

ADMINISTRATOR'S NOTICE NO. 148 (21 FEBRUARY 1951)

UNIFORM PUBLIC HEALTH BY-LAWS AND REGULATIONS

The Administrator has been pleased, under the provisions of section ninety-nine of the Local Government Ordinance, 1939, to approve the by-laws set forth in the Schedule hereto.

CHAPTER 1

INTERPRETATION OF TERMS

DEFINITIONS

1. For the purpose of these by-laws, unless the context indicates otherwise:-

“Act” shall mean the Licences Consolidation Act, 1925, or any amendment thereof;

“adequate number” shall mean when used in relation to the provision of wash-basins on any premises for the use of employees thereon not less than in the proportion of at least one wash-basin to each of fifteen (15) or part of fifteen (15) of each sex working on the premises;

“author of a nuisance” shall mean the person by whose act or default of sufferance the nuisance is caused, exists or is continued;

“business” shall include trade and occupation;

“carrier” shall mean any person who, though not at the time presenting the clinical symptoms of an infectious or contagious disease, has been proved or is believed on reasonable grounds and after laboratory or other investigations to be harbouring the infection of any infectious or contagious disease and consequently liable to cause the spread of such disease;

“certificate” shall mean a certificate as defined by section two of the Ordinance;

“chief health inspector” shall include any person for the time being acting in such capacity in the course of his duties with the Council;

“Committee” shall mean the relevant Committee of the Council under whom the administration of these by-laws falls;

“Council” shall mean the relative local authority of the municipality concerned and shall, for the purpose of these by-laws, include a Health Committee and the Peri-Urban Areas Health Board;

“dwelling” shall mean any house, room, shed, hut, cave, tent vehicle, vessel, boat or any other structure or place whatsoever, any portion whereof is used or appears intended for use by any human being, for sleeping or in which any human being dwells or sleeps;

“engineer” shall mean the town or city engineer as the case may be and shall include any person acting in such capacity in the course of his duties with the Council;

“inspector” shall mean in relation to any particular part or chapter of these by-laws, any person holding an inspector’s post or lawfully acting as such in any department under which falls the administration of the by-laws contained in such Part or Chapter;

“health inspector” shall mean a sanitary or health inspector as defined by the Local Government Ordinance, No. 17 of 1939, or any amendment thereof;

“licence” shall mean a licence issued by the Council under these by-laws and shall include the renewal of a licence;

“medical officer of health” shall mean the person for the time being lawfully acting in the capacity either of medical officer of health or deputy medical officer of health, or of assistant medical officer of health;

“municipality” shall mean the area or district placed under the control and jurisdiction of the Council;

“occupier” shall include any person in actual occupation of land or premises without regard to the title under which he occupies, and, in the case of premises subdivided and let to lodgers or various tenants, shall include the person receiving the rent payable by the lodgers or tenants whether on his own account or as agent for any person entitled thereto or interested therein;

“Ordinance” shall mean the Licences (Control) Ordinance, 1931, or any amendment thereof;

“outside area” shall mean any land or interest in land held by a council for municipal purposes outside the municipality and not forming part of any other municipality;

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

the words **“owner”**, **“occupier”** or **“person”** shall mean, in the case of a firm or partnership, all or any one or more of the members of such firm or partnership, and in the case of any public company or any body of persons not being a firm or partnership in the ordinary meaning of the terms, the secretary or manager of such company or body, or, where there is no secretary or manager, any member of the board of directors or managing body or committee of such company or body;

“permit” shall mean a permit granted by the Council in terms of the provisions of that chapter wherein the word appears;

“premises” shall include any land, building, room, structure, tent, van, vehicle, stream, lake, dam, pool, lagoon, drain, ditch (open, covered or enclosed), whether built on or not and whether public or private;

“recreation ground” shall mean any ground used for the purpose of athletic sports, football, cricket or any other game, or of any kind of recreation whatsoever;

“renewal” shall mean the issue to a licence-holder of a licence in identical terms for the next succeeding licence period;

“school” shall mean any premises used as a public or private school, boarding school or Sunday school;

“superintendent” shall mean the person for the time being in charge of the Scavenging or Public Cleansing Branch of the Council;

“these by-laws” shall include all the by-laws of the Council;

“town clerk” shall mean the person appointed by the Council to perform the duties of a town clerk and shall include any person for the time being acting in such capacity in the course of his duties with the Council and shall, for the purpose of these by-laws, include the secretary of a Health Committee and the secretary of the Peri-Urban Areas Health Board;

“treasurer” shall mean the town of city treasurer as the case may be and shall include any person for the time being acting in such capacity in the course of his duties with the Council.

INCLUSION OF FURTHER DEFINITIONS

1. The several definitions contained in the various chapters of these by-laws shall be deemed to be incorporated in section 1 of this chapter unless the context otherwise indicates.

CHAPTER 2

GENERAL

AUTHENTICATION OF DOCUMENTS

5. Any order, notice or other document under any of these by-laws requiring authentication by the Council shall be sufficiently authenticated if signed by the town clerk or his duly authorised deputy or the head of the department of the Council under whose department falls the administration of such by-laws or his duly authorised deputy or assistant.
6. (a) Any order, notice or other document required or authorised to be served under these by-laws may be served by delivery of a copy thereof in one or other of the following manner:-
 - (i) To the said person personally, or to his duly authorised agent; or
 - (ii) If service cannot be effected in terms of the preceding paragraph, at his residence or place of business or employment to some person apparently not less than sixteen years of age and apparently residing at or employed there; or
 - (iii) If there is no such person on the premises as is mentioned in the preceding paragraph, then by dispatching such order, notice or other document by prepaid registered post in an envelope on which is written his last-known residential or business address which may be his last-known abode, place of business or employment or post office box number; or
 - (iv) If such person to be served has chosen a *domicilium citandi*, at the domicile so chosen.
- (b) where any service is effected in accordance with the provisions of paragraph (iii) of sub-section (a) hereof, such service shall until the contrary be deemed to have been effected at the time when the letter containing such order, notice or other document would have been delivered in the ordinary course of post, in proving such service, it shall be sufficient to prove that the order, notice or other document was properly addressed and registered.
- (c) Any order, notice or other document by these by-laws required to be given to the owner or occupier of any particular premises may be addressed to the

“owner” or “occupier” of such premises, in respect of which the order, notice or other document is given, without further name or description.

FAILURE TO COMPLY WITH BY-LAWS OR ANY NOTICE ISSUED THEREUNDER

7. Any person contravening or failing to comply with any of the provisions of these by-laws and any person failing to comply with the terms of any notice served upon him by the Council in terms of these by-laws shall be guilty of an offence.

PENALTIES FOR BREACHES OF BY-LAWS

8. Any person convicted of an offence against or a contravention of these by-laws, shall be liable to a fine not exceeding £50, or in default of payment thereof to imprisonment with or without hard labour for a period not exceeding six months, and in the case of a continuing offence, to a fine not exceeding £2 per day for each day during which the offence continues.

RECOVERY OF EXPENSES

9. The Council may recover any expense incurred by it in consequence of a breach of any by-law to be executed by any person and not executed by him, and such expense shall, on demand, be paid by the person committing such breach or failing to execute such work.

OBSTRUCTION

10. Any person who fails to give or refuses access to any official of the Council duly authorised by these by-laws or the Council to enter upon and inspect any land, dwelling or premises, if he requests entrance to any land or premises, or obstructs or hinders such official in the execution of his duties under these by-laws, or who fails or refuses to give information that he may lawfully be required to give to such official, or who gives to such official false or misleading information knowing it to be false or misleading, or who prevents the owner or any of his servants or workmen or any other person from entering upon any land, dwelling or premises for the purpose of complying with any notice served under these by-laws or from complying with any notice served under these by-laws, shall be guilty of an offence under these by-laws.

PART IV

PUBLIC HEALTH

CHAPTER 1

GENERAL SANITATION.

NUISANCES AND KINDRED MATTERS

DEFINITION OF NUISANCE

1. For the purpose of this chapter of these by-laws, unless the context indicates otherwise, the term “nuisance” shall include: -
 - (a) any premises or part thereof of such a construction or in such a state as to be offensive, injurious, or dangerous to health;
 - (b) any street, stream, pool, lagoon, ditch, gutter, water-course, sink, cistern, water-closet, earth-closet, privy, urinal, cesspool, drain, sewer, waste-water receptacle, slop-tank, dungpit, ash-bin, ash-pit or manure heap so foul or in such a state or so situated or constructed as to be a nuisance, offensive or to be injurious or dangerous to health;

- (c) any well or water supply injurious or dangerous to health;
- (d) any tank or cistern used for the supply of water for domestic purposes so placed, constructed or kept as to render the water therein liable to contamination, causing or likely to cause risk to health or facilitate the breeding of mosquitoes;
- (e) any stable, cowshed, animal kraal, fowl-house or premises in which any animal or animals or bird or birds are kept in such a manner or in such numbers as to be offensive, injurious or dangerous to health;
- (f) any accumulation or deposit of refuse, offal, manure or other matter which is offensive, injurious or dangerous to health, or any offensive, injurious or dangerous to health, or any offensive matter, refuse, offal or manure lying or being 50m of any street, or contained in uncovered trucks or wagons standing at or being at any station or siding or elsewhere on a railway so as to be offensive, injurious or dangerous to health;
- (g) any work, manufacture, trade or business causing or giving rise to smells or effluvia which are offensive or which are injurious to the health of the neighbourhood or so conducted as to be offensive, injurious or dangerous to health;
- (h)
 - (i) any house or part of a house so over-crowded as to be injurious or dangerous to the health of the inmates, or in which there is not for each person simultaneously occupying the same, whether by night or day, as least 12m³ space and 4m² of floor space; provided that this sub-section shall not apply to the housing of natives in mine compounds;
 - (ii) any occupied dwelling for which a proper, sufficient and wholesome water supply is not available within a reasonable distance as under the circumstances it is possible to obtain;
- (i) any school house or any factory, workshop or workplace or portion thereof-
 - (i) which is not kept in a cleanly state and free from effluvia arising from any drain, privy, water-closet, earth-closet, urinal or other source of nuisance; or
 - (ii) which is not ventilated in such a manner as to render harmless, as far as practicable, any gases, vapours, dust or other impurities generated in the course of the work carried on therein that are offensive, injurious or dangerous to health; or
 - (iii) in which the average proportion of carbonic acid in the air at about breathing level exceeds 10 volumes in 10,000 or, where gas or oil is used for lighting purposes, exceeds 18 volumes in 10,000, while such gas or oil is in actual use; or
 - (iv) which is so overcrowded while work is carried on as to be injurious or dangerous to the health of those therein employed;
- (j) any chimney sending forth smoke in such quantity or in such a manner as to be offensive, injurious or dangerous to health;
- (k) any churchyard, cemetery or other place or burial so situated or so crowded or otherwise so conducted as to be offensive, injurious, or dangerous to health;

- (l) any other condition whatever which is offensive, injurious or dangerous to health; the generality of this provision not being limited by the particular matters provided in the preceding sub-sections;

Provided that –

- (i) a penalty shall not be imposed on any person in respect of any accumulation or deposit necessary for or arising out of the carrying on of any business, trade or manufacture if the accumulation or deposit has not been kept longer than is necessary for the purposes of business, trade or manufacture, and the best available means have been taken for preventing injury or danger thereby to the public health, provided that the said business is being lawfully carried out and is lawfully conducted at the premises in any locality; and
- (ii) in considering whether any dwelling-house or part thereof which is also used as a factory or workshop, or whether any factory or workshop used also as a dwelling-house is a nuisance by reason of overcrowding, regard shall be had to the circumstances of such other use.

NUISANCE PROHIBITED

- 2. (a) No person shall by his act, default or sufferance cause or permit a nuisance to exist on any premises, and every owner and every occupier of any premises shall at all times maintain such premises clean and free from any nuisance.
- (b) No person shall conduct himself in such a manner as is liable to be injurious or dangerous to health or to create any state or condition of premises which is injurious or dangerous to health.

ENTRY AND INSPECTION FOR NUISANCE

- 3. (a) The medical officer of health or any health inspector or other official of the Council duly authorised thereto may enter and inspect, or make enquiries on, any premises with a view to ascertaining the existence or cause of any nuisance thereon or in connection therewith.
- (b) The Council may do such work as may be necessary for ascertaining the existence or cause of such nuisance and for remedying the same, and may recover from the owner or occupier of the premises or from the author of the nuisance the amount of such expenses incurred by it in respect thereof, and such owner or occupier or author shall, on demand, refund such amount to the Council.

PROCEDURE FOR ABATEMENT OF NUISANCE

- 4. (a) Whenever a nuisance exists, or has existed and is liable to recur, in any premises, the Council may serve a notice either upon the author of the nuisance, or upon the owner or occupier of the premises on which the nuisance exists, or has existed and is liable to recur, requiring him to remove or abate the nuisance and to do such work (with or without specifying the nature thereof) within a reasonable time to be specified in the notice, as is necessary for the removal or abatement and the prevention of recurrence of the nuisance, as the case may be, provided that:-

- (i) where the nuisance arises from want or defect of a structural character or where the premises are unoccupied, the notice shall be served on the owner;
 - (ii) where the person causing the nuisance cannot be found, and such nuisance does not exist by the act or default or sufferance of the occupier or owner of the premises, the Council may itself take such steps as may be necessary to abate or remove the nuisance or prevent the recurrence thereof.
- (b) Where any person upon whom such notice has been served fails to comply with the terms thereof, the Council may enter upon the premises in respect of which such nuisance exists or is liable to recur, and may itself carry out such work as may be necessary for the removal or abatement and the prevention of recurrence of the nuisance, as the case may be. The Council may recover from such aforementioned person the amount of any expense incurred by it in carrying out such work and such person shall, on demand, refund such amount to the Council.
- (c) Where it appears that a nuisance existing within the municipality has been caused either wholly or in part by the act or default of some person outside the municipality, the provisions of this section shall *mutatis mutandis* apply to such person in respect of such act or default.

KEEPING OF PREMISES CLEAN AND FREE FROM UNSIGHTLY ACCUMULATIONS

5. No person shall fail to keep any premises owned or occupied by him clean and free from filth, debris, rubbish, glass, paper, rags, tins, lumber, weeds or undergrowth which in the opinion of the Council is unsightly or is likely to become a nuisance or injurious to health or to cause an annoyance to the inhabitants of the neighbourhood.
- “5A. (1) Without the consent of the Council no person shall keep, or permit the keeping of, an unroadworthy motor vehicle, or the wreck trunk chassis, engine or other part of a motor vehicle for a continuous period of more than 14 (fourteen) days on premises which belong to, or are occupied by him, if such motor vehicle, wreck, trunk, chassis, engine or other part is, in the opinion of the Council, unsightly or may constitute a nuisance to the residents in the vicinity and is visible from a street or adjoining premises.
- (2) For the purposes of subsection (1) the words ‘motor vehicle’ and ‘roadworthy’ shall have the meanings respectively assigned to them by the Road Traffic Ordinance, 1966 (Ordinance 21 of 1966).
- (3) The owner or occupier of any premises, not being business premises, shall not erect or allow to be erected, any storage tank, whether above or below ground level, for the purpose of storing fuel or lubricating oils.”

PREVENTION OF FLY-BREEDING AND RAT HARBOURAGE ON MANURE OR REFUSE

6. No person shall:-
- (a) place, throw or leave or permit to remain on any premises any refuse or other matter whatsoever in such a manner or for such a time as to favour the breeding of flies or to encourage rats or other vermin to frequent such premises;

- (b) use manure for gardening purposes that is not so matured or well rotted as to be incapable of breeding flies;
- (c) store or keep manure except in such a manner as to preclude the open attraction and breeding of flies.

FOULING AND LITTERING PUBLIC PLACES AND OPEN SPACES.

7. No person shall throw, deposit or drop or cause or permit to be thrown, deposited or dropped:-
- (a) any filth, rubbish or refuse in or on any public place;
 - (b) any filth, rubbish, glass, tins, paper, dead animals, waste or flushing water or other refuse, whether liquid or solid, on or in any street, road, bridge, thoroughfare, open space, vacant stand or erf, spruit or watercourse, or cause or permit any such liquid to flow into any such place.

BATHING AND WASHING IN PUBLIC PLACES AND OPEN SPACES

8. (a) No person shall bath or wash himself or any other person in any street, road, bridge, thoroughfare, open space, vacant stand or erf, spruit or watercourse.
- (b) No person shall wash any clothing, vehicle, animals or any article or utensil in any street, road, bridge, thoroughfare, public place, spruit or watercourse.

EMISSION OF ASH, GRIT AND SOOT FROM CHIMNEYS

9. No person shall cause or permit ash, grit or soot to escape from any chimney so as to be offensive, injurious or dangerous to health.

PREVENTION OF DUST NUISANCE

10. No person shall cause or permit to be discharged into the surrounding atmosphere from any building or structure in the course of erection or demolition or from any premises at any time any dust in such quantities or in such a manner as to be offensive, injurious or dangerous to health.

BURNING OF REFUSE

11. No person shall burn any stable litter, trade waste, weeds or other refuse in such a manner as to be a nuisance or offensive, injurious or dangerous to health.

BUILDINGS

ERECTION OF BUILDINGS ON CONTAMINATED GROUND

12. No person shall erect or cause or permit to be erected any building on any ground which he knows or suspects has been contaminated by any faecal, animal or vegetable matter, or upon which any such matter has been deposited, unless such matter shall have been removed or been rendered or become innocuous.

(note. - see also section one hundred and thirty (c) of the Public Health Act.)

