating to siting of bore-holes

- 41.** 1. No bore-hole shall be sited on any stand within a registered servitude or way-leave.
2. No person shall-
- a) dig or sink a bore-hole which will be situated less than-
- i. thirty meters from any aqua-privy, pit-latrine, cesspit, septic tank or French drain; or
 - ii. three meters from the boundary drain; or
 - iii. Provided that, if the water from a bore-hole is to be used solely for gardening purposes, such bore-hole may be sunk at a distance of not less than ten meters from an aqua-privy, pit-latrine, cesspit, septic tank or French drain;
- b) site an aqua-privy, pit-latrine, cesspit, septic tank or French drain less than thirty meters from a bore-hole the water from which is used for drinking purposes of for watering animals.

Drilling-times

- 42.** The work of drilling or sinking a bore-hole shall be executed only between 7a.m. and 6p.m. from Mondays to Fridays, inclusive, and between 7 a.m. and 1 p.m. on Saturdays:

Provided that the council may, in its discretion, further restrict the hours during which drilling or sinking shall be executed in any place or area.

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Pumping-equipment

43. 1. No pump-house or other structure housing a pump or other mechanized or electrical equipment associated with a bore-hole shall extend more than seven hundred and fifty millimeters above ground-level, unless in a structure and on a site approved by the council.

2. Every bore-hole which is dug or sunk after the date of commencement of these by-laws shall be lined for a distance of at least nine meters below the surface of the ground with an impervious lining which shall project at least two hundred and fifty millimeters above the surface of the ground.

Use of bore-hole water

44. 1. No person shall use water from a bore-hole for drinking purposes or for watering animals if such bore-hole is situated less than thirty meters from an aqua-privy, pit-latrine, cesspit, septic tank or French drain.

2. The owner or occupier of any stand to which a supply of municipal water is not available, and in respect of which water from a bore-hole is used for domestic purposes shall, at all times, comply with the requirements of the medical officer of health appointed by the council with regard to such water.

Connexion between bore-hole and other supplies

45. 1. No person shall cause or permit any water derived from a bore-hole or other source, including the council's raw and reclaimed water-supplies, to enter any pipe connected with the council's domestic water-supply.

2. The council's domestic water-supply system shall not be connected to any pipe or system shall not be connected to any pipe or system of pipes which themselves are fed with water from a bore-hole or other source.

PART VIII

GENERAL

Approval of applications

46. Approved by the council of any application submitted in terms of section 4 or 14 shall be subject to the payment by the applicant

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of any deposit or charge prescribed for any connexion or service to be provided or work to be undertaken and to the agreement of the applicant –

- a) to comply with any conditions or terms embodied in the application form, contract or agreement; and
- b) in the case of any application for the discharge of trade effluent, to comply with any special conditions appertaining to the pre-treatment or regulation of the discharge.

Charges in general

47. Where these by-laws provide for the payment of a prescribed deposit or charge as a condition precedent to-

- a) the carrying out of any work; or
- b) the provision of any service; or
- c) the taking of any action;

and application to the council has to be made for such work to be carried out, service provided or action taken, as the case may be, the applicant shall pay such charge or deposit at the time of making the application.

Repeals

48. The by-laws specified in the Schedule are repealed.

SCHEDULE (Section 48)

REPEALS

<i>By-laws</i>	<i>Rhodesia Government Notice</i>
Bulawayo Water By-laws, 1961	110 of 1961
Bulawayo Water (Amendment) By-laws, 1971 (No.1)	891 of 1971
Bulawayo Water (Amendment) By-laws, 1972 (No 2)	186 of 1972
Bulawayo Water Restriction By-laws, 1951	353 of 1951
Bulawayo Water Restriction (Amendment) By-laws, 1969 (No 1)	414 of 1969
Bulawayo Water Restriction (Amendment) By-laws, 1973 (No.2)	1180 of 1973
Bulawayo Sewerage and Drainage By-laws 1959	128 of 1959
Bulawayo Sewerage and Drainage (Amendment) By-laws, 1965 (No.1)	244 of 1965
Bulawayo Sewerage and Drainage (Amendment) By-laws, 1976 (No.2)	608 of 1976