

HWANGE LOCAL BOARD



PREMISES TO BE LICENSED BY- LAWS, 2014

Statutory Instrument 1 of 2014 Hwange Local Board
{CAP 29:15}

Hwange Local Board (Licensed Premises) By-Laws, 2014

ARRANGEMENTS OF SECTIONS

Section

1. Title and date of commencement.
2. Interpretation.
3. Application.
4. Premises to be licensed.
5. Issues of licences.
6. General requirements for all food-handling premises.
7. Requirements for all cafes, restaurants, take-away food premises and tea rooms.
8. Requirements for hotel, boarding-house and lodging rooms.
9. Requirements for butcheries and fishmongers.
10. Requirements for bakeries and food factories.
11. Requirements for food purveyors and caterers.
12. Requirements for food-vending machines.
13. Requirements for barbers and hairdressers.
14. Requirements for laundries, launderettes and laundry depots.
15. Requirements for equine animals.
16. Inspections.
17. Offences and Penalties.
18. Repeals.

FIRST SCHEDULE: SPECIFIES BUSINESS PREMISES.

SECOND SCHEDULE: PRESCRIBED FORMS.

It is hereby notified that the Minister of Local Government, Urban and Rural Development has, in terms of section 229 of the Urban Councils Act {Chapter 29 : 15} approved the following by-laws made by the Hwange Local Board.

Title and date of commencement

1. These by-laws may be sited as the Hwange Local Board (Licensed Premises) By-laws, 2011, and shall commence on the fifth working day after publication.

Interpretation

2. In these by-laws-
"approved" means approved by the Health Officer;
"bakery product" means bread, biscuits, rolls, tarts, cakes, pies, confectionary or food-stuffs of a similar nature;
"building by-laws" means the model (building) By-laws;
"Council" means Hwange Local Board;
"fee" means the appropriate fee specifies in section 5 (8);

"handling" in relation to food, means the manufacture, cooking or any other treatment of food, and includes the storage or display of food;

"Inspector" means a person appointed as an Inspector in terms of Health Professions Act {Chapter 27:19}

"licence" means a licence issued in terms of section 6;

"licensee" means any person who is the holder of a licence;

"licensed premises" means premises in respect of which a licence is issued;

"Health Officer" means the person appointed as such by the Council to carry out inspections and reporting thereon for the purpose of enforcing these by-laws.

Application

3. These by-laws shall apply to the whole area under the jurisdiction of the Council and shall commence on the fifth working day after the date of publication.

Premises to be licensed

4. (1) No person shall carry on any business specified in the First Schedule, or use any premises for any purpose-
 - (a) Unless s/he is the holder of a relevant licence; or
 - (b) Except on the premises specified in such licence.(2) An application for a licence shall be submitted to the Health Officer in form 1 prescribed in the Second Schedule.

Issue of licences

5. (1) A licence may be issued for any period not exceeding one year, and shall, notwithstanding the date of issue, expire on the 31st December of the year of issue.
 - (2) A licence shall be issued-
 - (a) If the Health *Officer* is satisfied that the premises conform to the requirements of the part of the by-laws applicable to the business which the applicant proposes to carry on; and
 - (b) Upon payment of appropriate fee.(3) A licence shall be refused by the Health Officer if s/he considers that the premises do not comply with the section of these by-laws relating to the business in respect of which application is made.
 - (4) A licence shall, subject to the provisions of these by-laws and any other applicable law, authorize the licensee to carry on the business or use the premises specified in the licence at the premises and for the period specified therein.
 - (5) The Council may-
 - (a) refuse to issue a licence to an applicant who has been convicted of an offence under these by-laws;
 - (b) Cancel, in writing, any licence if the holder thereof, or any servant or employee of his, is convicted of an offence under these by-laws in respect of licensed premises.(6) A license cancelled in terms of subsection (5) shall be surrendered to the Medical Officer of Health within forty eight hours of written notice being given to the holder thereof.
 - (7) A licence shall not be transferred –
 - (a) From the premises in respect of which it was issued to any other premises; or

- (b) From the person to whom it was issued to any other person.
- (8) The fee payable for a licence shall be determined from time to time by the Council.
- (9) A license shall be issued in form 2 as prescribed in the Second Schedule.
- (10) The current licence shall be displayed and maintained in a conspicuous place on all licensed premises.

General requirements for all food-handling premises

6. (1) In this part-

“take-away” means premises in which food is prepared and packed for sale but which is not consumed on the premises;

“restaurant” or “café” means premises in which food is prepared or cooked and sold for consumption on or away from such premises;

“tee-room” means premises in which non-alcoholic beverages only, with or without bakery products, are provided for sale for consumption on or away from such premises.