ROOMS BUILT BELOW GROUND-LEVEL

13. (a) No person shall let or occupy, or cause or permit to be occupied, any room

for sleeping or dwelling in, whether conjoined or not with another apartment, unless such room:-

- (i) has one of its external sides entirely above the level of the adjoining street or ground; and
 - (ii) has a window or other opening in such side; and
 - (iii) is more than 217m's in height from the floor thereof to the ceiling; and
 - (iv) is at least 3m from any building, wall or earth which shall project above an imaginary line to be drawn from the point of intersection of the inner surface of the front wall of such room with inner surface of the front wall of such room with the floor thereof in such manner as to form an angle of forty-five degrees (45°C) with the surface of such front wall above the point of its intersection by such imaginary line; and
 - (v) has also a glazed window or windows, providing for a glass area in the proportion of at least one twelfth of the floor area; of such glazed area at least one-half shall be capable of being opened to the full extent; and
 - (vi) has adequate and effective means of cross or through ventilation communicating directly with the external air and so arranged as to secure free perforation of the air within such room.
- (b) In ascertaining the level of the adjoining street or ground for the purposes of this by-law, no regard shall be had to the level of any area or sunken yard of less than 3m's in width adjoining such room.

LIGHT STANDARDS

14. No person shall use or cause or permit to be used or occupied any of the hereinafter premises in which the intensity of light at the points of work is below the following measurements:-

Classrooms, offices, shops, workshops and factories: 160 lux

Drawing offices, sewing rooms and other premises in which close work is carried out: 270 lux

VENTILATION STANDARDS

15. No person shall use, occupy or cause or permit to be used or occupied any of the hereinafter premises in which the kata thermometer reading is below the following figures: -

For theatres, cinema halls, schools, places of public assembly, shops and offices:

Dry kata thermometer reading: 5

Wet kata thermometer reading: 16

For factories and workshops:

Dry kata thermometer reading: 6

Wet kata thermometer reading: 18

Provided that in no case shall the dry kata thermometer figure indoors be required to be higher than 1 – 5 below that obtained in the open air immediately outside the building.

LIGHTING OF STAIRCASES AND PASSAGES IN TENEMENTS

16. In any building, portions of which are let as separate tenements, the owner or person so letting such building shall provide and maintain proper and adequate artificial lighting for any staircase and passage used in common by the occupiers of such tenements.

PAVING AND GRADING OF YARDS

17. If any yard or open space in connection with any premises shall not be so formed, graded or paved as to allow of surface water being carried off into a sewer, drain or other proper receptacle, the Council may, by notice, require the owner of such premises so to form, grade or pave such yard or open space as aforesaid within the time to be specified in such notice.

DEMOLITION OF BUILDINGS

18. No person shall demolish or commence to or cause or allow to be demolished any buildings without first having notified the Council in writing of his intention so to do and obtained the Council's written authority to commence such demolition. No such authority shall be given unless and until:-

- (a) such person shall have taken all necessary steps to destroy rodents in such buildings; and
- (b) until such person has complied with all instructions or orders which may be lawfully issued by the medical officer of health in connection with such building or its demolition in terms of any law.

Provided that in the case of an owner being required in terms of the Slums Act, 1934, or any amendment thereof, or of the Local Government Ordinance of 1939 or any amendment thereof, or in terms of any provision of the Council's Building By-laws, to demolish any buildings, he shall notify the Council of his intention to commence such demolition and shall comply with the provisions of paragraphs (a) and (b) hereof.

SANITARY SERVICES

TARIFF OF CHARGES FOR SANITARY SERVICES

19. (a) The tariff of charges for sanitary services shall be as prescribed in the Council's Sanitary and Refuse Removals Tariff.
- (b) Every person to whom any such service has been rendered by the Council shall pay the Council the appropriate charge as prescribed in the tariff and any failure so to pay in respect of a service rendered shall be an offence against these by-laws.

NOTIFICATION BY OWNER WHEN PREMISES BECOMES VACANT

20. In the event of any premises in respect of which night-soil, refuse or slop water removal service is being rendered becoming vacant, the owner of such premises shall forthwith notify the fact to the Council, and, in the event of his failing to give such notice, he shall, until such notice be given, remain liable to continue to pay for such services.

PROHIBITION AGAINST OBSTRUCTION OF SANITARY SERVICES

21. No person shall impede, obstruct or interfere with the rendering of any sanitary service undertaken by the Council.

REQUIREMENTS REGARDING SANITARY ACCOMMODATION

22. (1) No person being the owner of any building or premises as hereinafter described, shall fail to provide such building or premises with the following pail or water closets and/or urinals constructed and maintained in accordance with the provisions of these by-laws: -
- (a) In those premises to which a tri-weekly pail service is rendered there shall be provided:-
- (i) for dwellings, hotels, boarding-houses, apartments, tenements, hostels and boarding schools not less than one pail for every multiple, or portion thereof, of eight persons residing or employed in or about such premises;
 - (ii) for offices, workshops, factories, warehouses, shops and stores and other premises not elsewhere provided in or about such premises;
 - (iii) for public buildings, bioscopes, theatres, assembly and amusement halls or other meeting places not less than one pail for every multiple of fifty persons, or portion thereof, for whom accommodation is provided on such premises, which pails shall be allocated as follows:-

30 per centum for closets for females;
20 per centum for closets for males;
50 per centum for urinals;
with a minimum of one pail for females;
 - (iv) for public houses, hotels, bars, beer halls, restaurants, tea-rooms, eating-houses and billiard rooms, not less than one pail and one urinal paid for males and one pail for females;
 - (v) for schools:
 - (1) for boys: -

100 pupils: not less than 5 pails or urinal space with two extra pails;
200 pupils: not less than 8 pails of urinal space with three extra pails;
300 pupils: not less than 10 pails of urinal space with four extra pails;

for each extra 100 pupils, not less than four pails and of urinal spaces with one extra pail;
 - (2) for girls: -

not less than one pail for every 10 pupils.
- (b) In those premises to which a daily pail service is rendered there shall be provided –
- (i) for dwellings, hotels, boarding houses, apartments, tenements, hostels and boarding schools not less than one pail for every

multiple, or portion thereof, of twelve persons residing or employed in or on such premises;

(ii) for offices, workshops, factories, warehouses, shops and stores and other premises not elsewhere provided for in this section not less than one pail for every multiple, or portion thereof, of twelve people for whom accommodation is provided in or about such premises;

(iii) for public buildings, bioscopes, theatres, assembly and amusement halls or other meeting places not less than one pail every multiple of fifty people, or portion thereof, for whom accommodation is provided on such premises, which pails shall be allocated as follows:-

30 per centum for closets for females;
20 per centum for closets for males;
50 per centum for urinals;
with a minimum of one pail for each purpose.

(iv) for public houses, hotels, bars, beer halls, restaurants, tea-rooms, eating-houses and billiard rooms, not less than one pail and one urinal paid for males and one pail for females;

(v) for schools: -

(1) for boys: -

100 pupils: not less than 3 pails and 3m of urinal space with one extra pail;

200 pupils: not less than 4 pails and 4,5m's of urinal space with two extra pails;

300 pupils: not less than 5 pails and 6 m's of urinal space with two extra pails;

for each extra 100 pupils, not less than three pails and 1,5 m's of urinal space and one extra pail;

(2) for girls: -

not less than one pail for every 20 pupils.

(c) In those premises which are or are required to be connected to the Council's sewers there shall be provided:-

(i) for dwellings, hotels, boarding-houses, boarding schools, apartments, hostels and tenements, not less than one water closet for every multiple, or portion thereof, of fifteen people residing or employed in or on such premises;

(ii) for offices, factories, workshops, warehouses, shops and stores and other premises not elsewhere provided for in this section, not less than one water closet for every multiple, or portion thereof, of twenty people employed in or on such premises;

(iii) for public buildings, bioscopes, theatres, assembly and amusement halls other meeting places, one water closet for every multiple, or portion thereof, of 200 people for whom accommodation is provided in or on such premises with a minimum of one closet for each sex and one single stall urinal for every fifty or less males;

- (iv) for public houses, hotels, bars, beer-halls, restaurants, tea-rooms, eating-houses and billiard saloons, not less than one water closet and one urinal stall for males and one water closet for females;
- (v) for schools:-
 - (1) for boys, not less than one water closet for every 25 pupils or less;
 - (2) for girls, not less than one water closet for every 20 pupils or less.

- (2) For any recreation or sports ground there shall be provided and properly maintained urinals, latrines or water closets so sited as to be reasonably convenient to all sections of the ground for the separate use of male and female frequenters of such ground, and in the following minimum proportions, with a minimum of one for each sex, calculated on the average attendance at such ground: -

Water-borne system: One water closet for each 200 people or part thereof.

One urinal stall or twenty (20) inches of urinal trough for each 100 males or part thereof.

Two urinal pails provided with forty (40) inches of urinal trough for each 100 Males or part thereof.

Provided that in the case of special functions or meeting where a number larger than the average attendance may be anticipated, extra sanitary accommodation of a temporary nature shall be provided to meet such larger numbers.

- (3) Where more than one pail is necessary for the use of males every second pail shall, except in those cases specified in sub-section (a) (iii) and (a) (v) and (b) (iii) and (b) (v) hereof, be set aside for use as a urinal pail.
- (4) Where not less than ten and not more than thirty males reside or are employed in or frequently assemble on any premises, there shall, in addition to the water closet accommodation required in terms of sub-section (1) (c) hereof, be provided one single stall urinal for each such class. Where more than 30 males of such classes are resident or employed in or on any premises, every third water closet as required herein shall be substituted by a single stall urinal.
- (5) For the purpose of sub-sections (1) (c) and (4) hereof a "urinal" shall in the case of a single stall urinal be not less than 750mm in width and for a series of urinals a urinal unit shall be calculated at a minimum of 500mm.
- (6) All urinals, latrines and water closets required to be provided in terms of these by-laws shall be properly and sufficiently lighted.
- (7) Wherever in terms of these by-laws urinals, latrines and water closets are required to be provided, like provision shall be made in the proportion and in compliance with the conditions specified for each purpose
- (8) For the purpose of this section any dwelling ordinarily meant to house one family should be deemed to be a separate and distinct building.

- (9) Any owner who shall occupy, let or cause or permit to be occupied or let any building or premises which does not comply with the provisions of this section shall be guilty of an offence.

SANITARY ACCOMMODATION FOR WORKMEN

23. No contractor or other person employing workmen for the erection of any building or other work shall fail to provide for such workmen sufficient and convenient latrine accommodation in accordance with the requirements of section 22 of this Chapter, and to requisition the Council's sanitary service in respect of such latrine accommodation.

PROHIBITION AGAINST DISPOSAL OF PAILS AND USE OF NON-COUNCIL PAILS

25. No person shall:-
- (a) sell, hire or otherwise dispose of any pail supplied to him by the Council to any other person;
 - (b) move to any other building or place an pail so supplied;
 - (c) use in any pail closet, any pail other than one supplied by the Council.

PROHIBITION AGAINST USE OF PAIL CLOSET UNDER SAME ROOF AS DWELLING

26. No person shall provide, construct, fix, retain or use any earth closet inside or under the same roof as any dwelling.

SCREENING OF CLOSETS, URINALS AND LATRINES

27. The owner of any premises on which a closet, urinal or latrine is provided, shall screen both the entrance and the pail recess thereof from public view and shall also have such closet, urinal or latrine suitably and effectively fly-screened.

CLOSETS, LATRINES, URINALS, YARDS AND APPROACHES THERETO TO BE KEPT CLEAN

28. (a) Every yard and every approach thereto and every closet, latrine and urinal shall at all times be kept in a clean and tidy conditions and the owner and occupier and every person in control of such yard or the approach thereto or of any closet, latrine or urinal shall be jointly and severally liable for the due observance of this subsection; provided that, except in the case of premises occupied by a number of tenants where any portion of such premises is available for the common use of such tenants, the owner shall not be convicted of a breach of this sub-section if he shall prove to the satisfaction of the court that he was in no way reasonable for any contravention of this sub-section and that he had no reasonable opportunity of ensuring that this sub-section was complied with.
- (b) Where the owner or occupier or person in control thereof of any closet, latrine, urinal, yard or approach thereto, has failed to comply with a notice from the Council calling upon him to cause such place to be cleansed, the Council may itself cause such place to be cleansed and may recover from any such owner, occupier or person in control thereof the amount of such expenses incurred by it in respect thereof and such person shall, on demand, refund such amount to the Council.

IMPROPER USE OF LATRINES AND URINALS

29. No person shall make any improper or unclean use of any latrine or urinal.

DAMAGE TO SANITARY FITTINGS

30. No person shall wilfully or neglectfully damage any earth closet, water closet, privy, ash-pit, ash-bin, urinal, sink, fixed bath or basin waste-pipe, drain or slop-tank in connection with any building.

SEPARATE URINE TANKS OR PAILS

31. (a) Where any premises, the size, extent of occupation or use of which renders it necessary that special provision should be made thereon for the separate storage of urine, the Council may, by notice in writing, require the owner or occupier thereof to provide thereon an adequate urine tank or a sufficient number of urine pails, having regard to the size extent of occupation or use of such premises.
- (b) Any urine tank or pail so provided shall be used exclusively for the reception of urine and any person allowing or permitting such tank or pail to be used otherwise than exclusively for such purpose shall be guilty of an offence.

PROVISION OF TANKS FOR WASTE LIQUIDS IN UNSEWERED AREAS

32. The owner of any premises not connected with a public sewer or not provided with other satisfactory means of disposal of waste water, shall provide such premises with a tanks of sufficient capacity to conserve for 48 hours slop water, bath water or other waste liquids produced at or on such premises. Such provision shall, if necessary, include: -
- (a) an overhead tank or tanks, so placed as to permit of the discharge of the contents by gravitation into the Council's removal carts;
- (b) an efficient strainer, pump and indicator, with such outlet pipes so constructed and placed as to provide for the proper emptying and cleansing of such tank or tanks.

Provided that where sufficient suitable land is available in connection with any premises and suitable arrangements have been made for innocuously disposing thereon the slops or waste water (other than urine) produced at or on such premises, the provision of this section shall not apply.

PUMPING OF CONTENTS OF UNDERGROUND TANK TO OVERHEAD TANK

33. No person being the occupier of any building or premises at which both underground and overhead tanks are provided for the storage of waste water shall fail to pump or cause to be pumped the contents of such underground tank or tanks into the overhead tank or tanks immediately before such overhead tanks are emptied by the Council.

CHOKED OR DEFECTIVE OUTLET PIPES

34. If the outlet, outlet pipe, hose-pipe or pump connected with any receptacle for shops, bath water or other waste liquids on any premises shall become choked or stopped up or otherwise defective the owner, occupier, manager or caretaker of such premises shall forthwith on becoming aware thereof, take the necessary steps to have such obstruction or defect in such outlet, outlet pipe, hosepipe or pump removed or remedied.

PROHIBITION AGAINST URINE IN SLOP TANK

35. No person shall cause or permit any urine to be deposited in any slop tank in connection with any premises.

PRIVATE SEWERAGE WORKS.

NO PERSON TO CARRY OUT NIGHT SOIL SERVICE WITHOUT PERMISSION

36. No person shall carry on any service for the removal or disposal of night-soil or urine, except with the written authority of the Council, which authority shall only be granted where such removal or disposal of the night-soil or urine is effected under such conditions or in such a manner as to prevent any nuisance or danger to health or annoyance to the neighbourhood in which collection or disposal is made. The Council may withdraw its authority for such removal or disposal if any of the aforesaid conditions are not satisfactorily maintained.

INSTALLATION OF SEWAGE DISPOSAL WORKS

37. No person shall construct, alter, resite or maintain any septic tank, filter installation or other works for the disposal of sewage on private property, unless:-
- (a) a plan of the proposed septic tank, filter installation or other works drawn to scale of 1:10m to 1:500m together with a block plan drawn to a scale of 1 inch to 1:50m showing the situation of such works in relation to the owner's buildings and boundaries has been submitted to and approved by the Council.
 - (b) such tank is situated in the open air and 30m at least from any building and from any boundary of the owner's ground;
 - (c) such tank is sufficiently covered and ventilated, and so protected as to minimise smell therefrom and to prevent the breeding of mosquitoes;
 - (d) provision has been made for the innocuous disposal of the effluent of filtrate: Provided however, that in no case shall such effluent or filtrate be disposed of by sub-irrigation or discharge underground.

CONTROL OF PUMPING CONTENTS OF SEWAGE DISPOSAL WORKS

38. The Council may specify, by notice in writing, the hours at or between which the contents may be pumped from any sewage disposal works, and no person shall himself or by his servant or any member of his household pump the contents therefrom at any other time.

NOTICE TO DISCONTINUE USE OF SEWAGE DISPOSAL WORKS

39. No person shall continue to use any septic tank, filter installation or other sewage disposal works after service upon him of a notice calling upon him to discontinue the use thereof by reason of a nuisance arising therefrom or by reason of the municipal sewer being made available for his premises.

SEWAGE DISPOSAL WORKS TO BE CLEANED WHEN REQUIRED BY THE COUNCIL

40. No person shall fail or delay to open up or clean out or repair or alter or reconstruct any septic tank, filter installation or other sewage disposal works on private property if so required by the Council by notice in writing, calling upon him to undertake such

work to abate any nuisance or danger to public health arising from such defective septic tank, filter installation or other private sewage disposal works.

DISPOSAL OF SEWAGE, SEWAGE EFFLUENT AND WASTE WATER WITHOUT NUISANCE

41. No person shall dispose of solid or liquid sewage, sewage effluent or waste water from baths, lavatory basins or kitchen sinks on private property in such a manner or position as to cause to be likely to cause dampness in any premises or part thereof, or to endanger the purity of any water supply to cause any nuisance thereby.