(2) No person shall use any premises for handling of any food in the course of carrying on any business specified in the Second Schedule unless he complies with the provisions of this section.

(3) Any person carrying on any business referred to in the Second Schedule shall comply with the following conditions-

- a) the premises shall be connected to the water supply of the Council or a water supply approved by the Council;
- b) lighting and ventilation shall be provided in accordance with the provisions of the building by-laws;
- c) the floors of every room in which food is handled shall-
 - i. be constructed of cement, concrete or other approved impervious material, brought to a smooth finish; and
 - ii. when so required by the Health Officer, be sufficiently graded and drained to a gully connected to the drainage system;
- d) the walls of every room in which food is handled shall be constructed using brick, concrete or other approved material, and the internal surface of every such wall shall be finished to the satisfaction of the Health Officer;
- e) all junctions between walls and floors in rooms where food is handled, and in staff sanitary accommodation and changing rooms shall be coved;
- f) every room in which food is handled shall have a ceiling or other approved means of preventing the entry into the room of dust from above;
- g) adequate storage facilities shall be provided by means of-
 - i. glazed show-cases, cabinets or other approved facilities for the protection of open food from the risk of contamination by dirt, dust or flies, or in any other manner whatsoever; and
 - ii. refrigerators, refrigerator - counters or refrigerated rooms for perishable food, which shall be capable of being maintained at a temperature not exceeding seven degrees Celsius; and
 - iii. store rooms or other approved vermin-proof and rodent proof facilities for bulk food storage;
- h) an approved number of wash-hand basins with an adequate and constant piped supply of hot and cold water connected thereto, shall be provided, and such sinks shall be of stainless

steel or other approved materials and shall be adequate for the washing of all equipment used in the handling ;

- i) an approved number of wash-hand basins with an adequate and constant piped supply of hot and cold water connected thereto, shall be provided, and such sinks shall be of stainless steel or other approved materials and shall be adequate for the washing of all equipment used in the handling ;
- j) all tables, equipment and furniture in or upon which food is handled shall be of stainless steel or other approved impervious material;
- k) approved sanitary accommodation shall be provided for employees of each sex and, when so required by the Health Officer, there shall be provided, for the exclusive use of food-handlers, sanitary accommodation which-
 - i. forms an integral part of the building accommodating the business; and
 - ii. approved facilities shall be entered from within the building;
- l) approved facilities shall be provided for the storage of employees' clothing;
- m) a sufficient yard, paved throughout, shall be available for the use of the licensed premises, and direct access shall be provided from the premises to such yard;
- n) a platform constructed of concrete or other impervious material, for the placing of refuse bins shall be provided in an approved position, and when so required by the Health Officer, such platform shall be roofed, graded and drained to a gulley connected to the drainage system and provided with a piped water-supply;
- o) grease -traps shall be provided where oily food effluent is discharged into municipal drains.

(4) In premises which were used for the handling of food in connection with any business specified in the second schedule before the fixed date stated in section 3, the Health Officer may relax or waive the requirements of subsection (3) (k) if he is satisfied that-

- a) the premises cannot reasonably be made to comply with those requirements; and
- b) no danger to public health is likely to arise if such requirements are waived:

Provided that the Health Officer may withdraw any relaxation or waiver granted in terms of this section if he is satisfied that, since the granting of the relaxation or waiver, a danger to public health has risen or is likely to arise.

(5) No food which has been produced or prepared outside the areas referred to in subsection 2 shall be introduced, distributed or sold within such area unless the premises where such food was produced or prepared have been approved by the Health Officer.

Requirements for all cafes, restaurants, take-away food premises and tea-rooms

6. (1) All restaurants, cafes and tea- rooms shall provide for the following requirements-
- (a) At least one double bowl sink with draining boards in moulded (not jointed) stainless steel and with a piped supply of hot and cold water connected thereto for washing equipment or utensils used in the preparation and consumption of food;
 - (b) At least one deep bowl sink in moulded (not jointed stainless steel) with piped hot and cold water supply for the cleaning and preparation of food;
 - (c) Kitchen accommodation which shall be at least one third of the provided dining room area and such may include washing up areas;
 - (d) Such kitchen accommodation shall have adequate approved cleaning, cooking and food-handling facilities;
 - (e) A separate area of not less than five square meters for the preparation of beverages and similar foodstuffs;

- (f) Approved sanitary accommodation for use by patrons of each sex in addition to staff sanitary accommodation;
- (g) Sitting facilities for the patrons provided to the satisfaction of the Health Officer.
- (h) Adequate ventilation by means of an extractor fan, extractor hood or such openings as the Health Officer may approve where kitchen fumes are generated.