UNAUTHORISED CONSTRUCTION AND USE OF CESS - PIT

42. No owner or occupier of any premises shall construct or use or cause or permit to be constructed or used on such premises any cess-pool, cess-pit or soak-hole unless the Council's sewers or night-soil removal service are not available for such premises.

REFUSE REMOVAL.

PROVISION OF COUNCIL'S REFUSE REMOVAL SERVICE WHERE REQUIRED

43. No person, being the owner or occupier of any premises, shall neglect or fail to provide in respect of such premises for the use of the Council's refuse removal service, after having received a notice from the Council requiring him to do so.

REFUSE RECEPTACLES

44. (a) Every owner or occupier of premises shall within seven days of the service upon him of notice in writing requiring him to do so provide a sufficient number of receptacles for the reception of the garbage upon such premises.
- (b) Every such receptacle shall:-
- (i) be rigidly constructed of non-corrugated 1,40mm galvanised mild steel;
 - (ii) have the bottom thereof re-inforced by a steelpressed band recessed 25mm;
 - (iii) have all joints properly welded;
 - (iv) be of the following dimensions:-
Internal top diameter: 500mm
Bottom diameter: 400mm
Depth: 600mm
 - (v) be provided with two handles securely fixed to the sides diametrically opposite one another 150mm below the top of the receptacle;
 - (vi) be provided with a suitable well-fitting lid with central handle.
- (c) Every such occupier shall at all times keep such receptacles closed save when refuse is being deposited therein or discharged therefrom.

ONLY DOMESTIC REFUSE TO BE PLACED IN RECEPTACLES FOR DOMESTIC REFUSE

45. No person shall place any bricks, grass, sand, loppings of trees, hedges or fences or garden refuse or any such matter or thing which is not household refuse in any receptacle for domestic refuse.

OWNERSHIP OF REFUSE

46. Any refuse removed by the Council or deposited for removal in any receptacle provided in accordance with these by-laws on premises from which the Council undertakes the removal of refuse, shall be the property of the Council, and no person who is not in the employ or an agent of the Council shall remove or interfere with any such refuse.

DISPOSAL OF DEAD ANIMALS

47. (a) The owner of any animal which dies within the municipality shall, within 24 hours of the death thereof, cause the carcass to be buried or otherwise disposed of in such a manner as to prevent any nuisance or danger to health or annoyance to the occupants of any premises in the neighbourhood.
- (b) The Council may, at the request of the owner of such dead animal, carry out the burial or disposal of the carcass at the rate laid down in the Council's Sanitary and Refuse Removals Tariff, and the person liable for causing such carcass to be buried or disposed of as above provided, shall, on demand, pay the amount of such rate to the Council.

WATER

POLLUTION OF SOURCES OF WATER SUPPLY

48. No person shall cause or permit the pollution of any catchment areas, rivers, canals, springs, wells, reservoirs, filter-beds, water purification or pumping works, tanks, cistern, or other sources of water-supply or storage, the water wherein or where from is used or is likely to be used, within the municipality for drinking or domestic purposes.

DANGEROUS WELLS AND EXCAVATIONS

49. (a) No person, being the owner or occupier of any premises, shall allow any well or any other excavation on such premises to be in an unprotected or dangerous state, and no such person shall fail to fence, fill in or cover over such well or excavation in such a manner as effectively to protect the same. In case of failure to fence, fill in or cover over any such well or excavation as aforesaid, the Council may enter upon the premises and execute the necessary work and recover the cost of so doing from the person or persons in default. The owner and occupier of any premises shall be jointly and severally responsible for the due observance of this section.
- (b) No person shall fill in any well in such manner or with such material as will or is likely to cause pollution of neighbouring wells or boreholes. Sections 50, 51 and 52 have been substituted by the following by AN 1739 of 1972.
50. No person being the owner or occupier of any premises shall, except with the written consent of the Council and subject to such conditions as the Council may impose, sink any well or borehole thereon or abstract any subterranean water therefrom. AN 1739 of 4/10/1972.

Sections 50,51 and 52 have been substituted by the following AN 1739 of 1972.

MISCELLANEOUS.

PREVENTION OF LEAD POISONING

53. No person shall use or permit to be used any premises in connection with any trade, business or manufacturing process or other work in which lead or any of its compounds are handled or stored unless:-
- (a) there has been provided for the use of persons actually engaged in the handling of smelting of lead or any of its compounds overalls fastening closely at the neck, wrists and ankles and suitable gloves and boots to be worn while so engaged;
 - (b) such overalls, gloves and boots are maintained by him at all times in good order and condition;
 - (c) such overalls, gloves and boots are worn by such persons at all times while lead or any of its compounds are being handled or smelted.
 - (d) There has been provided wash-hand basins and shower baths with waste pipes in accordance with the Council's Drainage By-laws for the separate use of Europeans and non-Europeans in the proportion of one of each for every fifteen (15) persons or portion thereof for each of the aforementioned races together with soap, towels, nailbrushes and a proper, sufficient and wholesome supply of hot and cold running water laid on to the aforesaid fittings for the use of the persons referred to in paragraph (a) hereof;
 - (e) Necessary steps have been taken to ensure that no food or drink is stored or consumed in any room or rooms in which lead or any of its compounds are handled or stored or having any direct opening into such room or rooms;
 - (f) Each employee engaged in handling or working with lead or any of its compounds or working in contact with any dust or fumes arising as a result of such handling is provided with at least 500ml of fresh or pasteurised milk daily;
 - (g) Provision has been made for the extraction and innocuous discharge to the open air of all fumes and dust arising from any process involving the handling of lead or any of its compounds;
 - (h) All employees engaged on handling or working with lead or any of its compounds are medically examined at least once every three months for evidence of lead poisoning.

INTERFERENCE WITH TRAPS FOR RODENTS

54. No person shall remove, destroy, interfere or tamper with any contrivance or mechanism for the catching or destruction of rodents which has been set or placed on any premises by any servant of the Council acting in the course of his duty.

FURNISHING INFORMATION TO TRACE SOURCE OF INFECTIOUS DISEASE

55. (a) Every person shall, on demand, furnish the medical officer of health with any information, document or other evidence in the possession of such person required for the purpose of tracing the source and preventing the spread of infection.

- (b) Where any person fails or neglects or refuses to furnish any such information, document or other evidence, the Court convicting such person may, in addition to any other penalty, order such person to pay a fine not exceeding £2 per day for each day during which such failure, default or refusal continues.

CHAPTER 2.

KEEPING OF ANIMALS.

Chapter 2 has been deleted by Notice No. 13/1987 in Provincial Gazette of 19 August 1987.

CHAPTER 3.

OFFENSIVE TRADES

DEFINITIONS

92. For the purpose of this Chapter of these by-laws, unless the context indicates otherwise:-

“offensive trades” shall include the work of a knacker, or blood boiling, bone boiling, soap boiling, tripe boiling or cleaning, tallow melting, fat melting or fat extracting, fell-mongering, skin storing, skin curing, blood drying, gut scraping, fishmongering, fish frying, leather dressing, tanning, glue making, size making, charcoal burning, brick burning or lime burning, manure making, manure storing, bone storing, dealing in rags and bones, dealers in second hand clothing, storage of rags, manufacture of flock from rags, manufacture of yeast, animal bristle and hair storing and sterilising, manufacture of chemicals, together with any other work or trade of an offensive nature which, with the sanction of the Administrator, the Council may add to the above list.

REQUIREMENTS OF PREMISES

93. No person shall carry on in or upon any premises an offensive trade involving the storage, handling, preparation or treatment of animals matters or animal derivatives unless:-
- (a) the floors thereof are of cement concrete or similar impervious material brought to a smooth finish;
 - (b) the floors thereof are sufficiently graded and drained for the efficient run-off of all liquids therefrom to an outside gulley which shall be connected to a sewer, or, where no sewer is available, to other means for the innocuous disposal of waste water;
 - (c) except where glazed or glass bricks or glazed tiles are used, the inside walls are plastered with cement plaster and the surface brought to a smooth finish;
 - (d) the yard surface is paved with cement concrete or other similar impervious material brought to a smooth finish;
 - (e) the premises are adequately lighted and ventilated in accordance with the standards laid down in sections 14 and 15 respectively of this Part of these by-laws;
 - (f) a proper, sufficient and wholesome supply of water free from liability to pollution is provided;

- (g) a sufficient number (having regard to the size and nature of the trade or business) of portable vessels or receptacles is provided, each properly constructed of galvanised iron or other non-absorbent material and furnished with closely fitting covers, for the purpose of receiving or conveying from the premises filth or refuse of any kind;
- (h) means are provided for the proper and innocuous disposal of all liquid wastes resulting from the process or manufacture carried on the premises;
- (i) suitable accommodation is provided for the storage of all finished products or articles or materials used in the process of manufacture and likely to discharge offensive or injurious effluvia or liquids or become decomposed in the course of the work or trade in such a manner as to prevent any nuisance or danger to health arising therefrom;
- (j) efficient means are provided to prevent the discharge into the external air of all noxious, injurious or offensive gases, fumes, vapours or dust emitted during any process of handling, preparing, drying, melting, rendering, boiling, grinding or storing such material.

DUTIES OF TRADER

94. No person carrying on an offensive trade involving the storage, handling, preparation or treatment of animal matters or animal derivatives shall fail:-
- (a) to maintain the premises at all times in a clean and sanitary condition and in good repair;
 - (b) to maintain every part of the internal wall surface of the premises, including every floor and pavement at all times in such good order and repair as to prevent the absorption therein of any liquid filth or refuse;
 - (c) to maintain all machinery, plant, apparatus, furniture, fittings, utensils, implements, vessels, containers, receptacles and vehicles in a clean and sanitary condition and in good repair;
 - (d) to cleanse after each day's usage every floor, pavement, yard, or approach thereto, of the premises;
 - (e) to prevent the accumulation on the premises of trade or other refuse produced thereon;
 - (f) to prevent the escape of noxious or injurious or offensive gases, fumes, vapours or dust created during any process of handling, preparing, drying, smelting, rendering, boiling, grinding or storing;
 - (g) to provide and maintain effective measures to preclude the open attraction of flies, to prevent fly breeding and to destroy flies on the premises;
 - (h) to maintain the premises at all times in accordance with the provisions of section 93 of this Chapter.

LIQUID REFUSE FROM BONE AND TRIPE BOILER

95. (a) one boiler and every tripe boiler shall cause all liquid refuse, from any part of the premises to be cooled before its discharge into any drain or other receptacle.
- (b) Such cooling shall be effected in such a manner as to prevent the emission of noxious and injurious effluvia therefrom during such process.

LIQUIDS, TANKS AND TUBS IN LEATHER MAKING

96. Every fellmonger, leather dresser or tanner shall cause:-
- (a) the liquid in every tanker or other receptacle used upon the premises for the washing or soaking of any skin or hide, and not being a liming pit, to be renewed from time to time so as to prevent the emission of offensive or injurious effluvia from the contents of the tank or other receptacle and to be disposed of in an innocuous manner;
 - (b) every part of any tank or other receptacle, when emptied to be thoroughly cleansed;
 - (c) every part of the interior and exterior of every tub or vessel or other receptacle used to hold a solution of the material known as pure to be thoroughly cleansed by scrubbing or by some other effectual means at least once in every week.

STORAGE OF RAGS AND BONES

97. No dealer in rags and bones shall place or store, or cause or permit to be placed or stored, any rags or bones in any part of his premises which is used or occupied as a living or sleeping room, or in any warehouse, building or room which is not provided with proper and sufficient means of ventilation.

PREVENTION OF FLIES AND EFFLUVIA IN STORAGE RAGS AND BONES

98. Every dealer in rags or bones shall cause all rags or bones to be stored in suitable accommodation in such manner as to prevent the emission of noxious or injurious effluvia therefrom and in such manner as to preclude the open attraction of or the breeding of flies.

REQUIREMENTS OF PREMISES FOR BRICK-BURNING AND LIME-BURNING

99. No person shall carry on the work of brick-burning or lime-burning on any premises unless: -
- (a) a proper, sufficient and wholesome supply of water, free from liability to pollution, is provided for the use of employees;
 - (b) all excavations are securely protected by a fence of not less than five strands of steel wire, supported by iron standards, not more than 3m's apart, such fence to be maintained in good condition;
 - (c) latrine accommodation is provided in accordance with the provisions of section 22 of this Part of these by-laws for the different sexes and for Europeans and non-Europeans employed on such premises.

DUTIES OF TRADER ENGAGED IN BRICK-BURNING AND LIME-BURNING

100. No person carrying on the trade or business of brick-burning or lime-burning upon any premises shall fail:-
- (a) to maintain such premises at all times in accordance with the requirements of section 99 of this Chapter;
 - (b) to drain all excavations on such premises, and if such drainage is not practicable, to cause such excavations to be filled in as soon as possible, so as to prevent the accumulation of water therein;

- (c) to take all effective measures for the prevention of mosquito breeding and the destruction of mosquitoes on the premises.

CHAPTER 4

FISH FRYERS AND FISHMONGERS.

REQUIREMENTS OF PREMISES

106. No person shall carry on in or upon any premises the trade or business of a fish fryer or fishmonger unless:-
- (a) the floors and yard surface thereof are of cement, concrete or similar impervious material brought to a smooth finish;
 - (b) the floors thereof are sufficiently graded and drained for the efficient run-off of all liquids therefrom to an outside gully which shall be connected to a sewer, or, where no sewer is available, to other means for the innocuous disposal of waste-water;
 - (c) the yard is sufficiently graded and drained for the efficient run-off of all stormwater;
 - (d) except where glazed or glass bricks or glazed tiles are used, the walls are plastered with cement plaster and the surface brought to a smooth finish;
 - (e) the premises are adequately lighted and ventilated in accordance with the standards laid down in sections 14 and 15 respectively of the Part of these by-laws;
 - (f) such premises are so constructed that when any fish are laid out or exposed for sale, such fish are adequately protected from access of, or contamination by, dust, dirt and flies or other cause;
 - (g) the tops of tables or counters are constructed of marble, slate, red grano, terrazo or similar impervious material which is supported on solid impervious piers so constructed as to afford a clear view from the back to front, or which are of the pedestal type;
 - (h) an ice-box or cooling-room lined with impervious material is provided for the storage of fish;
 - (i) a suitable and sufficient metal fish scaling box is provided and placed so as to catch all refuse and drippings produced during the process of cleaning and dressing fish;
 - (j) a sufficient number (having regard to the size and nature of the trade or business) of portable vessels or receptacles is provided, each properly constructed of galvanised iron or other non-absorbent material and furnished with closely fitting covers for the purpose of receiving or conveying from the premises filth or refuse of any kind;
 - (k) there is provided a proper, sufficient and wholesome supply of hot and cold running water free from liability to pollution and laid over an adequate number of wash-hand basins fitted with water pipes in accordance with the Council's Drainage By-laws.

DUTIES OF TRADER

107. No person carrying on the trade or business of a fish fryer or fishmonger shall fail:-
- (a) to maintain the premises at all times in a clean and sanitary condition and in good repair;
 - (b) to maintain every part of the internal wall surface of the premises including every floor and pavement at all times in such good order and repair as to prevent the absorption therein of any liquid, filth or refuse;
 - (c) to maintain all machinery, plant, apparatus, furniture, fittings, utensils, implements, vessels, containers, receptacles and vehicles in a clean and sanitary condition and in good repair;
 - (d) to cleanse after each day's usage, every floor, pavement, yard, or approach thereto, of the premises;
 - (e) to cause all trade refuse to be placed at once in a covered metal receptacle and remove from the premises at least once in every twenty-four (24) hours;
 - (f) to prevent effectively the escape of noxious or injurious or offensive gases, fumes, vapours or dust created during any process of handling, preparing, frying, boiling or storing;
 - (g) to provide clean and sound overalls of light coloured, washable material for the use of his employees, and to maintain such overalls in a clean and sound condition;
 - (h) to ensure that such overalls are worn at all times when fish is being handled by himself and his employees;
 - (i) to provide and maintain effective measures to preclude the open attraction of flies, to prevent fly breeding and to destroy flies on the premises;
 - (j) to maintain his premises at all times in accordance with the provisions of section 106 of this Chapter.

FISH FRYER AND PREVENT OFFENSIVE SMELL

108. Every fish fryer shall provide and use suitable means for preventing offensive smells by effectively controlling the oil temperature or the provision of adequate means for the innocuous disposal of the fumes given off from the frying apparatus.

PROHIBITION AGAINST ESCAPE OF DRIPPING AND STORAGE OF BOXES USED IN TRANSPORT

109. No person shall:-
- (a) in the process of loading, unloading, transporting, handling or cleaning fish cause or permit any liquids or drippings therefrom to escape on to any road, pavement or yard adjoining the pavement, or on other approaches to a fishmonger's or fish fryer's shop or store;
 - (b) store on his premises any boxes for the purpose of transporting fish.

PROHIBITION AGAINST CLEANING OF FISH AT CERTAIN PLACES

110. No person carrying on the business of fish fryer or fishmonger shall clean any fish at any sink, wash-basin or standpipe, which is used for general lavatory purposes or over any waste-water tank.

FISHMONGER'S PREMISES TO BE SEPARATED FROM OTHER UNDERTAKINGS

111. No person shall carry on the business of a fishmonger in or upon any premises upon which any other business or occupation is carried on, unless in a section allowing of a minimum floor area of not less than one 710m reasonably separated by a partition of impervious material from the remainder thereof and maintained solely for such purpose.

CHAPTER 5.

MANUFACTURE OF RAG FLOCK.

REQUIREMENTS OF PREMISES

117. No person shall carry on in or upon any premises the work or trade of manufacturing flock from rags unless:-
- (a) except where glazed or glass bricks or glazed tiles are used, the inside walls are plastered with cement plaster and the surface brought to a smooth finish;
 - (b) the floors are constructed of cement concrete or other similar impervious material brought to a smooth finish;
 - (c) the premises are adequately lighted and ventilated in accordance with the standards laid down in sections 14 and 15 respectively of this Part of these by-laws;
 - (d) effective means is provided for the exhausting of dust produced during the manufacture of flock from workrooms and for the discharge of such dust into efficient dust arrestors;
 - (e) adequate apparatus is provided for the generation of live steam or the production of boiling water for the purpose of cleansing and sterilising all soiled or dirty rags used in the manufacture of flock;
 - (f) separate accommodation is set aside for the storage for unclean and unsterilised rags;
 - (g) there is provided a sufficient number of receptacles for the proper storage of refuse produced upon the premises;
 - (h) suitable means is provided for the disposal of waste liquids;
 - (i) a proper, sufficient and wholesome supply of water free from liability to pollution is provided;
 - (j) separate change-rooms are provided for the different sexes and for Europeans and non-Europeans furnished with a proper, sufficient and wholesome supply of hot and cold running water free from liability to pollution and laid over an adequate number of wash-basins fitted with wastepipes in accordance with the Council's Drainage By-laws;

- (k) latrine accommodation is provided in terms of section 22 of this Part of these by-laws for the different sexes and for Europeans and non-Europeans employed on such premises.

DUTIES OF TRADER

118. No person carrying on the work or trade of manufacturing flock from rags shall fail:-
- (a) to maintain the premises at all times in a clean and sanitary condition and in good repair;
 - (b) to cleanse thoroughly and to sterilise all rags prior to the use thereof in the preparation of flock;
 - (c) to ensure that all rags are stored in such a manner as to prevent nuisance from smell and the harbourage of rodents, lice, bugs, fleas or other vermin;
 - (d) to prevent the escape into the atmosphere of any dust produced during any process of manufacture;
 - (e) to render innocuous all fumes or vapours emitted during any process of manufacture;
 - (f) to provide clean and sound overalls of light-coloured, washable material for the use of his employees, and to maintain such overalls in a clean and sound condition;
 - (g) to ensure that such overalls are worn at all times when rags or flock are being handled;
 - (h) to keep such overalls in the change-rooms when not in use;
 - (i) to ensure that all change-rooms are used for no other purpose than as change-room;
 - (j) to maintain in all change-rooms an adequate supply of soap, clean towels, nail-brushes and wash basins for the use of his employees;
 - (j) to maintain his premises at all times in accordance with the provisions of section 117 of this Chapter.

WEARING OF OVERALLS

119. No person engaged or employed in the work or trade of manufacturing flock from rags shall fail to wear clean and sound overalls while handling rags or flock.

AMOUNT OF SOLUBLE CHLORINE IN FLOCK

120. No person shall sell or have in his possession for sale flock manufactured from rags, wherein the amount of soluble chlorine in the form of chlorides, removed by thorough washing with distilled water at a temperature not exceeding 25°C from not less than 40 grams of a well-mixed sample of such flock, exceeds 300 mg/l of the flock, or use any such flock for the purpose of making for sale any article of upholstery, cushions or bedding, or have in his possession any such flock intended to be used for any such purpose.

DEFENCES OPEN TO PERSON CHARGED UNDER SECTION 120 HEREOF

121. In any proceedings against a person charged with an offence under section 120 of this Chapter, it shall be a defence to prove that:-
- (a) the purchase of the flock by such accused person was completed within the municipality from a person resident in the Republic of South Africa who sold the flock under a warranty that it complied with the prescribed standard of cleanliness; and
 - (b) such accused person took reasonable steps to ascertain, and did in fact believe in the accuracy of the statement contained in the warranty.

ENTRY, INSPECTION AND TAKING OF SAMPLES

122. The medical officer of health or any other duly authorised servant of the Council may for any purpose connected with the carrying out of these by-laws at all reasonable times without previous notice, enter upon any premises upon which he has reason to believe that the work or trade of manufacturing flock from rags is being carried on and make such examination and enquiry thereon as he may deem necessary. He may take samples for the purpose of analysis or examination of any rags or flock found therein, provided that where samples are so taken the occupier of the premises may require the officer taking the sample to divide it into two parts and to mark, seal and deliver to him one part.

CHAPTER 6

SWIMMING BATHS.

DEFINITIONS

128. For the purposes of this Chapter of these by-laws, unless the context indicates otherwise:-
- “swimming bath keeper” shall mean any person who maintains any swimming bath for the purposes of gain, either alone or in conjunction with any other form of business or activity.

REQUIREMENTS OF PREMISES

129. No person shall carry on in or upon any premises the business of a swimming bath keeper unless there is provided:-
- (a) an adequate number of shower baths, separate for each sex, for the use of the people using such swimming bath;
 - (b) latrine accommodation in terms of section 22 of this Part of these by-laws for the different sexes and for Europeans and non-Europeans using or employed on such premises.

DUTIES OF TRADER

130. No person carrying on the business of a swimming bath keeper shall fail:-
- (a) to keep the premises at all times in a clean and sanitary condition and in good repair;
 - (b) to wash between each time of separate use all towels and costumes issued to bathers;

- (c) in order to preserve the reasonable cleanliness of the water in the baths, to change such water as often as may be necessary, or to install and maintain in proper working order a water purification plant, and for such purpose to comply forthwith at all times with any notice of the Council to change the water in such bath;
- (d) to maintain his premises at all times in accordance with the requirements of section 129 of this Chapter.

CONDITION OF WATER

131. No person shall allow any swimming bath to be used in which the water contains:-

- (a) free of available chlorine in excess of 0,5mg/l; or
- (b) bacillus coli in 10ml of water.

ENTRY, INSPECTION AND TAKING OF SAMPLES

132. The medical officer of health or any other duly authorised servant of the Council may for any purpose connected with the carrying out of these by-laws at all reasonable times without previous notice, enter upon any premises upon which he has reason to believe that a swimming bath exists and make such examination and enquiry thereon as he may deem necessary. He may take samples for the purpose of analysis or examination of any water therein, provided that where samples are so taken the swimming bath keeper or his agent may require the officer taking the sample to divide it into two parts and to mark, seal and deliver to him one part.

CHAPTER 7.

NURSING HOMES.

DEFINITIONS

138. For the purpose of this Chapter of these by-laws, unless the context indicates otherwise:-

- (a) "nursing home" shall mean and include any premises where nursing is carried on for gain, not being an institution owned or managed by the Government or a Provincial Administration or a local authority or a hospital board, or other public body;
- (b) "water-borne sewerage" shall mean any water-flush system of sewerage removal connected, in compliance with the Council's by-laws, to the Council's sewers or to sewage storage tanks but shall not include a water-flush system connected to a septic tank or any private sewage disposal plant;
- (c) "children" shall mean children or infants over the age of fourteen days.

REQUIREMENTS OF PREMISES

139. No person shall carry on in or upon any premises the work or business of a nursing home if such premises are being used, or are intended to be used, for any other business or if they do not comply with the Council's By-laws or if they do not include the following:-

- (a) Separate residential sanitary and bathroom accommodation for each of the following classes of persons, namely:-

Patients;

- (ii) Nursing staff
- (v) Domestic staff, and
- (vi) Asiatic, coloured and native employees, if any;

Provided that in the case of (iv) above showers may be substituted for baths;

- (b) not less than one sluice-room on each floor for every twenty (20) patients beds or portion thereof;
- (c) a proper, adequate and wholesome supply of hot and cold running water which, where the water is derived from a well or borehole, is certified by the medical officer of health as suitable for the purpose;
- (d) water-borne sewerage connected either to the Council's sewerage system or a septic tank or other means conforming to these by-laws;
- (e) adequate accommodation for administrative purposes;
- (f) where surgical cases are treated, an operating unit which shall include adequate and convenient scrubbing-up and sterilising equipment and accommodation for the sole use of such unit. The whole floor area of such unit shall be not less than 40 m²;
- (g) in maternity nursing homes, rooms set aside for the sole use as:-
 - (i) labour ward;
 - (ii) nursery;
- (h) kitchen, including scullery;
- (i) pantry, including adequate and well ventilated food storage accommodation and refrigerator;
- (j) where a ward or block of wards is set aside for the accommodation of children, a milkroom for the storage and preparation of milk and children's food;
- (k) dispensary of dispensary cupboards with separate lock-up poison cupboard;
- (l) linen rooms or cupboard for clean linen and separate provision for soiled linen;
- (m) adequate and convenient scrubbing-up and sterilising accommodation and equipment;
- (n) incinerator;
- (o) in the case of all maternity nursing homes and any nursing home where any washing is to be done on the premises, a washhouse;
- (p) suitable outside room provided with an impervious topped table and impervious floor, for use solely as a mortuary;
- (q) adequate equipment for the prevention of spread of fire and adequate fire escapes for the removal of patients in the event of an outbreak of fire on the premises;

Provided that each of the foregoing requirements shall comply with the provisions of section 140 of this Chapter.

SPECIFICATION OF PREMISES

140. The premises of any nursing home shall comply with the following requirements:-
- (a) Buildings – All buildings within the curtilage shall be in good repair.
 - (b) Walls:-
 - (i) All walls shall be constructed of brick, stone, concrete or other similar impervious material.
 - (ii) Except where glazed or glass bricks or glazed tiles are used, the internal surfaces shall be plastered with cement plaster brought to a smooth finish and painted with a light-coloured oil paint or colour-washed. No internal wall surface shall be papered.
 - (iii) Wash houses and mortuaries may be finished in smooth cement plaster.
 - (iv) The walls of kitchens, sculleries, pantries, food storerooms, milk-rooms, water closets and sluice-rooms shall be tiled to a height of not less than 2m plastered with cement plaster brought to a smooth finish and painted with a light-coloured oil paint or other similar impervious material.
 - (v) The walls of operating theatres, sterilising rooms, labour wards and scrubbing up rooms shall be tiled throughout or plastered with cement plaster brought to a smooth finish and painted with a light-coloured oil paint or other similar impervious material.
 - (c) Rounding of junctions – Junctions of floors and walls in operating units, labour wards, sluice-rooms, milk-rooms, bathrooms, closets and ward-kitchens, shall be rounded.
 - (d) Floors:-
 - (i) The floors of wards shall be constructed of concrete, hardwood, or other durable material, brought to a smooth finish.
 - (ii) The floors of kitchens, sculleries, pantries, food storerooms, milk-rooms, bathrooms, water closets, sluice-rooms, washhouses, mortuaries, sterilising rooms, operating theatres, labour wards and scrubbing-up rooms, shall be made of cement concrete or other impervious material brought to a smooth finish.
 - (e) Ceilings:-
 - (i) All ceilings shall be dust-proof.
 - (ii) The ceilings of operating theatres, labour wards, sterilising rooms and scrubbing-up rooms, shall be constructed of impervious material with an even surface and painted with a light-coloured oil paint.
 - (f) Windows and Ventilation – Windows shall be so placed as to give adequate light to all parts of the room. Unless a satisfactory system of air conditioning is installed and in operation permanent cross ventilation shall be provided with a minimum of 215m by 140m airbricks to every 10m² of floor space, the

whole of which may be placed in opposite external walls or half the number of which may be in an external wall and half open into a well ventilated passage. At least fifty percent (50%) of the face area of such airbricks shall be unobstructed.

- (g) Wards – All wards shall:-
 - (i) be a minimum height of 3m's from floor to ceiling;
 - (iii) provide a minimum of 12m² of floor space for each infectious case;
 - (iv) provide a minimum of 7,5m's for cases other than infectious cases;
 - (iv) have displayed on the external surface of each ward door the number of patients for which accommodation is permitted.
- (h) Labour Wards – All labour wards shall be fitted with a scrubbing-up basin with hot and cold running water laid on.
- (i) Milk-room – Every milk-room shall be provided with:-
 - (i) a porcelain enamel sink with running hot and cold water laid on;
 - (ii) a refrigerator;
 - (iii) impervious topped tables;
 - (iv) suitable apparatus or equipment for sterilising utensils used for handling milk;
 - (v) an efficient means for the exclusion of flies.
- (j) Scrubbing-up equipment – such equipment shall consist of a scrubbing up basin or basins supplied with a proper, sufficient and wholesome supply of hot and cold running water.
- (k) Sterilising equipment – Such equipment shall consist of a high-pressure steam steriliser for the purpose of sterilising dressing drums and electric or other suitable sterilisers for sterilising utensils and instruments. Where surgical cases are treated, there shall in addition be provided equipment for producing hot and cold sterile water.
- (l) Bathrooms – All bathrooms shall be fitted with porcelain enamel baths over which shall be laid a proper, sufficient and wholesome supply of hot and cold running water. Such baths shall be in the following proportion:-
 - (i) Patients – 1 Bath to every fifteen (15) patients or portion thereof.
 - (ii) Nursing and domestic staff – 1 Bath to every twelve (12) persons or portion thereof.
 - (iii) Asiatic, coloured and native employees – 1 Bath or shower to every twelve (12) such persons or portion thereof.
- (m) Sluice-rooms – Every sluice-room shall be:-
 - (i) not less than 7m² in area with a minimum width of 2,2 metres.

- (ii) situated in such a position as to be easily accessible from all wards which it serves and as to avoid soiled utensils being carried through any other wards, or kitchens, to such room;
 - (iii) provided with an approved sluice pan fitted with a water supply of flushing and cleansing;
 - (iv) provided with impervious shelves or other suitable apparatus for the storage of bed-pans;
 - (v) provided with, in the case of maternity nursing homes, a suitable apparatus for sterilising bed-pans by steam or boiling water;
 - (vi) provided with a suitably covered impervious receptacle for receiving soiled dressings.
- (n) Kitchens and Sculleries:-
- (i) The tops of tables and draining boards shall be constructed of marble, slate, red grano, terrazzo or similar impervious material or, if of wood, hardwood with grooved, tongued, close-fitting joints;
 - (ii) sinks shall be of enamelled, stamped steel type or other non-corrosive impervious material and shall have a proper, sufficient and wholesome supply of hot and cold running water;
 - (iii) external doors and windows shall be fly-screened when so required.
- (o) Pantries and Food Storage Accommodation – A room shall be provided and set apart for the sole use of storing foodstuffs, clean crockery and cutlery and shall:-
- (i) not communicate directly with a ward or sleeping compartment;
 - (ii) not adjoin, or be adjacent to, a sluice-room, closet or urinal;
 - (iv) be provided with a suitable and efficient refrigerator for the storage of perishable foodstuffs;
 - (v) be provided with suitable racks or shelves;
 - (vi) be provided with efficient means for the exclusion of flies;
 - (vii) be adequately lighted and ventilated.
- (p) Dispensary or Dispensary Cupboards. – A room or cupboard shall be set aside for the sole use of storage of medicines and drugs, which room or cupboard shall be kept locked unless for the purposes of dispensing, and poisons shall be kept in accordance with the Medical, Dental and Pharmacy Act, No. 13 of 1928, or any amendment thereto.
- (q) Linen Room – Rooms or cupboards shall be provided for the purposes of storing clean linen. Separate rooms or cupboards shall be provided for the storage of clean linen for the use of patients and for the use of the staff.
- (r) Sterilisers – There shall be provided adequate apparatus for the sterilising of instruments, dressings and utensils.

- (s) Incinerators – Suitable apparatus shall be provided for the immediate destruction of soiled dressings and offensive matter without creating a nuisance from offensive gases and fumes.
- (t) Wash-house – Where laundry washing is done on the premises, there shall be provided a suitable room for such purposes, which shall comply with the following requirements:-
 - (i) The room shall be well lighted, and ventilated in such a manner as to prevent undue heating.
 - (ii) The floor shall be constructed of cement, concrete or other similar impervious material brought to a smooth finish and sufficiently graded and drained for the efficient run-off of all liquids therefrom to an outside gulley which shall be connected to a sewer, or, where no sewer is available, to other means for the innocuous disposal of waste water.
 - (iii) Suitable apparatus for the boiling or otherwise sterilising of linen shall be provided.
 - (v) Suitable tables or other apparatus for ironing shall be provided.
- (u) Refuse Bins. – An adequate number of refuse bins in accordance with these by-laws shall be provided and kept on a concrete platform, the position of which shall be such as to avoid any nuisance arising from such refuse bins to provide ready access thereto.

STAFF QUARTERS

- 141. (a) Adequate sleeping accommodation shall be provided for the nurses.
- (b) Separate sleeping accommodation shall be provided for the night nurses.
- (c) A dining-room and recreation room, separate from those of the patients, shall be provided for the nurses.

ASIATIC, COLOURED AND NATIVE QUARTERS

- 142. (a) Asiatic, coloured and native quarters shall be adequately screened from the direct view of patients' or staff windows.
- (b) Every room occupied by Asiatic, coloured and native persons as a living or sleeping apartment shall be effectively fumigated at least twice a year and maintained in a clean condition.

OVERALLS

- 143. (a) Every person carrying on the work or business of a nursing home shall provide:-
 - (i) ward cleaners with clean and sound overalls of light-coloured, washable material.
 - (ii) all servants working with or handling foodstuffs with white caps and clean and sound overalls of a light-coloured, washable material.
- (b) The person carrying on the work or business of a nursing home and the person in charge of such home shall:-

- (i) At all times maintain such overalls and caps in a clean and sound Condition;
 - (ii) ensure that such overalls are worn at all times when wards are being cleaned or food is being handled by such cleaners or servants respectively.
- (c) Such cleaners and servants shall wear such overalls at all times When engaged upon the cleaning of wards or working with or handling foodstuffs as the case may be.