(2) All take- away food premises shall-

- (a) not provide sitting and sanitary accommodation for the patron;
- (b) Have food preparation areas of at least ten square metres and such may include wash- up areas.

Requirements for hotels, boarding – houses and lodging – rooms

8. (1) In this part-

“boarding- house” and “hotel” means premises in which food is prepared or cooked and sold for consumption on the premises, and in which accommodation is provided for hire or reward for persons who are not members of the family of the occupier of such premises;

“lodging – rooms” means premises in which accommodation only is provided for hire or reward for five or more person who are not members of the family of the occupier of such premises;

(2) In all premises where the business referred to in subsection (1) is carried on, the following provisions shall be compiled with-

- a) the premises shall be connected to the water supply of the Council or a water supply approved by the Council;
- b) the total area of all windows in each room in such premises shall be equal to at least one tenth of the floor area of each room, and approved means of through ventilation or cross ventilation for each room shall be provided.

(3) No person shall carry on the business of a hotel or boarding house or of providing lodging rooms unless-

- a) bathrooms and wash – hand basins are provided in an approval position within the premises-
 - i. in the proportion of one bath and one basin for every six residents or part thereof; and
 - ii. with a minimum of one bathroom for each sex, clearly marked as being for the use of either men or women ; and
 - iii. with a piped supply of hot and cold water connected to each bath and basin.
- b) Approved sanitary accommodation for residents is provided within the premises-
 - i. in an approved position; and
 - ii. with a minimum of one water closed for each sex, clearly marked as being for the use of either men or women; and
 - iii. in rooms separate from the bathrooms, excluding bathrooms *en suit*:

Provided that, where accommodation includes bathrooms and water closet *en suit* such residents and facilities shall not be included when assessing the number of bathrooms and water closets required for the remainder of the accommodation.

- (4) Every person carrying on the business of a hotel or boarding house or of providing lodging rooms shall-
 - a. provide for each person occupying a room at least five square metres of floor space; and

- b. provide for adequate artificial lighting in any accommodation; and
- c. supply, for the use of residents, bedding, blankets, bed linen and towels which are clean and in good repair.

Requirements for butcheries and fishmongers

9. (1) In this part-

"butcher" means any person who sells meat in a butcher's shop for human consumption; butchers' meat" means flesh or offal of any bovine, caprine, porcine, equine or game animal, but does not include products manufactured from such flesh or offal, or bacon, ham or biltong; or canned or cooked meats;

"fish" means flesh or offal of fish intended for human consumption and include fresh or frozen but does not include fish which has been canned, cure, smoked or dried, or fish made up into sealed packets in an approved manner for sale from deep freezer unit;

"fishmonger" means any person who sells fish other than fried for human consumption;

"fishmonger's shop" means premises used for carrying on the business of a fishmonger, and includes any forecourt or yard used in connection with such business.

- (2) No person shall carry on the business of a butcher or fishmonger unless he complies with the provisions of sections 4, 5 and 6.
- (3) In all premises where the business referred to in subsection (2) is carried out, the following additional provisions shall be complied with-
 - a. a thermostatically controlled refrigerated room shall be provided, with a capacity of not less than six cubic metres and fitted with hanging rails and shelving or racks of non-corrodible material:

Provided that in fishmongers, adequate cold storage facilities, to the satisfaction of the Health Officer, may be provided instead of refrigerated room:

- b. serving counters shall be provided, of approved impervious material, supported on a solid impervious pedestal and so constructed as to afford a clear view from the front to the back of such counter;
 - c. a sufficient number of containers of metal or other approved material shall be provided for the reception of all meat waste or fish waste;
 - d. adequate fly-screening shall be provided;
 - e. the minimum integral area for the butchery premise shall not be less than twenty four square metres.
- (4) No person who carries on the business of a butcher shall-
 - a) carry out fat- rendering or cooking in his butcher's shop in such a manner as to cause a nuisance;
 - b) use or permit the use of sawdust on the floors in his butcher's shop;
 - c) keep any live animals or poultry, or carry on the slaughtering or dressing of any animals or poultry, in his butcher's shop.
- (5) No person shall convey any butchery's meat except in suitable vehicle which is-
 - a) constructed in accordance with the requirement of the Health Officer; and
 - b) used solely for the conveyance of butcher's meat or meat products from and

- c) kept thoroughly clean at all times; and
- d) maintained so as to prevent such butcher's meat or meat products from coming into contact with flies, dust, dirt or any unclean matter or things; and
- e) provided with a separate, clean compartment for containing offal, and so constructed as to prevent any contact between such offal, and such butcher's meat:

Provided that the Health Officer may relax or waive the requirements of paragraphs (b) and (e) in respect of vehicles used for the delivery of butchers meat from butcher's shops if such meat is contained in an approved wrapping of such quality as will preclude the risk of contamination of such butcher's meat.