WARD-KITCHEN ON EACH FLOOR

144. Where in any nursing home accommodation for more than six patients is provided on any one floor, on which there is no kitchen, there shall be provided on such floor a ward-kitchen, which shall be used exclusively for handling food and food utensils and shall be fitted with a sink with a proper, adequate and wholesome supply of hot and cold running water and means for keeping food hot.

DUTIES OF PERSONS CARRYING ON AND IN CHARGE OF NURSING HOME

145. No person carrying on the work or business of a nursing home and no person in charge of a nursing home shall:-
- (i) fail to maintain the premises and all equipment, utensils, fittings and fly-screens in a clean and sound condition and in good working order and repair;
 - (ii) use or cause or permit to be used any sterilising apparatus or equipment or accommodation for any other purpose than for sterilising;
 - (iii) use or cause or permit to be used any labour ward for any other purpose than as a labour ward;
 - (iv) use or cause or permit to be used any operating theatre for any other purpose than as an operating theatre;
 - (v) use or cause or permit to be used any mortuary for any other purpose than as a mortuary;
 - (vi) use or cause or permit to be used any nursery for any other purpose than a nursery;
 - (vii) cause or permit any member of the public to be admitted to any nursery;
 - (viii) cause or permit any laundering to be done except in the room provided for such purpose;
 - (ix) cause or permit any drug, poison or medicine to be stored in any place except in the cupboard or room provided for that purpose in terms of this Chapter of these by-laws;
 - (x) cause or permit any curtains to be hung in any operating theatre, labour ward, sterilising room, kitchen or in any room used for food storage;
 - (xi) lay or cause or permit to be laid carpets or any loose covering material on the floor of any ward, operating theatre, labour ward, sterilising room, scrubbing-up room, nursery, kitchen or in any room used for food storage;

- (xii) fail to display on the outer side of the door of every ward the number of such ward and the number of patients for which accommodation is provided in such wards at any one time;
- (xiii) except with the written permission of the Council which shall only be granted in cases of emergency, epidemic or like circumstances, accommodate or cause or permit to be accommodated a greater number of patients in any ward at any one time than is permitted under the provisions of sub-sections (g) (ii) and (iii) of section 140 of this chapter;
- (xiv) place or cause or permit the placing of the side of any bed against the wall or within 750mm of any wall or any bed in a ward within 1,5m of any other bed;
- (xv) permit or cause to be used as a ward or sleeping apartment any room in which there is dampness of walls, floors or ceilings;
- (xvi) use or cause or permit to be used in any obstruction of external light exists within 2m's of any window in such ward;
- (xvii) cause or permit any interference with ventilation through air-bricks;
- (xviii) use or cause or permit to be used any milk-room for any other purpose than for the handling, preparation and storage of children's food and the necessary utensils;
- (xix) use any utensils for handling milk unless such utensils have been properly sterilised immediately before any such use;
- (xx) cause or permit any foodstuffs, clean crockery or cutlery to be kept or stored in any room other than the room so set aside or on the floor of such room;
- (xxi) fail to maintain in good working order a refrigerator or refrigerators as required under this Chapter of these by-laws;
- (xxii) fail to keep such room set aside for the storage of foodstuffs, clean crockery and cutlery free from flies at all times;
- (xxiii) use or cause or permit to be used an sluice-room for any purpose other than the storage and cleansing of bed-pans and the storage of soiled dressing prior to disposal, or any place other than the sluice-room for such storage and cleansing;
- (xxiv) fail to provide in every sluice-room a suitably covered impervious receptacle for the reception of soiled dressings;
- (xxv) fail to remove and dispose of, as is provided in these by-laws, the contents of receptacles provided for storing soiled dressings at least twice daily;
- (xxvi) fail to cause all soiled dressings to be entirely destroyed by burning;
- (xxvii) carry or cause or permit to be carried soiled bedpans through wards from which they do not originate or kitchens to the sluice-rooms;
- (xxviii) fit or cause or permit to be fitted any slop, sink, sluice-pan or water-closet pan in any bathroom used by patients;
- (xxix) fail to cause:-

- (a) all bed-pans used in maternity cases to be sterilised between each time of using;
 - (b) all bed-pans used in other than maternity cases to be thoroughly cleansed and disinfected between each time of using;
- (xxx) fail to maintain the premises at all times free from vermin;
 - (xxxi) fail to ensure that any provision made for the exclusion of flies is so used that flies are effectively excluded at all times;
 - (xxxii) fail to keep in good order an adequate number of refuse bins or to see that such bins are kept covered;
 - (xxxiii) fail to ensure that all refuse is deposited at least once every day into such bins;
 - (xxxiv) fail to supply overalls and caps to servants or to ensure that such overalls and caps are kept clean and worn at all times as required under these by-laws;
 - (xxxv) fail to have native quarters effectively fumigated at least twice a year;
 - (xxxvi) fail to maintain his premises at all times in accordance with the requirements of sections 139 and 140 of this Chapter.

ENTRY UPON PREMISES AND INSPECTION

146. The medical officer of health or any other duly authorised servant of the Council may, for any purpose connected with the carrying out of these by-laws, at all reasonable times, without previous notice, enter upon any premises upon which he has reason to believe that a nursing home is being carried on, and make such examination and enquiry thereon as he may deem necessary.

PLAN TO BE ATTACHED TO FIRST APPLICATION

147. Where an application for a licence for a nursing home is made in respect of premises for which no licence under the Council's by-laws is current, a sketch plan of the building or proposed building, drawn to a scale of one eighth of an inch to one foot, showing the situation and dimensions of the premises proposed, shall be attached to the application, which shall indicate the maximum number of patients proposed to be accommodated in each ward at any one time.

CERTAIN BY-LAWS NOT TO APPLY TO NURSING HOMES ALREADY LICENSED

148. The provisions of sub-section (f) of section 139 and sub-section (m) of section 140 in respect of floor area only, and the provisions of sub-sections (g) (ii) and (p) of section 139, sub-section (c) of section 140 and sub-sections (xvi) and (xxix) of section 145, shall not apply to nursing homes or portions of nursing homes licensed at the time of the promulgation of this part of these by-laws.

DISPLAY OF BY-LAWS ON PREMISES

149. Any person carrying on the work or business of a nursing home on any premises, shall cause to be affixed and maintained in a conspicuous position in such premises a copy of this Chapter of these by-laws. Such copy shall be maintained at all times in a legible condition.

CHAPTER 8.

Chapter 8 has been revoked by AN. 2322 of 27/12/1972.

CHAPTER 9.

BAKERIES.

DEFINITIONS

168. For the purposes of this Chapter of these by-laws, unless the context indicates otherwise:-

“baker” shall mean any person who carries on the business of selling, whether by wholesale or by retail, bakery products baked or made by him;

“bakery” shall have a corresponding meaning;

“bakery products” shall include bread, biscuits, rolls, tarts, cakes, pies, pastry, confectionery or sweetmeats;

“bakehouse” shall mean that portion of a bakery used for the purpose of baking or the manufacture of bakery products;

“storeroom” shall mean that portion of the bakery premises in which raw material or bakery products are stored or exposed for sale.

SKETCH-PLAN WITH APPLICATION

169. Where an application for a certificate under the Ordinance for a bakery is made in respect of premises for which no licence is current, a sketch-plan of the building or proposed building drawn to a scale of 1:100 to one foot, showing the situation and dimensions of the premises or proposed premises, shall be attached to the application.

REQUIREMENTS OF PREMISES

170. No person shall carry on in or upon any premises the business of a bakery unless:-
- (a) there is provided a bakehouse, storeroom or storerooms and a change-room or rooms;
 - (b) no portion of the bakehouse is below ground level;
 - (c) the walls of the bakehouse are constructed of stone, brick, cement concrete similar durable material and made rodent proof and the height thereof from the floor to ceiling is not less than 3 m's.
 - (d) all storerooms and shop fixtures are rodent proof;
 - (d) except where glazed or glass bricks or glazed tiles are used, the inside walls of the bakehouse and storerooms are plastered with cement plaster and the surface brought up to a smooth finish and painted with a light-coloured oil paint;
 - (e) the premises are adequately lighted and ventilated in accordance with the standards laid down in sections 14 and 15 respectively of this Part of these by-laws;
 - (f) all floors throughout the bakery are constructed of cement concrete or other similar impervious material brought to a smooth finish;

- (g) all ceilings are dust proof;
- (h) the external doors and windows are provided with effective flyscreens of wire mesh sufficiently fine to exclude flies and other insects, or suitable and adequate mechanical means are provided for the destruction of flies or other insects;
- (i) no door or window opening into any bakehouse or storeroom is so placed as to be less 3m's from any urinal or pail closet and 10m's from the door or window of any stable;
- (j) no portion of the bakehouse and storeroom communicates directly with any dwelling, closet or urinal;
- (k) adequate ventilation is provided for effective removal of hot oven gases from the bakehouse;
- (l) the openings of all oven furnaces are situated outside the bakery building and are at least 2m's from the nearest part of any door or window of the bakehouse or storeroom;
- (m) there is provided a proper, sufficient and wholesome supply of water free from liability to pollution;
- (n) there is provided a proper, sufficient and wholesome supply of hot and cold running water laid over sufficient washing troughs suitably placed and fitted with waste-pipes in accordance with the Council's Drainage By-laws, and draining boards composed of marble, slate, terrazo or other impervious material, or if of wood, hardwood with grooved, tongued, close-fitting joints, for the proper washing and cleaning of utensils and apparatus used in the conduct of the business;
- (o) separate change-rooms are provided for the different sexes and for Europeans and non-Europeans furnished with a proper, sufficient and wholesome supply of hot and cold running water free from liability to pollution and laid over an adequate number of basins fitted with waste-pipes in accordance with the Council's Drainage By-laws;
- (p) latrine accommodation is provided in terms of section 22 of this Part of these by-laws for the different sexes and for Europeans and non-Europeans employed on such premises.

DUTIES OF TRADER

171. No person carrying on the business of a bakery shall:-

- (a) fail to maintain the premises at all times in a clean and sanitary condition and in good repair;
- (b) fail to cause the floor of the bakehouse to be cleaned at least once daily and thoroughly washed and scrubbed at least once a week.
- (c) fail to maintain all utensils, vessels, containers, sacks, baskets and other receptacles, apparatus, machinery and other equipment, and all vehicles used in his business for the preparation, storage, conveyance or sale of flour, bread, pastry, confectionery or any other article of food at all times in a clean and sanitary condition and in good repair;
- (d) fail to stack bulk goods in storage so as to prevent harbourage of rodents and facilitate active anti-rodent measures;

- (e) fail to provide and maintain effective measures for prevention of the breeding and the destruction of flies, cockroaches, rodents and other vermin;
- (f) fail to provide and maintain suitable means for protecting from contamination by dust, dirt, flies or other cause all bakery products, whether in the course of preparation or stored or exposed for sale or in course of conveyance through the streets;
- (g) fail to store raw materials and bakery products in separate storerooms;
- (h) use or cause or permit to be used any but mobile kneading troughs;
- (i) fail to provide clean and sound overalls and caps of light-coloured washable material for the use of his employees and to maintain such overalls and caps in a clean and sound condition;
- (j) fail to ensure that such overalls are worn at all times when bread, pastry or confectionery is being made, handled, sold or delivered by himself and his employees;
- (k) fail to keep such overalls and caps in the change-rooms when not in use;
- (l) use or cause or permit to be used any change-room for any purpose other than a change-room;
- (m) fail to maintain in all change-rooms an adequate supply of soap, clean towels, nail-brushes and wash-basins, for the use of his employees;
- (n) keep or cause or permit to be kept in his bakery any animal except a cat;
- (o) fail to maintain the premises at all times in accordance with the provisions of section 170 of this Chapter.

WEARING OF OVERALLS AND CAPS

172. No person engaged in the work of or employed in any bakery shall fail to wear clean and sound overalls and a cap of a light-coloured, washable material whilst engaged in the handling of raw materials and bakery products.

MIXING MACHINES

173. Every baker preparing or making any bakery products shall ensure that all dough, batter or paste to be used in the preparation of making of such bakery products is mixed in and by means of proper and suitable mixing machines; provided that nothing herein contained shall be deemed to apply to any person who shall mix any batter or paste of a quantity not exceeding 4,5kg when prepared in a proper and suitable mixing utensil for confectionery purposes only.

INTRODUCTION OF BAKERY PRODUCTS IN MUNICIPAL AREA

174. (a) No person shall introduce, distribute, store or sell within the municipality any bakery products unless such product was prepared in a bakery duly licensed in pursuance of a certificate issued under the Ordinance by the local authority within whose area such bakery is situated.
- (b) The onus shall be on any person accused of contravening sub-section (a) hereof to show that such bakery product was prepared.

WASHING OF HANDS

175. Every person employed or working in a bakery, shall, before engaging in his work, wash his hands with soap and water at the commencement of this shift or after any break therein liable to result in contamination of his hands, unless such person is not required to handle raw materials or bakery products.

SPITTING AND USE OF TOBACCO FORBIDDEN

176. No person shall spit in any bakery premises and no person shall whilst actively engaged in the preparation of bakery products use tobacco in any form whatsoever.

ENTRY AND INSPECTION

177. The medical officer of health or other duly authorised servant of the Council may for any purpose connected with the carrying out of these by-laws at all reasonable times, without previous notice, enter upon any premises upon which he has reason to believe that a bakery is being carried on and make such examination and enquiry thereon as he may deem necessary.

DISPLAY OF BY-LAWS ON PREMISES

178. Any person carrying on the business of a bakery on any premises shall cause to be affixed and maintained in a conspicuous position in such premises a copy of this Chapter of these by-laws. Such copy shall be maintained at all times in a legible condition.

CHAPTER 10.

REFRESHMENT SHOPS.

Chapter 10 has been deleted by AN. 1412 of 21/9/1977.

CHAPTER 11.

HOTELS, BOARDING AND LODGING HOUSES.

DEFINITIONS

196. For the purpose of this Chapter of these by-laws, unless the context indicates otherwise:-

“hotel” shall have the usual meaning assigned to that term;

“boarding and lodging house” shall mean premises where boarding and lodging are provided for gain and shall include annexes to such establishments.

REQUIREMENTS OF PREMISES

197. No person shall carry on in or upon any premises the business of a hotel or boarding and lodging house unless there is provided:-
- (a) for the purposes of cooking or the preparation of food or drink, a sufficiently large room which shall comply with the following requirements:-
 - (i) such room shall not be a portion of the dining-room;
 - (ii) such room shall be constructed with an impervious floor brought to a smooth finish, and a dust-proof ceiling;
 - (iii) except where glazed or glass bricks or glazed tiles are used, the inside walls of such room shall be plastered with cement plaster, and

- the surface brought up to a smooth finish and painted with a light-coloured oil paint;
- (iv) such room shall be adequately ventilated and lighted in accordance with the standards laid down in sections 14 and 15 respectively of this Part of these by-laws;
- (b) a proper, sufficient and wholesome supply of hot and cold running water laid over an efficient wash-up sink suitably placed and fitted with waste-pipes in accordance with the Council's Drainage By-laws, and a draining board composed of marble, slate, terrazzo or other impervious material, or, if of wood, hardwood with grooved, tongued, close-fitting joints, for the proper washing and cleansing of utensils and apparatus used in the conduct of the business;
- (c) provision for the storage of articles of food in such a manner as to keep them wholesome and protect them from contamination;
- (d) a sufficient number of refuse receptacles in accordance with these by-laws, and a covered receptacle to contain refuse in the kitchen pending removal to the refuse receptacles in the yard;
- (e) a proper, sufficient and wholesome supply of hot and cold running water, free from liability to pollution;
- (f) for resident employees facilities or accommodation for bathing;
- (g) in the case of non-resident employees separate change-rooms for the different sexes furnished with a proper, sufficient and wholesome supply of hot and cold running water, free from liability to pollution, and laid over an adequate number of wash-basins fitted with waste-pipes in accordance with the Council's Drainage By-laws;
- (h) latrine accommodation in terms of section 22 of this Part of these by-laws employees employed on such premises;
- (i) in the case of premises licensed to accommodate eight or more residents, separate bathrooms for men and for women and children, with an additional bathroom for every eighth person of either sex; provided that:-
- (i) a shower may be substituted for every second bath required for each sex;
- (ii) male children under the age of 10 may be permitted to use bathrooms allocated to women;
- (j) in the case of premises licensed to accommodate ten or more residents, a suitable sitting-room additional to the dining-room.

PROHIBITION AGAINST USE OF KITCHEN, DINING ROO, ETC. FOR SLEEPING

198. No kitchen, dining-room, breakfast room, supper room or eating-room shall at any time be used as a bedroom or for sleeping accommodation.