- (6) In this section, "offal" shall not include tripe, or heads and feet which have been skinned and cleaned, or liver, kidneys, hearts, tongues and brains

Requirements for bakeries and food factories

10. (1) In this part-

"aerated water" means every kind of non-alcoholic, effervescent liquid prepared for human consumption and sold in bottles, siphons, casks or other vessels;

"aerated water factory" means any premises in which the manufacture or preparation of aerated water, soft drinks or cordials is carried on;

"baker" means a person whose business it is carry on baking or the manufacture of baker products for the sale of human consumption;

"bakery" means premises in which the business of baking or the manufacture of bakery products is done for sale, the consumption of which is to be done off the same premises;

"cordial" means every kind of non- alcoholic liquid, whether frozen or not which is-

- a) intended for human consumption; and
- b) ordinary diluted with water before being consumed;

"food factory" means any premises in which food is manufactured or prepared or packed or repacked for sale from premises other than those in which such food is manufactured or prepared or packed or repacked, and shall include an aerated water factory but not a slaughter house or a diary or premises in which fewer than five persons are employed;

"soft drinks" includes every kind of non- alcoholic liquid other than aerated water, whether frozen or not, which is-

- a) intended for human consumption; and
- b) not ordinary diluted before being consumed.

- (2) No person shall carry on the business of a bakery or food factory unless the person complies with the provisions of sections 4, 5 and 6.
- (3) In all premises in which a business referred to in subsection (2) is carried on, the following additional requirements shall be complied with-
 - a) approved dough-making machinery shall be provided where appropriate; and shall be used for the mixing of dough or batter;
 - b) the opening of any boiler or oven- furnace shall be sited outside any room in which food is handled, and at least three meters from any part of any door or window or such room;
 - c) the premises shall not form part of, or communicate directly with any other premises in which processes other than those connected with the handling of food are carried on;
 - d) approved facilities shall be provided for the washing and sterilizing of all bottles, siphons, vessels and other containers used in the handling of food and drink:

Provided that, in premises which were used as bakery or a food factory before the fixed date, the Health Officer may relax or waive the requirements of paragraph (b) if s/he is satisfied that-

- a) the premises cannot reasonably be made to comply with such requirements; and
- b) no danger to health is likely to arise if such requirements are waived.

- (4) The Health Officer may withdraw any relaxation or waiver granted in terms of the provisions of subsection (3) if a danger to public health arises or is likely to arise as a result of such waiver or relaxation.

Requirements for food purveyors and caterers

11. (1) In the part-

"butcher's meat" means flesh or offal of any bovine, ovine, caprine, porcine, equine or game animal;

"caterer" means a person whose business is to supply food on or at premises other than licensed premises;

"catering premises" means premises used for the handling of food for the purpose of the business of a caterer;

"food purveyor" means a person whose business it is to sell food for human consumption and includes a meat purveyor and a fruit and vegetable, but does not include a hawker, a street vendor or street food- vendor;

"food purveyor's shop" means any premises used for the purpose of the business of a food purveyor;

"meat purveyor" means a person whose business it is to sell prepared butcher's meat for human consumption;

"prepared butcher's meat" means butcher's meat which has been prepared, wrapped and chilled in approved premises.

- (2) No person shall carry on the business of a food purveyor or a caterer unless he complies with the provisions of sections 4,5 and 6.
- (3) Where the applicant for a licence indicates in writing that no preparation or cooking of food or handling of open food will be carried on in the licensed premises, the Health Officer may relax or waive the requirements of section 6(3)(i) and (k)

Requirements for food- vending machines

12.(1) In this part, "food vending machine" means an automatic machine from which food is dispensed upon the deposit into such a machine of the appropriate coin specified on or for such machine.

(2) No person shall carry on the business of dispensing food from a food vending machine-

- a) except with written consent of the Council, other than in premises which are licensed as café, restaurant, take-away food premises, tea-room or food purveyor's shop; and
- b) unless he complies with the provision of section 4.

(3) No person shall install a food- vending machine, or permit a food- vending machine to be installed or to remain installed, on any premises unless-

- a) The premises comply with the provisions of section 6:
 - b) such machine is in a position on the premises which enables it to be replenished or recharged with food from within the premises; and
 - c) if perishable food is dispensed, such machine is-
 - i. fitted with a thermometer which indicates the temperature at which perishable food in the machine is maintained; and
 - ii. provided with an automatic trip switch which operates to prevent the dispensing of any perishable food from the machine if the temperature within the machine exceeds seven degrees Celsius.
 - iii.
- (4) No person shall dispense food or permit food to be dispensed from a vending machine unless such food is prepared in approved premises and is contained in hygienically sealed packets:

Provided that the Health Officer may permit food to be dispensed from a food- vending machine in an unwrapped state if he is of the opinion that the is of the opinion that the consumption of such food by humans will not constitute a danger, or be injurious, to health.

- (5) Every licensee of a food – vending machine shall-
- a) maintain such machine in thoroughly clean condition; and
 - b) strip and thoroughly cleanse and sterilize all containers used for dispensing liquid foods from the food-vending machine at each refilling or once week, whichever is the lesser period; and
 - c) take precautions to ensure that all perishables food in the food-vending machine is-
 - i. kept at a temperature not exceeding seven degrees Celsius; and
 - ii. remove from such machine if the temperature within the machine exceeds seven degrees Celsius.
- (6) If upon examination of a food vending-machine or any food therein, the Health Officer or a Health Inspector is of the opinion that such machine or such food is dangerous or is likely to become a danger to health, he may prohibit the use of such machine until he is satisfied that such danger has ceased to exist.

Nothing contained in these by-laws shall be deemed to prohibit the dispensing of hot food from vending machine if-

- a) such food is maintained at a temperature not less than sixty-three degrees Celsius; and
- b) the provision of this section are complied with, mutatis mutandis.

Requirements for barbers and hairdressers

13. (1) In this part-

“barber or hair dresser” means any person who carries on the business of shaving, cutting or dressing the hair of human beings;

“barber or hair dresser’s shop” means any premises in which the business of a barber or hairdresser is carried on;

- (2) No person shall carry on or conduct the business of a barber or hairdresser unless he complies with the provisions of section 4.
- (3) In all premises where the business referred to in subsection (2) is carried on, the following provisions shall be complied with-
 - a) all parts of the premises shall be lighted and ventilated in accordance with the provisions of the building by-laws;

- b) an adequate number of wash-basins or other approved fitments with an adequate supply of piped hot cold water connected thereto shall be provided;
- c) the splash back area to every basin or fitment shall be covered with glazed tiles or other approved material to a height of not less than five hundred millimeters above, and for the full width of the basin or fitment;
- d) the surface of all shelves of furniture on which instruments used by any barber or hairdressers are placed shall be of glass or other approved material.
- e) the floors shall be so constructed as to be easily cleaned;
- f) approved sanitary accommodation shall be used as a dwelling or place where food is handled:

Provided that a part of the premises may be approved for the preparation of refreshments incidental to the business, upon such conditions as may be specified in writing by the Health Officer.

- (4) Every barber and hairdresser and every person in his employ, shall-
 - a) at all times maintain his premises, equipment and instruments in a state of through cleanliness and in good repair;
 - b) wear clean and approved clothing;
 - c) use a clean towel or covering for each customer;
 - d) use soap in liquid, powder or tablet form only;
 - e) use septic agents in liquid or powder form only;
 - f) ensure that all hair cuttings are placed in an approved covered receptacle provided for the purpose;
 - g) after each time of use on any one customer, clean and disinfect all scissors, clippers; combs, brushes and other instruments or equipment used in any process of or incidental to his work;
 - h) use only hair-brushes and neck-brushes which are clean, and which shall be washed and disinfected at least once everyday.
- (5) No barber or hairdresser shall permit any person who appears to him to be verminous, or suffering from any disease of the skin or hair, or from any infectious, contagious or communicable diseases, to remain in his shop.
- (6) Every barber or hairdressers shall permit any person who appears to him to be verminous, or suffering from any disease of the skin or hair, or from any infections, contagious or communicable disease, to remain in his shop.
 - a) ensure that such person ceases working in such premises; and
 - b) notify the Health Officer of such disease.
- (7) No barber's or hairdresser's shop shall be used as, or communicate directly with, a sleeping-apartment or place used for the preparation or storage of food.
- (8) No person shall deposit, throw or place, or cause to be deposited, upon any street, side-walk or public place any human hair.
- (9) No person shall perform any hairdressing or haircutting in any street or public place.
- (10) No barber's or hairdresser's shop shall be used for any purpose other than the carrying on of the business of a barber or hairdresser without the approval of the Health Officer.