DUTIES OF TRADER

199. No person carrying on the business of hotel or boarding house and lodging house shall:-
- (a) fail to maintain the premises at all times in a clean and sanitary condition and in good repair;

- (b) fail to keep all culinary utensils, vessels, containers, linen, kitchen towels and cloths, furniture, fixtures and other articles used therein at all times in a clean and sanitary condition and in good repair;
- (c) fail to keep all gauze or screens over doors and windows in a clean condition at all times;
- (d) provide, sell or supply or cause or permit to be provided, sold or supplied, other than sound and wholesome food and drink;
- (e) use or cause or permit to be used any vessel, utensil, receptacle, container, paper or any other material which is not clean or wholesome for the containing, wrapping, handling or covering of food;
- (f) handle or cause or permit to be handled cooked or prepared foods other than by the use of some suitable clean apparatus or instrument;
- (g) use or cause or permit to be used any crockery which is cracked or chipped;
- (h) fail to provide and maintain effective measures for the prevention of the breeding and the destruction of flies, cockroaches, rodents and other vermin;
- (i) fail to provide and maintain suitable means for the protecting from contamination by dust, dirt and flies or other cause all food on the premises;
- (j) keep or cause or permit to be kept any article of wearing apparel in the kitchen, storeroom or pantry;
- (k) provide or cause or permit to be provided bedding, blankets, bed-linen or towels which are not clean;
- (l) provide or cause or permit to be provided bed-linen or towels which have not been thoroughly washed after use by some other person;
- (m) have linen, towels, blankets and cloths washed or cause or permit such to be washed elsewhere than in a licensed laundry or upon the premises where separate and adequate facilities are provided for laundry work;
- (n) fail to maintain in all change-rooms an adequate supply of soap, clean towels, nail-brushes and wash-basins for the use of his employees;
- (o) use or cause or permit to be used any change-room for any purpose other than as a change-room;
- (p) fail to provide clean and sound overalls of light-coloured, washable material or other suitable uniform for the use of his employees, and maintain such overalls and uniform in a clean and sound condition;
- (q) fail to ensure that such overalls or uniform are worn at all times when food and drink is being prepared and handled by himself and his employees;

- (r) fail to keep refuse receptacles covered and fail to maintain such receptacles in a clean and sanitary condition and in good repair;
- (s) fail to maintain the premises at all times in accordance with the provision of section 197 of this Chapter.

WEARING OF OVERALLS

200. No person engaged in the work of or employed in any hotel or boarding and lodging house shall fail to wear clean and sound overalls of a light-coloured, washable material while engaged in the preparation or handling of food or drink.

WASHING OF HANDS

201. Every person employed or working in a hotel or boarding and lodging house, shall before engaging in his work, wash his hands with soap and water at the commencement of his shift and after any break therein liable to result in contamination of his hands, unless such person is not required to handle foodstuffs.

DISPLAY OF BY-LAWS ON PREMISES

202. Any person carrying on the business of a hotel or boarding and lodging house on any premises shall cause to be affixed and maintained in a conspicuous position in such premises a copy of this Chapter of these by-laws. Such copy shall be maintained at all times in a legible condition.

CHAPTER 12

MEAT.

DEFINITIONS

208. For the purpose of this Chapter of these by-laws, unless the context indicates Otherwise: -

“abattoirs” shall mean all buildings, spaces and lairages within the abattoir site provided by the Council;

“animal” shall include every bull, ox, bullock, cow, heifer, steer, calf, sheep, lamb, goat, pig or other quadruped commonly used for the food of man;

“butcher” shall mean a person carrying on the business of –

- (i) selling meat in wholesale quantities;
- (ii) offering or exposing meat for sale by retail in a shop or fixed place, or by offering meat for sale for delivery from some other place.

“butchers’ shop” shall mean any premises used for the purpose of such business;

“Director” shall mean the person from time to time holding the appointment or acting in the capacity of Director or Superintendent of the Council’s abattoirs;

“meat” shall include the flesh or offal of any bull, ox, bullock, cow, heifer, steer, calf, sheep, lamb, goat, pig or other quadruped intended for human consumption, sausages and polony, but shall not include canned meats, potted meats or dried meat or biltong.

PROHIBITION AGAINST SLAUGHTER ELSEWHERE THAN AT ABATTOIRS

209. Except in the case of animals which the occupier of any premises may slaughter for his own or his family's consumption, no person shall slaughter within the municipality elsewhere than in the abattoirs any animal the flesh of which is intended for human consumption.

IMPORT OF MEAT INTO MUNICIPAL AREA

210. No person shall import, convey or introduce into the municipal area the carcass of any animal other than game, or butchers' meat of any animal slaughtered outside the said area, unless:-

- (a) such carcass or meat is accompanied by:-
 - (i) all viscera un-detached, and the following organs; - Head, udder, testicles and penis; or
 - (ii) a certificate from a medical officer of health or a veterinary surgeon or qualified meat inspector that such carcass or meat and the viscera belonging thereto have been duly inspected at the time of slaughter and found to be free of disease.

APPROVAL OF OUTSIDE SLAUGHTER PLACES

211. (a) No person shall import, convey or introduce into the municipal area the unfrozen carcass of any animal, other than game, or unfrozen butchers' meat of any animal slaughtered outside the municipal area, unless the place or premises where such animal was slaughtered has been approved by the Council.
- (b) No such approval shall be granted by the Council under sub-section (a) hereof, unless the following conditions have been complied with in respect of such place or premises:-
- (i) Such place or premises shall be an abattoir conducted by a local authority;
 - (ii) Adequate provision shall be made at such place or premises for the proper inspection by a duly qualified inspector of all carcasses.
- (c) Any such approval granted in terms of this section might be withdrawn by the Council if the owner or person in charge has:-
- (i) failed to maintain the place or premises in accordance with the condition laid down in sub-section (b) hereof; or
 - (ii) has been found guilty of a contravention of sections 210 or 212 of this Chapter.
- (d) Any person to whom approval has been granted in terms of this section, and who fails to comply with any of the conditions laid down in sub-section (b) hereof, shall be guilty of an offence under these by-laws.

EXAMINATION OF MEAT IMPORTED INTO MUNICIPAL AREA

212. (a) Every person who shall import, convey or transport any meat or dead animals intended for human consumption into the municipality from any place outside such area, shall forthwith submit such meat or dead animals for the purposes of examination and branding or stamping by the Council at the abattoirs at such other depots or places as the Council may from time to time direct:

Provided that sausages and polonies imported, conveyed or transported into the municipal area shall be accompanied by a certificate from a medical officer of health or a health inspector certifying that the animals from which the meat of such sausages and polonies is derived were slaughtered under the supervision of a local authority and that such sausages and polonies were manufactured in the area of such authority.

- (b) Such meat or dead animals shall not be sold or delivered to any person or any consignee thereof or delivered at or deposited in any butcher's shop until such meat or dead animal shall have been so examined and branded or stamped.
- (c) Any person so selling, delivering, purchasing or accepting delivery of or depositing or allowing, causing or permitting to be deposited in any butcher's shop any such meat or dead animals in contravention of the provisions of this section shall be guilty of an offence under these by-laws.
- (d) No person shall within the municipality offer or expose for sale or sell or otherwise dispose of or have in his possession for sale or disposal or delivery any meat or dead animals intended for human consumption unless the same shall have been examined, branded, stamped and passed by the Council.

IMPORTATION OF MEAT FOR OWN USE

213. Nothing contained in sections 210, 211 and 212 of this Chapter shall apply to meat or dead animals transported into the municipality by any person or the servant of any person for consumption by such person or his household.

REQUIREMENTS OF PREMISES

214. No person shall carry on in or upon any premises the business of a butcher's shop unless:-
- (a) there is provided a room in which the meat is exposed for sale and sold;
 - (b) the total area of windows and openings of the room referred to in sub-section (a) hereof is equal to not less than one-fifth of the floor area of such room;
 - (c) every room is adequately lighted and ventilated in accordance with the standards laid down in sections 14 and 15 respectively of this part of these by-laws;
 - (d) no door or window opening into such premises is so placed as to be less than 3 m from any pail-closet or urinal and 10 m from the door or window of any stable;
 - (e) no portion of such premises communicates directly with a dwelling, closet or urinal;
 - (f) all ceilings are dust-proof and painted with a light-coloured oil paint;
 - (g) the floors throughout are constructed of cement concrete or other similar impervious material brought to a smooth finish;
 - (h) except where glazed or glass bricks or glazed tiles are used, the inside walls are plastered with cement plaster and the surface brought to a smooth finish and painted with a light-coloured oil paint;
 - (i) the surfaces of all shelves, window sills and show cases of a smooth, hard and impervious material;

- (j) excepting such as are portions of a cold storage apparatus, the tops of counters or tables on which meat is prepared or handled are of a hard, smooth impervious material, which are supported on solid impervious piers so constructed as to afford a clear view from back to front, or which are of the pedestal type. If constructed of wood, such tops shall be of hardwood with grooved, tongued, close-fitting joints;
- (k) there is provided a proper, sufficient and wholesome supply of water, free from liability to pollution;
- (l) there is provided a proper, sufficient and wholesome supply of water, free from liability to poll over an efficient wash-up sink or trough suitable placed and fitted with waste-pipes in accordance with the Council's Drainage By-laws, and a draining board composed of marble, slate, terrazzo or other impervious material, or, if of wood, hardwood with grooved, tongued, close-fitting joints, for the proper washing and cleansing of utensils and apparatus used in the conduct of the business;
- (m) there is means for producing a supply of wholesome hot water adequate in quantity for cleansing utensils, counters, floors, implements and other articles;
- (n) there is provided a proper, sufficient and wholesome supply of hot and cold running water, free from liability to pollution, and laid over an adequate number of wash-hand-basins fitted with waste-pipes in accordance with the Council's Drainage By-laws;
- (o) latrine accommodation is provided in terms of section 22 of this Part of these by-laws for the different sexes and for Europeans and non-Europeans employed on such premises;
- (p) a sufficient number of refuse receptacles are provided in accordance with these by-laws;
- (q) a separate paved yard or space is available for the use of such premises with direct access to such yard or space.

DUTIES OF TRADER

215. No person carrying on the business of a butcher's shop shall:-

- (a) fail to maintain the premises at all times in a clean and sanitary condition and in good repair;
- (b) fail to keep all knives and other instruments and all utensils, vessels, containers, sacks, baskets and other receptacles, hanging rails, apparatus, machinery and other equipment and vehicles used for the preparation, storage, conveyance or sale of meat or meat products at all times in a clean and sanitary condition and in good repair;
- (c) fail to provide and maintain effective measures for the prevention of the breeding and the destruction of flies, cockroaches, rodents and other vermin;
- (d) fail to provide and maintain suitable means for protecting from contamination by dust, dirt, flies or other cause all meat or meat products whether in the course of preparation or stored or exposed for sale or in the course of conveyance through the streets;

- (e) keep or cause or permit to be kept in or on his butcher's shop any raw or uncleansed offal, except in a fly-proof structure not forming part of the shop or storeroom;
- (f) store, handle or prepare or cause or permit to be stored, handled or prepared any meat or meat products elsewhere than in the shop or a cool chamber;
- (g) store, kept or accumulate or cause or permit to be stored, kept or accumulated in the shop any article, thing or matter not required or necessary for the proper conduct of the business;
- (h) fail to maintain an adequate supply of soap, clean towels, nail-brushes and wash-basins for the use of his employees;
- (i) fail to provide clean and sound overalls of light-coloured, washable material for the use of his employees, and to maintain such overalls in a clean and sound condition;
- (j) fail to ensure that such overalls are worn at all times that meat or meat products are being handled, sold or delivered by himself and his employees;
- (k) cause or permit his employees to handle any meat unless his or their hands have first been thoroughly cleansed;
- (l) fail to maintain his name and address in a conspicuous position on any vehicle used for the purpose of conveying meat;
- (m) fail to maintain the premises at all times in accordance with the provisions of section 214 of this Chapter.

WEARING OF OVERALLS

216. No person engaged in the work of or employed in any butcher's shop shall fail to wear clean and sound overalls of a light-coloured, washable material while engaged in the handling, selling or delivery of meat or meat products.

OVERALL FOR PERSON EMPLOYED IN CONVEYANCE OF MEAT

217. No butcher or butcher's employees or other person employed in the conveyance of meat to a butcher's shop shall fail to wear a clean, properly hooded, washable overall when conveying meat, and no butcher shall permit his employee to convey meat unless so clad.

WRAPPING OF MEAT

218. No butcher or butcher's employee or other person engaged in the retail conveyance or purveying of meat or meat products shall fail to convey or purvey such meat or meat products in a double wrapping, the internal wrapping of which shall be of such quality as will preclude possible contamination of the meat or meat products so conveyed or purveyed, and no butcher shall permit his employees to convey or purvey meat or meat products unless conveyed or purveyed in such manner.

PROHIBITION AGAINST SPITTING AND USE OF TOBACCO

219. No person shall spit in any butcher's shop and no person employed or working in such premises or in the conveyance of any meat or meat products shall, whilst actually engaged in the handling of meat or meat products, use tobacco in any form whatsoever.

PROTECTION OF MEAT IN STREET

220. No person shall himself or by his servant convey meat through or along any public street unless such meat is efficiently and completely protected from dust or mud by means of a clean and suitable cover.

TRANSPORT OF MEAT

221. No person shall in the process of loading, unloading or transporting meat cause or permit any liquids or drippings therefrom to escape on to any road, pavement or yard adjoining the pavement, or any other approaches to a butcher's premises.

NO CONTACT BETWEEN OFFAL AND OTHER MEAT

222. (a) No person shall convey any offal through or along any public street or public thoroughfare in any vehicle containing any other meat, unless such offal be placed in a separate clean box or a separate clean compartment of such vehicle, so as effectively to prevent any contact between such offal and such other meat.
- (b) For the purposes of this section the term "meat" shall not include offal and the term "offal" shall not include heads and feet which have been skinned and cleaned, and dressed tripe.

DISPLAY OF BY-LAWS ON PREMISES

223. Any person carrying on the business of a butcher's shop on any premises shall cause to be affixed and maintained in a conspicuous position in such premises a copy of this Chapter of these by-laws. Such copy shall be maintained at all times in a legible condition.

CHAPTER 13.

LAUNDRIES AND WASHING.

DEFINITIONS

229. For the purpose of this Chapter of these by-laws, unless the context indicates otherwise:-

"**laundry**" shall mean any premises in which washing is carried on for payment or other valuable consideration.

WRITTEN AUTHORITY FOR EMPLOYEE COLLECTING WASHING

230. Any person employed in the business of a laundry to collect or apply for articles to be washed or to distribute such articles when washed, shall, while so engaged, carry a written authority signed by his employer authorising him to do such work, and shall produce such authority when required by any duly authorised servant of the Council or any police officer.

REQUIREMENTS OF PREMISES

230. No person shall carry on in or upon any premises the business of a laundry unless:-
- (a) there is provided a washroom, not less than two storerooms, an ironing room, a stove room and a change-room or rooms, such washroom and stove room to have an unobstructed floor space of not less than 7m² each;

- (b) the premises are adequately lighted and ventilated in accordance with the standards laid down in sections 14 and 15 respectively of this Part of these by-laws;
- (c) the stove room is provided with adequate and effective ceiling ventilation and the stove is provided with a flue carried to a height necessary to prevent the smoke issuing therefrom becoming a nuisance or annoyance to the occupiers of surrounding properties;
- (d) the walls are constructed of stone, brick, cement, concrete or other similar material;
- (e) except where glazed or glass bricks or glazed tiles are used, the inside walls of the washroom and storerooms are plastered with cement plaster and the surface brought up to a smooth finish and painted with a light-coloured oil paint;
- (f) all ceilings are dust-proof and painted;
- (g) the floor of the washroom is constructed of cement, concrete or other impervious material brought to a smooth finish and is sufficiently graded and drained for the efficient run-off of all liquids therefrom to an outside gulley which shall be connected to a sewer, or, where no sewer is available, to other means for the innocuous disposal of waste-water;
- (h) there is provided a proper, sufficient and wholesome supply of water, free from liability to pollution;
- (i) separate change-rooms are provided for the different sexes and for Europeans and non-Europeans, furnished with a proper, sufficient and wholesome supply of hot and cold running water, free from liability to pollution, and laid over an adequate number of wash-basins fitted with waste-pipes in accordance with the Council's Drainage By-laws;
- (j) latrine accommodation is provided in terms of section 22 of this Part of these by-laws for the different sexes employed on the premises.

DUTIES OF TRADER

232. No person carrying on the business of a laundry shall:-

- (a) fail to maintain the premises at all times in a clean and sanitary condition and in good repair;
- (b) fail to keep all utensils, vessels, containers, baskets and other receptacles, apparatus, machinery and other equipment and all vehicles used in his laundry business at all times in a clean and sanitary condition and in good repair;
- (c) fail to maintain separate storerooms for receiving sorting soiled washing, and for the storage, packing and despatching of clean washing respectively;
- (d) fail to ensure that all washing is packed for delivery and delivered in such a manner as will prevent contamination or infection thereof;
- (e) fail to provide and maintain on those premises where the process known as dry-cleaning is carried out, suitable means for the innocuous disposal of all vapours, gases and dust arising therefrom;

- (f) fail to provide and maintain effective measures for the prevention of the breeding and the destruction of flies, cockroaches, rodents and other vermin;
- (g) fail to maintain in all change-rooms an adequate supply of soap, clean towels, nail-brushes and wash-basins for the use of his employees;
- (h) use of cause or permit to be used any change-room for any purpose other than as a change-room;
- (i) fail to provide clean and sound overalls of light-coloured, washable material for the use of his employees, and to maintain such overalls in a clean and sound condition;
- (j) fail to ensure that such overalls are worn at all times by himself and his employees when engaged in laundry work;
- (k) fail to keep such overalls in the change-rooms when not in use;
- (l) fail to maintain the premises at all times in accordance with the provisions of section 231 of this Chapter.

WEARING OF OVERALLS

233. No person engaged in the work of or employed in any laundry shall fail to wear clean and sound overalls of a light-coloured, washable material while engaged in laundry work.

MEASURES FOR PREVENTING THE SPREAD OF INFECTIOUS OR CONTAGIOUS DISEASES

234. (a) No person shall be employed or be or remain on any laundry premises if he is:-
- (i) suffering from any infectious or contagious disease;
 - (ii) contact of any person suffering from an infectious or contagious disease;
 - (iii) living in a house in which there is a case of infectious or contagious disease.

No person carrying on the business of a laundry shall permit any such person aforesaid to remain on the premises on which the laundry is carried on.