Requirements for laundries, launderettes and laundry depots

- 14. (1) In this part-
 "dry-cleaning" means cleaning with spirit or any means other than with water;

“laundry” means any premises or place in which washing or dry-cleaning is carried on for payment, but excludes a launderette;

“launderettes”

- a) Domestic type washing machines, with or without domestic-type ironing-appliances, are provided by the occupier for the use of his customers, whether or not such washing machines or ironing-appliances are operated solely by the customer; and
- b) Fewer than five persons are employed on the premises;

“laundry depot” means any premises utilized but the licensee of any laundry or launderette for the reception or storing of wearing apparel, household and domestic linen or other textiles or fabrics intended for washing;

“washing” means washing, cleaning by any means, managing or ironing articles of wearing apparel, household or domestic linen or other textile or fabrics and includes any process incidental thereto.

- (2) No person shall carry on the business of a laundry or launderette unless he complies with the provision of section 4.
- (3) In all premises where the business referred to in subsection (2) is carried in, the following provisions shall be complied with-
 - a) the premises shall be connected to the water-supply of the Council or a water supply approved by Council.
 - b) all parts of the premises shall be lighted and ventilated in accordance with the provisions or the building by-laws;
 - c) effective means shall be provided for the removal from the premises of all vapours, gases and dust and for the innocuous disposal into the open air;
 - d) the walls shall be constructed of bricks, concrete or other approved material, and their internal surface shall be plastered and brought to a smooth finish and covered with a light colored, washable paint or other approved impervious material;
 - e) the floors shall be constructed of smooth cement, concrete or other similar approved substantial and impervious material, and when so required by the Health Officer, shall be sufficiently graded and drained to a gully connected to the sewerage system;
 - f) all junctions between the wall and floors shall be coved;
 - g) approved sanitary accommodation and ablution facilities shall be provided for employees of each sex;
 - h) change room facilities for employees shall be provided to the satisfaction of Health Officer;
 - i) a store room or other approved facilities shall be provided for storage of soap, dry cleaning fluids and other articles incidental to the business;
 - j) no part of the premises shall be used as, or communicate directly with, a dwelling or place where food is prepared, handled or stored;
 - k) all tables, shelving and other furniture used in the laundry or launderette shall be of approved impervious material;
- (4) No person shall use any premises as a laundry depot unless he complies with the provisions of section 4.
- (5) In all premises where the business referred to in subsection (4) is carried on, the following provisions shall be complied with-
 - a) the internal surfaces of the wall shall be so formed as to be capable of being easily cleaned;

- b) the laundry depot shall not form part of, or communicate directly with, any dwelling or premises, or portion of any dwelling or premises, on which is carried on any trade, business or occupation involving the manufacture, preparation, handling, sale or storage of articles of food or drink, or the business of a hairdresser;
 - c) containers of metal or other approved material shall be provided for the storage of soiled or dirty articles prior to removal to the laundry or launderette;
 - d) a wash hand basin, with an adequate and constant piped supply of hot and cold water connected thereto, shall be available on the premises for the use of any person engaged in the handling of soiled or dirty articles.
- (6) Every licensee or person in charge of a laundry, launderette or laundry depot shall repair,
- a) keep the premises at all times in a clean and sanitary condition, and in good repair,
 - b) maintain at all times in a clean condition all equipment, utensils and vehicles used in connection with the business;
 - c) cause every person, while employed in the laundry or launderette, to wear clean over-clothing;
 - d) provide and maintain a sufficient supply of soap, nailbrushes and clean towels or other approved drying facilities for the use of persons employed on the premises;
 - e) keep untreated articles at all times isolated from all treated articles, and all articles shall, in all other respects, be so handled and transported that they are not exposed to contamination or infection;
 - f) take all reasonable measures to maintain his premises free from flies, rodents, cockroaches or other vermin;
 - g) keep in the premises only such articles as have been or are required to be, washed or dry-cleaned;
 - h) ensure that the name and address legibly written in a conspicuous position on every vehicle used for the conveyance of articles which have been washed or are collected for the purpose of washing.
- (7) Nothing in these by-laws shall be deemed to apply to any washing carried out not to payment in a private dwelling house.
- (8) No person who is known or suspected to be suffering from any infectious or contagious disease, or who is known or suspected to have been in contact with any person suffering from any infectious or contagious disease, shall-
- a) remain or be employed in any laundry, launderette or laundry depot; or
 - b) perform any duty or do any act connected with a laundry, launderette or laundry depot:

Provided that the Health Officer may, where he is satisfied that no risk or the spread of disease is involved, exempt any person from the requirements of this subsection.

Requirements for keeping equine animals

15. (1) In this part-

"dwelling" means any house, hut, room, shed or other structure or place the whole or part of which is used as a human abode, or which is capable of being used as human abode;

"keep" includes to keep, stable, walk, exercise, rest feed or permit to remain;

"premises" includes a stand, a lot or plot or any piece of land;

"stable" means any building, shed or structure in which equine animals are kept;

"trade premises" include any premises to which members of the public resort for the purchase of goods or services, or goods and services, but does not include any land used for an agricultural show or an approved enclosed market.

- (2) No person shall keep any equine animal on any premises unless he complies with provisions of section 4.

(3) Every stable shall comply with the following requirements

- a) the walls and floors shall be constructed of brick, concrete or other approved material; and
- b) the roof shall be so constructed as to be thoroughly waterproof; and
- c) natural light and ventilation shall be provided in accordance with the provisions of the building by-laws; and
- d) floor space of not less than five square meters shall be provided for every equine animal:

Provided that the provision of this subsection shall not apply for stables which were in existence before fixed date until a period of six months has elapsed from the date on which a person who uses a stable or keeps an equine animal on his premises receives notice, in writing, from the Health Officer requiring him to comply with the requirements of this subsection by a specified date.

- (4) No person shall keep any equine animal on any premises, unless the written consent of the Health Officer has been obtained.
- (5) The Health Officer may withdraw any consent given in terms of subsection (4) if, in his opinion, the keeping of equine animals on the premises is causing a nuisance.

(6) No person shall keep any equine animal-

- a) on any premises less than ten thousand square metres in extent; and
- b) at a density greater than one equine animal for each complete four thousand square metres of land; and
- c) in such a manner as to cause a nuisance:

Provided that, on any premises in excess of four hectares, the number of equine animals which may be kept shall be at the discretion of the Council.

- (7) The Health Officer may relax or waive the requirements of subsection (6) (a) and (b) in respect of any premises which were used for the keeping of equine animals before the fixed date mentioned in section 1, and, in so doing, may impose such conditions as he sees fit:

Provided that-

- a) The Health Officer shall exercise the powers conferred on him by this subsection only if he is satisfied that no nuisance is likely to arise if the requirements of paragraphs (a) and (b) of subsection (6) are waived or relaxed;
- b) The Health Officer may withdraw any waiver or relaxation granted in terms of this subsection if he is satisfied that, since the granting of the waiver or relaxation a nuisance has arisen or is likely to arise.

- (8) No person shall after the fixed date, erect any stable unless it is situated at least-
 - a) thirty meters from the nearest dwelling on any adjacent premises; and
 - b) fifteen metres from-
 - i. any water supply, other than a stand pipe; and
 - ii. the boundary of the premises; and
 - iii. any trade premises.
- (9) Every person who keeps any equine animals on any premises shall-
 - a) maintain any stable in a clean condition and in good repair; and
 - b) at least once in every twenty-four hours, cause all manure to be-
 - i. removed therefrom; and

- ii. disposed off, to the satisfaction of the Medical Officer of Health or Health Inspector; and
 - iii. provide a sufficient and wholesome supply of water for drinking and cleansing purposes.
- (10) Any person who keeps an equine animal take all necessary precautions to prevent the breeding of flies, and shall, when required to do so use such traps and insecticides for the destruction of flies as may be considered necessary by the Medical Officer OF Health.

Inspections

16. The Health Officer or any Health Inspector may at all reasonable times enter and inspect any premises to which these by-laws apply, for the purpose of ascertaining whether the by-laws are being complied with.

Offences and penalties

17. Any person who contravenes or fails to comply with any provisions of these by-laws shall be guilty of an offence and liable to a fine not exceeding level five.

Repeals

19. Hwange Local Board (licensing) By-Laws-----, published in Statutory Instrument-----of-----, are repealed.

FIRST SCHEDULE (*Section 4*)

SPECIFIED BUSINESS AND PREMISES

- 1) Accounting firms
- 2) Aerated water factory
- 3) Administration office
- 4) Aquirum
- 5) Auctioneer
- 6) Architect
- 7) Barber.
- 8) Bakery
- 9) Banks
- 10) Bars
- 11) Backyard operations
- 12) Beauty parlour
- 13) Beer hall
- 14) Bill boards
- 15) Boarding house
- 16) Bookshop
- 17) Bottle store
- 18) Boutique
- 19) Breweries
- 20) Brickmaking
- 21) Bridal/flower shop
- 22) Building contractors large scale
- 23) Building contractors small scale