- (b) The Council may, where it is satisfied after bacteriological examination or the adoption of special measures, that this will not entail risk of spread of the disease, exempt any person from the terms of sub-section (a) hereof.
- (c) Any person carrying on the business, or in charge, of a laundry:-
 - (i) shall forthwith inform the Council of the occurrence of any case of actual or suspected infectious or contagious disease amongst his employees or the members of his household, and shall comply with any directions which the Council may give for the purpose of the disinfection of such laundry premises and the prevention of the spread of such disease;
 - (ii) who shall fail to report in writing forthwith to the Council any case of actual or suspected infectious or contagious disease or of any contact therewith as set out in this section shall be guilty of an offence under these by-laws.

NAMES AND ADDRESSES OF CUSTOMERS

235. Whenever it is necessary, with a view to preventing the spread of infectious or contagious disease, that the Council should be furnished with a list of the customers and employees of any person carrying on the business of a laundry, the medical officer of health may require such person to furnish to him, within a time to be fixed by him, a full and complete list of the names and addresses of the customers for whom such person does such work, or has done any such work during the preceding six weeks, and of his employees, and such person shall furnish such list accordingly.

DISPLAY OF BY-LAWS ON PREMISES

236. Any person carrying on the business of a laundry on any premises shall cause to be affixed and maintained in a conspicuous position in such premises a copy of this Chapter of these by-laws. Such copy shall be maintained at all times in a legible condition.

PEOPLE WHO UNDERTAKES WASHING

237. (a) Every person who intends to undertake the work or business of the washing of clothes, linen or similar articles for any other person or people, shall notify the medical officer of health of such fact and of the place where such washing is to be undertaken.
- (b) No person shall undertake such washing until the medical officer of health has been notified in terms of sub-section (a) hereof.
- (c) The medical officer of health shall enter the name of the person undertaking such washing and the place where such washing takes place in a register to be kept for that purpose: Provided that the provisions of this section shall not apply to any person employed by a person carrying on the trade or business of a laundry.

PERSONAL WASHING, ETC. EXEMPTED

238. Nothing in these by-laws shall be held to apply to any person washing, mangling or ironing on his own premises, or any servant washing, mangling or ironing on the premises of his employer, articles intended for use on such premises or for the use of persons residing on such premises.

CHAPTER 14.

NATIVE TEAROOMS AND NATIVE RESTAURANTS.

Chapter 14 has been deleted by AN 1412 of 21/9/1977.

CHAPTER 15.

ASIATIC TEAROOMS AND RESTAURANTS.

Chapter 15 has been deleted by AN 1412 of 21/9/1977.

CHAPTER 16.

MINERAL WATER AND ICE FACTORIES.

DEFINITIONS

278. For the purpose of this Chapter of these by-laws, unless the context indicates otherwise:-

“mineral water” shall include every kind of effervescent liquid, syrup, cordial, essence of flavouring prepared for human consumption or used for the preparation of liquids for human consumption;

“bottle washing room” shall mean that portion of the factory premises in which the washing of bottles, syphons, casks or other vessels is conducted;

“filling room” shall mean that portion of the factory premises used for the filling of bottles, syphons, casks or other vessels with water or mineral water and shall include that portion of the premises in which the filling and filtering machinery is established;

“storeroom” shall mean that portion of the factory premises used for the storage of utensils, apparatus and materials used in the process of the business;

“syrup and essence room” shall mean that part of the factory premises in which essences and flavourings are stored.

REQUIREMENTS OF PREMISES FOR MINERAL WATER FACTORY

279. No person shall carry on in or upon any premises the business of a mineral water factory unless:-

- (a) there is provided a filling room, syrup and essence room, a storeroom or storerooms, a bottle-washing room and a change-room or change-rooms: Provided that where the washing of bottles is carried out by mechanical process the provision of a separate bottle-washing room shall not be required;
- (b) the premises are adequately ventilated and lighted in accordance with the standards laid down in sections 14 and 15 respectively of this Part of these by-laws;
- (c) all floors of such rooms are constructed of cement, concrete or other similar impervious material brought to a smooth finish;
- (d) the floors of the bottle-washing and filling rooms are sufficiently graded and drained for the efficient removal of all liquids therefrom to an outside gully trap;
- (e) except where glazed or glass bricks or glazed tiles are used, the inside walls of the filling room, syrup and essence room and bottle-washing room are plastered with cement and the surface brought up to a smooth finish and painted with a light-coloured oil paint;
- (f) ceilings of the filling room, syrup and essence room and bottle-washing room are dust-proof and painted with a light-coloured oil paint;
- (g) no door or window opening into any portion of the factory is so placed as to be less than 3m from any urinal or pail-closet, and 10m from the door or window of any stable;
- (h) no portion of the filling room, syrup and essence room, any storeroom or the bottle-washing room communicates directly with any dwelling, closet or urinal;

- (i) the bottle-washing room is provided with suitable and efficient washing equipment and with a proper, sufficient and wholesome supply of hot and cold running water free from liability to pollution;
- (j) the premises are connected to a sewer or, where a sewer is not available, to other means for the innocuous disposal of all waste water;
- (k) a proper, sufficient and wholesome supply of water free from liability to pollution is provided;
- (l) separate change-rooms are provided for the different sexes with a proper, sufficient and wholesome supply of hot and cold running water, free from liability to pollution, and laid over an adequate number of wash-basins fitted with waste-pipes in accordance with the Council's Drainage By-laws;
- (m) latrine accommodation is provided in terms of section 22 of this Part of these by-laws for the different sexes employed on such premises.

REQUIREMENTS OF PREMISES FOR ICE FACTORY

280. No person shall carry on in or upon any premises the business of an ice factory, unless:-
- (a) there is provided a room to be used for the manufacture of ice and in respect of which the following requirements shall be complied with:-
 - (i) The floors shall be constructed of cement concrete or other similar impervious material, brought to a smooth finish, and shall be sufficiently graded and drained for the efficient removal of all liquids therefrom to an outside gully trap;
 - (ii) except where glazed or glass bricks or glazed tiles are used, the inside walls are plastered with cement plaster and brought up to a smooth finish, and painted with a light-coloured oil paint;
 - (iii) the ceilings are dust-proof and painted with a light-coloured oil paint;
 - (b) the premises are adequately lighted and ventilated in accordance with the standards laid down in sections 14 and 15 respectively of this Part of these by-laws;
 - (c) no door or window opening into any portion of the factory is so placed as to be less than 3m from any urinal or pail-closet, and 10m from the door or window of any stable;
 - (d) no portion of the factory communicates directly with any dwelling, closet or urinal;
 - (e) a proper, sufficient and wholesome supply of water free from liability to pollution is provided;
 - (f) separate change rooms are provided for the different sexes, furnished with a proper, sufficient and wholesome supply of hot and cold running water, free from liability to pollution and laid over an adequate number of wash-basins fitted with wastepipes in accordance with the Council's Drainage By-laws;
 - (g) latrine accommodation is provided in terms of section 22 of this Part of these by-laws for the different sexes employed on such premises.

DUTIES OF TRADER

281. No person carrying on the business of a mineral water factory or an ice factory shall:-
- (a) fail to maintain at all times the premises and all equipment and plant therein in a clean and sanitary condition and in good repair;
 - (b) fail to maintain all utensils, vessels, containers, bottles and other receptacles, apparatus, machinery, and other equipment, and all vehicles used in the process of manufacture and delivery of mineral water or ice intended for sale or human consumption at all times in a clean and sanitary condition and in good repair;
 - (c) fail to cause every bottle, syphon, cask, vessel or other container used for containing mineral water to be washed and sterilised immediately before being filled;
 - (d) except where a separate bottle-washing room is not required, use or cause or permit to be used the filling room for any purpose other than the filling of bottles, syphons, casks or other vessels;
 - (e) use or cause or permit to be used the syrup and essence room for any purpose other than the storage, measuring and mixing of syrups, essences and flavourings;
 - (f) fail to provide and maintain effective measures for the prevention of the breeding and the destruction of flies, cockroaches, rodents and other vermin;
 - (g) fail to provide and maintain suitable means for protecting from contamination by dust, dirt, flies or other cause all materials used in the course of manufacture, whether in the course of preparation or stored or exposed for sale or in the course of conveyance through the streets;
 - (h) in the case of a mineral water factory, fail to:-
 - (i) provide clean and sound overalls of light-coloured, washable material for the use of his employees, and to maintain such overalls in a clean and sound condition;
 - (ii) ensure that such overalls are worn at all times when food and drink is being prepared, handled, sold or delivered by himself and his employees;
 - (i) use or cause or permit to be used any change-room for any purpose other than a change-room;
 - (j) fail to maintain in all change-rooms, an adequate supply of soap, clean towels, nail-brushes and wash-basins for the use of his employees;
 - (k) fail to maintain the premises at all times in accordance with the provisions of section 279 or 280 of this Chapter, as the case may be.

SPECIAL DUTIES RELATING TO ICE MANUFACTURE

282. No person carrying on the business of an ice factory shall fail : -
- (a) to keep the partitioned freezing chamber constructed to hold the metal ice moulds, in a clean and sanitary condition and in good repair;

- (b) to keep the chamber platform and removable wooden covers in a clean and sanitary condition and in good repair;
- (c) to keep ice conveyance, storage chambers and all ice delivery wagons in a clean and sanitary condition and in good repair;
- (d) to provide the ice freezing moulds with tight-fitting metal covers and to remove such covers only when the moulds have been raised clear of the freezing chamber;
- (e) to keep the ice freezing moulds free of rust to sterilise them by means of clean steam on each occasion prior to use;
- (f) to place ice in a metal grid table not less than 500mm above the level of the chamber platform when removed from the ice freezing moulds and to use grabs when such ice is being handled;
- (g) to provide all employees engaged in the manufacture of ice with rubber gum-boots;
- (h) to ensure that such boots are:-
 - (i) worn by himself and his employees when walking on the chamber platforms;
 - (iii) used only for the purpose aforesaid;
 - (iv) washed after each time of use;
 - (iv) suitably stored when not in use;
- (i) to provide all employees engaged in the manufacture, handling and distribution of ice with suitable hooded overalls and to maintain such overalls in a clean and sound condition;
- (j) to ensure that such overalls are worn at all times that ice is being handled by himself and his employees.

WEARING OF OVERALLS AND GUM-BOOTS

283. (a) No person engaged in the work of or employed in any mineral water factory shall fail to wear clean and sound overalls of a light-coloured, washable material when engaged in the handling of raw materials or the manufacture of mineral waters.
- (b) No person engaged in the work of or employed in any ice factory shall:-
- (i) fail to wear clean and sound overalls while engaged in the manufacture, handling or delivery of ice;
 - (ii) fail to wear rubber gum-boots when walking on the chamber platforms;
 - (iii) use such boots for any other purpose than aforesaid;
 - (iv) fail to wash such boots after each time of use.

WASHING OF HANDS

284. Every person employed or working in a mineral water or ice factory shall before engaging in his work wash his hands with soap and water at the commencement of his shift or after any break therein liable to result in contamination of his hands,

unless such person be of the type whose work does not involve the handling of raw materials or the manufacture of the finished product.

SALE OF MINERAL WATER OR ICE UNFIT FOR HUMAN CONSUMPTION OR IN DIRTY CONTAINERS

285. No person shall sell, expose for sale or cause or permit to be sold or exposed for sale, mineral water or ice which is unfit for human consumption, or any mineral water contained in any dirty bottle, syphon, cask, vessel or other container: Provided always that any such bottle, syphon, cask, vessel or other container containing mineral water which has not been washed and sterilised before being filled with such water as provided in sub-section (c) of section 281 of this Chapter, shall be deemed to be a dirty bottle within the meaning of this section.

PROHIBITION AGAINST CONTACT WITH COPPER OR LEAD

286. No person shall permit any mineral water or ice or any water in the process of being converted into mineral water or ice to come into contact with any copper or lead.

DISPLAY OF BY-LAWS ON PREMISES

287. Any person carrying on the business of a mineral water or ice factory on any premises shall cause to be affixed and maintained in a conspicuous position in such premises a copy of this Chapter of these by-laws. Such copy shall be maintained at all times in a legible condition.

CHAPTER 17.

BARBERS AND HAIRDRESSERS.

DEFINITIONS

293. For the purpose of this Chapter of these by-laws, unless the context indicates otherwise:-

“barber” or “hairdresser” shall mean any person who carries on or who assist in carrying on the business of shaving or cutting or dressing the hair of human beings or work incidental thereto for payment or other valuable consideration;

“barber’s shop” or “hairdresser’s shop” shall mean any premises or place in which such business is carried on.

REQUIREMENTS OF PREMISES

294. No person shall carry on in or upon any premises the business of a barber’s shop or hairdresser’s shop unless:-

- (a) such premises are adequately lighted and ventilated in accordance with the standard laid down in sections 14 and 15 of this Part of these by-laws;
- (b) all shelves, fittings and table tops on which instruments are placed are made of glass, marble, terrazo, slate, enamel or covered with zinc or similar material which has riveted and soldered joints, or other similar impervious and durable material which can readily be cleansed;
- (c) there is provided a proper, sufficient and wholesome supply of hot and cold running water, free from liability to pollution and laid over an adequate number of wash-basins fitted with waste-pipes in accordance with the Council’s Drainage By-laws;

- (d) the premises is connected to a sewer or, where a sewer is not available, to other means for the innocuous disposal of waste-water;
- (e) latrine accommodation is provided in terms of section 22 of this Part of these by-laws for the different sexes employed on such premises.

DUTIES OF TRADER

295. No person carrying on the business of a barber or hairdresser shall fail:-

- (a) to maintain the premises at all times in a clean and sanitary condition and in good repair;
- (b) to cause the floors of the premises to be scrubbed and cleansed daily;
- (c) to keep all tools, implements, vessels, containers, apparatus and other equipment used therein at all times in a clean and sanitary condition and in good repair;
- (d) to provide a formalin disinfecting box and an efficient disinfectant for the proper sterilisation of any scissors, hair-clippers, combs, hair-brushes, razors or any other such instruments or article used in any process of or incidental to his business;
- (e) to provide clean and sound overalls of a light-coloured, washable material, with not more than one breast pocket, for the use of his employees, and to maintain such overalls in a clean, sound and sanitary condition;
- (f) to ensure that such overalls are worn at all times by himself and his employees when engaged in barber's or hairdresser's work;
- (g) to maintain the premises at all times in accordance with the provisions of section 294 of this Chapter;
- (h) to ensure that the provisions of section 296 of this Chapter are observed at all times by his employees during the course of their work as barbers or hairdressers.

DUTIES OF BARBERTS AND HAIRDRESSERS

296. No barber or hairdresser shall:-

- (a) fail to use a clean towel for each customer;
- (b) fail to provide a fresh piece of paper or clean linen on the headrest used by each customer;
- (c) fail to keep two shaving brushes at each chair;
- (d) fail to place one such brush in an efficient disinfectant while the other is in use;
- (e) use other than liquid, powdered or tube soap or shaving cream;
- (f) fail to wipe razors on clean paper during shaving operation;
- (g) fail to cleanse on clean paper and disinfectant each razor before and after use and each stropping operation;
- (h) use styptics in the form of crystals, blocks or pencils;

- (i) fail to apply styptic liquids or powder only as a spray or on a clean piece of cotton-wool which has not previously been used;
- (j) use or cause or permit to be used any sponge in connection with his operations;
- (k) use or cause or permit to be used general powder puffs;
- (l) fail immediately to sweep up and place in covered receptacles cut hair and paper used in the course of his operations;
- (m) fail to disinfect efficiently after each time of use any scissors, hair-clippers, combs, hairbrushes, razors or any other such instrument or article used in any process of or incidental to his business;
- (n) fail to wash his hands with soap and water before and after attending to a customer;
- (o) fail to provide clean overalls for each customer and to use a fresh neck strip of cloth, paper, cotton-wool or other material for each customer;
- (p) fail to wear clean and sound overalls of a light-coloured, washable material while engaged on his work.

PROHIBITION AGAINST USE OF PREMISES AS SLEEPING APARTMENT, ETC.

297. No premises used as a barber's or hairdresser's shop:-

- (a) shall be used as a sleeping apartment, or as a place for the preparation or storage of food;
- (b) shall communicate directly with any sleeping apartment or place for the preparation or storage of food.

MEASURES FOR PREVENTING THE SPREAD OF SKIN OR INFECTIOUS OR CONTAGIOUS DISEASES

298. (a) No barber or hairdresser shall shave or cut or dress the hair of, or perform any work incidental thereto, on any person suffering from any skin or hair infection or disease.

(b) No person shall be employed or be or remain on any barber's or hairdresser's premises if he is:-

- (i) suffering from any skin or infectious or contagious disease;
- (ii) a contact of any person suffering from any skin or infectious or contagious disease;
- (iii) living in a house in which there is a case of skin or infectious or contagious disease.

No person carrying on the business of a barber or hairdresser shall permit any such person aforesaid to remain in or on the barber's or hairdresser's shop or premises.

(c) The Council may, where it is satisfied, after bacteriological examination or the adoption of special measures, that this will not entail risk of spread of the disease, exempt any person from the terms of sub-section (b) hereof;

(d) Any person carrying on the business, or in charge, of a barber's or hairdresser's shop:-

- (i) shall forthwith inform the Council of the occurrence of any actual or suspected skin or infectious or contagious disease amongst his employees or the members of his household, and shall comply with any directions which the Council may give for the purpose of the disinfection of the spread of such disease.
- (ii) who shall fail to report in writing forthwith to the Council any case of actual or suspected skin or infectious or contagious disease or of any contact therewith as set out in this section shall be guilty of an offence.

DISPLAY OF BY-LAWS ON PREMISES

299. Any person carrying on the business of a barber's or hairdresser's shop on any premises shall cause to be affixed and maintained in a conspicuous position in such premises a copy of this Chapter of these by-laws. Such copy shall be maintained at all times in a legible condition.