- 24) Building societies
- 25) Butchery
- 26) Café
- 27) Camping site
- 28) Camping site & Caravan
- 29) Caterer.
- 30) Car hire
- 31) Cinema
- 32) Carpentry shop
- 33) Carpet cleaning
- 34) Casino
- 35) Cattle Pound/ head/ day
- 36) Cellphone dealers
- 37) Chain store
- 38) Cleaning services/ car wash
- 39) Child day school
- 40) Clothing & furniture shop
- 41) Clothing shop
- 42) Coffee shop
- 43) Commuter omnibuses per vehicle
- 44) Commodity broking
- 45) Computer dealers
- 46) Consultancy firm
- 47) Construction companies
- 48) Curio shop
- 49) Cycle repair
- 50) Dairy depot
- 51) Debt collection
- 52) Delivery services
- 53) Departmental stores
- 54) Driving school
- 55) Draughtsman
- 56) Eating house
- 57) Electrical repair shop
- 58) Electrical shop
- 59) Employment agency
- 60) Estate agency
- 61) Fabric shop
- 62) Freight
- 63) Fish mongers
- 64) Food factory
- 65) Food Purveyor
- 66) Food vending machine
- 67) Filling station
- 68) Financial institutions
- 69) Fuel storage
- 70) Fish fryer
- 71) Fuel depot
- 72) Funeral parlour
- 73) Furniture shop

- 74) Flea market
- 75) Fruits and Vegetables dealer.
- 76) Garages
- 77) Garage/ automobile repairs
- 78) General dealer
- 79) Grinding mill
- 80) Guest house high density
- 81) Guest house low density
- 82) Hair saloon
- 83) Hair saloon low density
- 84) Hairdresser
- 85) Hide and Skin dealer
- 86) Home industry (Backyard)
- 87) Hotel ungraded
- 88) Hotel graded
- 89) Ice cream/ freezite making
- 90) Insurance broking
- 91) Internet shop
- 92) Jewellery shop
- 93) Keeping of equine animals
- 94) Kiosk/ tuckshop
- 95) Laundry
- 96) Lodging rooms
- 97) Laundry.
- 98) Launderette
- 99) Laundry depot.
- 100) Legal practitioners
- 101) Loge
- 102) Market stalls
- 103) Meat Purveyor
- 104) Medical Services Providers
- 105) Milling/ manufacturing/ Furn factory
- 106) Money lending/ Micro Finance Institutions
- 107) Motel
- 108) Motor spares
- 109) Night club
- 110) Panel beater
- 111) Pay phone
- 112) Pest control
- 113) Photo studio
- 114) Photocopying/ Typing service
- 115) Photographers
- 116) Poultry
- 117) Pre-school
- 118) Private college
- 119) Private school
- 120) Private hospital
- 121) Professional bodies
- 122) Pharmacy
- 123) Phone shop

- 124) Radio/ TV repairs
- 125) Record bar
- 126) Restaurant
- 127) Security
- 128) Service stations
- 129) Shoe repair
- 130) Shoe shop
- 131) Sports club
- 132) Stockist
- 133) Supermarket
- 134) Superette
- 135) Surgery
- 136) Take away food premises
- 137) Taxi business per vehicle
- 138) Tailor shop
- 139) Tea room
- 140) Tour operators
- 141) Transport industry
- 142) Turf club
- 143) Truck inn
- 144) Tyre services
- 145) Tyre mending
- 146) Upholstery
- 147) Vegetable market
- 148) Vending carts
- 149) Video club
- 150) Warehouse depot
- 151) Welding shop
- 152) Wholesale
- 153) Wood carving
- 154) Workshop large
- 155) Workshop small

Form 2

HWANGE LOCAL BOARD

HWANGE LOCAL BOARD (LICENSED PREMISES) BY –LAWS, 2014

Type of licence.....fee.....-

Licence.....other details.....

Address of licensed premises.....

Council health approval reference and date.....

Not transferable unless previously suspended

Valid to the 31st December 20.....

This is to notify that the Hwange Local Board has approved the issue of this license.
This document does not represent a valid licence unless the correct fee has been paid and it carries an official receipt.

NB* Hwange Local Board as a licensing authority may suspend the trade or business in accordance with the provisions of the Shop Licenses Act (Chapter 14:17) Section thirty-five (35) subsection (1). Cancellation of license may also be done according to the detects of the same Act Section 37 subsection (1) paragraph a, b, c, d and e.

Date.....Council Treasurer’s signature.....