CHAPTER 18.

ICE CREAM AND SIMILAR COMMODITIES.

DEFINITIONS

305. For the purpose of this Chapter of these by-laws, unless the context indicates otherwise:-

"ice-cream or other similar commodity" shall mean and include ice cream and any other frozen liquid, excluding ice, used or intended for human consumption.

REQUIREMENTS OF PREMISES

306. No person shall carry on in or upon any premises the business of a maker or vendor of ice-cream or other similar commodity unless there is provided:-
- (a) a handling room set aside for the purpose of the manufacture or preparation of ice-cream or other similar commodity, which shall:-
 - (i) not be situated within 10 metres of the door or window of any stable, or within 3 metres of any urinal or pail-closet;
 - (ii) not communicate directly or indirectly with any dwelling, closet or urinal;
 - (iii) comply with the following requirements:-
 - (1) except where glazed or glass bricks or glazed tiles are used, inside walls plastered with cement plaster and the surface brought up to a smooth finish and painted with a light-coloured oil paint;
 - (2) a floor constructed of cement concrete or other similar impervious material brought to a smooth finish and sufficiently graded and drained for the efficient run-off of all liquids therefrom to an outside gully which shall be connected to a sewer, or, where no sewer is available, to other means for the innocuous disposal of waste-water;

- (3) dust-proof ceiling painted with a light-coloured oil paint;
 - (4) adequate light and ventilation in accordance with the standards laid down in sections 14 and 15 respectively of this Part of these by-laws;
 - (5) efficient fly-screens to all external openings or suitable and adequate mechanical means for the destruction of flies or other insects;
- (b) sugar, waters and other similar dry, edible materials used in the course of manufacture;
 - (c) tops of counters or tables of a hard, smooth, impervious material, which are supported on solid impervious piers so constructed as to afford a clear view from back to front, or which are of the pedestal type. If constructed of wood, such tops shall be of hardwood with grooved, tongued, close-fitting joints;
 - (d) apparatus for pasteurising or sterilising all milk, cream or other liquids used in the manufacture or preparation of ice-cream or other similar commodity;
 - (e) an efficient steam sterilizer for the cleansing and sterilising of apparatus and utensils;
 - (f) a proper, sufficient and wholesome supply of hot and cold running water laid over an efficient wash-up trough suitably placed and fitted with waste-pipes in accordance with the Council's Drainage By-laws, and a draining board composed of marble, slate, terrazo or other impervious material, or, if of wood, hardwood with grooved, tongued, close-fitting joints, for the proper washing and cleansing of utensils and apparatus used in the conduct of the business;
 - (g) a proper, sufficient and wholesome supply of water free from liability to pollution;
 - (h) separate change-rooms for the different sexes, furnished with a proper, sufficient and wholesome supply of hot and cold running water, free from liability to pollution, and laid over an adequate number of wash-basins fitted with waste-pipes in accordance with the Council's Drainage By-laws;
 - (i) latrine accommodation in terms of section 22 of this Part of these by-laws for the different sexes employed on the premises.

Provided that any person who makes or prepares ice-cream in amounts of less than 15 Litres per day on premises on which he is entitled to sell ice-cream for consumption solely thereon by virtue of any other law, by-law or regulation, shall not be required to provide a separate handling room set aside for the purpose, but the rooms so used shall comply otherwise with the provisions of this section.

DUTIES OF TRADER

307. No person carrying on the business of a maker or vendor of ice-cream or other similar commodity shall:-
- (a) fail to maintain the premises at all times in a clean and sanitary condition and in good repair;
 - (b) fail to keep all utensils, vessels, containers and other receptacles, apparatus, machinery and other equipment, and all vehicles used in this business for the

preparation, storage, conveyance or sale of ice-cream or similar commodity at all times in a clean and sanitary condition and in good repair;

- (c) fail to store in a storeroom when not in use and to protect from dust, dirt and flies therein all apparatus, utensils and materials used in the preparation of ice-cream or other similar commodity;
- (d) fail to provide and maintain effective measures for the prevention of the breeding and the destruction of flies, cockroaches, rodents and other vermin;
- (e) fail to provide and maintain suitable means for protecting from contamination by dust, dirt, flies or other cause all ice-cream or other similar commodity, whether in the course of preparation, stored or exposed for sale or in course of conveyance through the streets;
- (f) use or cause or permit to be used any vehicle for the purpose of transmitting, hawking or peddling ice-cream or other similar commodity unless such vehicle is so constructed and maintained as to:-
 - (i) prevent any liquid running out of such on to the street;
 - (ii) protect the ice cream or other similar commodity from contamination;
- (g) have in it's possession, sell or offer or expose for sale or cause or permit to be sold, offered or exposed for sale any ice-cream or other similar commodity which contains living coliform bacilli in 0.01ml or any pathogenic organism;
- (h) in the preparation or manufacture of ice-cream or other similar commodity use or cause or permit to be used other than pasteurised cream or milk or other liquids unless sterilised;
- (i) re-freeze or cause or permit to be re-frozen any ice-cream or other similar commodity which may have become liquified;
- (j) fail to cleanse before and after each time of use any spoon, ladle or other utensil used in handling ice-cream or other similar commodity;
- (k) prepare, store or handle or cause or permit to be prepared, stored or handled ice-cream or other similar commodity in any manner which will render it liable to contamination;
- (l) except on or from fixed premises, sell or offer or expose for sale or cause or permit to be sold, offered or exposed for sale ice-cream or other similar commodity, which has not been wrapped in clean paper or other similar suitable material on fixed premises;
- (m) fail to provide clean and sound overalls of light-coloured washable material for the use of his employees, and to maintain such overalls in a clean, sound and sanitary condition;
- (n) fail to ensure that such overalls are worn at all times when ice-cream or similar commodity is being prepared, manufactured, handled or sold by himself and his employees;
- (o) fail to keep such overalls in the change-rooms when not in use;
- (p) use or cause or permit to be used any change-room for any purpose other than a change-room;

- (q) fail to maintain in all change-rooms an adequate supply of soap, clean towels, nail-brushes and wash-basins for the use of his employees;
- (r) engage in, or cause or permit any person to engage in, the preparation or manufacture of ice-cream or other similar commodity unless with washed hands and clean person;
- (s) fail to maintain the premises at all times in accordance with the provisions of section 308 of this Chapter.

WASHING OF HANDS

308. Every person employed or working in the making or vending of ice-cream or other similar commodity shall, before engaging in his work, wash his hands with soap and water at the commencement of his shift or after any break therein liable to result in contamination of his hands, unless such person be of the type whose work does not involve the handling of raw materials or the finished product.

DISPLAY OF BY-LAWS ON PREMISES

309. Any person carrying on the business of a maker or vendor of ice cream or other similar commodity shall cause to be affixed and maintained in a conspicuous position in such premises a copy of this Chapter of these by-laws. Such copy shall be maintained at all times in a legible condition.

CHAPTER 19.

SECOND- HAND GOODS.

DEFINITIONS

315. For the purpose of this Chapter of these by-laws, unless the context indicates otherwise:-

“second-hand goods” shall mean second-hand wood, timber, bricks, iron, building materials and fittings, machinery, scrapped or dismantled vehicles, motor vehicles or motor cycles, parts of such vehicles or motor cycles, oil or other drums, scrap metals, bottles, sacks, bones, paraffin or other tins, packing cases, boxes, crates, paper, clothes and blankets.

REQUIREMENTS OF PREMISES

316. No person shall carry on in or upon any premises the business of a dealer in second-hand goods unless:-
- (a) where storage is provided in any yard or open space, such premises, including the yard or open space, are completely surrounded by brick, stone or concrete walls at least 2m with properly constructed solid doors or gates of the same height;
 - (b) the premises are adequately lighted and ventilated in accordance with the standards laid down in sections 14 and 15 respectively of this Part of these by-laws;
 - (c) the floors thereof are constructed of cement concrete or other similar impervious material;
 - (d) any portion of any yards intended to be used for storage of second-hand goods is paved with cement concrete or other similar impervious material;

- (e) all yard surfaces thereof are sufficiently graded and drained for the efficient run-off of all storm-water;
- (f) latrine accommodation is provided in terms of section 22 of this Part of these by-laws for the different sexes employed on such premises;
- (g) a sufficient number of refuse receptacles are provided in accordance with these by-laws.

DUTIES OF TRADER

317. No person carrying on the business of a dealer in second-hand goods shall:-
- (a) store second-hand goods in a yard elsewhere than on a paved surface or within any building elsewhere than on proper shelves;
 - (b) store any article in such a manner as to allow the accumulation of water therein;
 - (c) store second-hand goods in such a manner as to encourage the harbourage of rodents therein;
 - (d) fail to provide a sufficient number of rodent traps and to maintain such rodent traps properly baited and set;
 - (e) fail to maintain his premises at all times in a clean, tidy and sanitary condition and free from refuse;
 - (f) fail to maintain the premises at all times in accordance with the provisions of section 316 of this Chapter.

DISUSED VEHICLES

318. No dealer in second-hand goods who deals in disused vehicles shall fail to:-
- (a) dismantle such vehicles within ten (10) days after receipt thereof, provided that the onus of proof that any vehicle is not disused and is for sale as a vehicle for further use shall be on the dealer having such vehicle in his possession;
 - (b) remove from the premises within fourteen (14) days all portions of such disused vehicles, which are of no commercial value.

ONUS OF PROOF THAT ARTICLE IS OF COMMERCIAL VALUE

319. The onus of proof that any article or material on any premises failing under this Chapter of these by-laws is of commercial value shall be on the dealer having such article or material in his possession.

CHAPTER 20.

FUMIGATION.

DEFINITIONS

325. For the purpose of this Chapter of these by-laws, unless the context indicates otherwise:-

“approved” means approved by the Council;

“fumigation” means fumigation with hydrogen cyanide (hydro-cyanic acid gas), or other similar substance dangerous to human life, of any buildings or premises or part thereof, and “fumigate” shall have a like meaning;

“fumigant” means hydrogen cyanide (hydro-cyanic acid gas), or other similar substance of sufficient strength to kill vermin;

“fumigator” means a person in charge of the carrying out of a fumigation and who is duly licensed under these by-laws to carry on the work or trade of fumigation;

“fumigation area” means the building or premises or part thereof-undergoing fumigation;

“risk area” means any part of a building or premises into, which there is reason to apprehend that the fumigant may penetrate from the fumigation area, and includes:-

- (i) those parts of any building or premises which are both less than 12m measured horizontally from the nearest boundary of the fumigation area and not separated entirely from the fumigation area by any yard, street or other space open to the area, of not less than 10,5m.
- (iii) all rooms immediately above or below the fumigation area and the area set out in the preceding paragraph;
- (iii) the fumigation area.

REQUIREMENTS FOR GRANT OF LICENCE

326. No licence shall be granted to any person to carry on the work or trade of fumigation unit such person has satisfied the Council that he is:-
- (a) fully competent to undertake and fully conversant with the dangerous nature of fumigation and the measures to be taken to prevent poisoning from material used;
 - (b) capable of rendering first aid, artificial respiration and of administering the approval antidotes and remedies applied to cyanide poisoning;
 - (c) thoroughly conversant with this Chapter of these by-laws;
 - (d) physically fit for the purposes of undertaking fumigation;
 - (e) of good character and reliable;
 - (f) no less than twenty-one years of age;
 - (g) able to produce proof of having worked for at least six months under a licensed fumigator;
 - (h) in possession of an efficient gas-mask of a type approved by the Council, and a first-aid outfit as specified in Schedule 1 to this Chapter, both in good working order, and fully conversant with the use;
 - (i) in possession of adequate facilities for the safe storage of his fumigant and its constituents.

NOTICE OF FUMIGATION

327. (a) No fumigation shall fail to deliver by hand at least twenty-four (24) hours beforehand a notice in writing of his intention to fumigate any premises:-

- (i) to the Medical Officer of Health;
 - (ii) to each and every occupier personally of the premises in the risk area.
- (b) Such notice shall in each case specify the:-
- (i) fumigation and risk areas;
 - (iii) date and hour at which fumigation will be commenced;
 - (iii) name of fumigator.
- (c) permit the process of fumigation to continue after 4 o'clock p.m. He shall not later than such hour open the doors and windows of the risk area of the premises for the purpose of ventilation.

PROHIBITION AGAINST FUMIGATION ON CERTAIN DAYS AND AT CERTAIN TIMES

325. Without the permission in writing of the Medical Officer of Health no fumigator shall:-
- (a) fumigate any premises on any Saturday, Sunday or public holiday;
 - (b) start to generate cyanide gas in any premises for fumigation purposes before 7 a.m. or after 12 noon;
 - (c) permit the process of fumigation to continue after 4 o'clock p.m. He shall not later than such hour open the doors and windows of the risk area of the premises for the purpose of ventilation.

FUMIGATION STAFF

329. (a) No fumigation shall be carried out except by an adequate fumigating staff which shall in no case consist of less than two people, one of whom shall be licensed under this Chapter.
- (b) Any person employed as an assistant to a fumigator shall be:-
- (i) over the age of eighteen (18) years;
 - (ii) physically fit;
 - (iii) conversant with the use of a gas-mask and competent in rendering First aid as applied to cyanide poisoning.
- (c) No fumigator shall employ upon the actual work of fumigation any person assistant who does not comply with the requirements of sub-section (b) hereof and no person who does not so comply shall undertake any such work.

MEMBER OF STAFF TO REMAIN IN ATTENDANCE

330. The fumigator shall be responsible for seeing that the premises are adequately guarded to prevent the entrance of any unauthorised person, by at least one member of the fumigating staff, who shall remain in attendance from the commencement of the fumigation until the risk area has been certified by the fumigator to be free from danger in terms of section 336 of this Chapter.

PRECAUTIONS TO BE TAKEN BEFORE LIBERATION OF FUMIGANT

331. No fumigant shall be liberated until:-
- (a) all people other than the fumigating staff have left the risk area and for the purpose of paragraphs (a), (b), (c), (d) and (e) hereof, an exhaustive search has been carried out by the fumigator;
 - (b) the occupier has removed all domestic pets and all liquids or foodstuffs of such a kind or so stored as to be liable to absorb the fumigant, have been removed from the fumigation area;
 - (c) all water contained in cisterns, tanks or otherwise in the fumigation area which may become contaminated by the fumigant has, where possible, been run off;
 - (d) all fires and naked lights in the fumigation area have been extinguished;
 - (e) every door or other means of access to the risk area has been securely fastened so as to prevent access thereto and possession has been taken of any keys thereof by the fumigator;
 - (f) all cracks, crevices or openings in or between walls or between walls and ceilings or roofs or floors or in windows or ventilators and all fireplaces in the fumigation area including windows and doors giving access thereto have been efficiently caulked or closed in such a manner as to prevent the escape of the fumigant therefrom;
 - (g) notices have been securely and conspicuously placed so that they may be readily seen by any person approaching the risk area, which notices shall:-
 - (i) contain in both official languages in block letter not less than 50mm in height the words:-
“DANGER: POISON GAS: DO NOT ENTER.”
 - (iii) bear in 15mm block capital letters the name, address and telephone number (if any) of the fumigator carrying on the work of the fumigation;
 - (iv) not be removed until the fumigator has signed and delivered the certificate of safety as required in section 336 of this Chapter.

ADDITIONAL SAFETY MEASURES

332. No fumigator shall undertake the fumigation:-
- (a) of a building or any portion thereof unless he has in readiness for immediate use an efficient gas-mask;
 - (b) of any building of more than one storey unless an assistant accompanies him duly licensed under this Chapter.

APPLICANT OF FUMIGANT

333. The fumigant shall not be applied in such a manner as to be absorbed in liquid form by floors, walls, ceiling or household effects.

ENTRY OF PREMISES DURING AND AFTER FUMIGATION

334. After the liberation of the fumigant has commenced and until the risk area is free from danger the fumigator shall ensure that:-
- (a) any member of the fumigating staff entering any part of this area shall wear or carry ready for immediate use an efficient mask or other apparatus which affords complete protection to the wearer against the fumigant and carry or have in his possession, ready for immediate use, an efficient electric torch;
 - (b) the first-aid appliances and remedies set out in Schedule 1 to this Chapter are constantly available;
 - (c) the risk area and any buildings and open space adjacent thereto are kept under observation in order to ensure the discovery of any penetration of the fumigant into such building or open space and, in the event of any such penetration all steps which are reasonably practicable are taken to safeguard the occupants thereof.

RE-ENTRY OF RISK AREA

335. No person other than the fumigator or a member of his staff shall enter or be permitted by the fumigator or his staff to enter the risk area:-
- (a) while there is a dangerous concentration of the fumigant in the fumigation area; and
 - (b) until the risk area has been ventilated in such manner and for such period as shall be effective to ensure that the area is free from danger.

RE-ENTRY OF FUMIGATION AREA

336. No person other than the fumigator or a member of his staff shall enter or be permitted by the fumigator or his staff to enter the fumigation area after commencement of fumigation until:-
- (a) the fumigation area has been ventilated in such manner and for such period, which period shall not be less than four (4) hours, as shall be effective to ensure that the area is free from danger. For this purpose all doors and windows shall be kept open for a period of not less than two (2) hours the fumigator has satisfied himself that all parts of the area can be entered with safety without wearing a gas-mask, other people may be allowed in under his supervision to remove bedding, clothing, cushions and upholstered articles for the purpose of airing;
 - (b) the fumigator has established by personal and chemical tests that the fumigation area is free from danger, such chemical test to be the benzidine copper acetate test or other sufficient and recognised test;
 - (c) a certificate, in the form contained in Schedule 2 to this Chapter, signed by the fumigator, has been delivered to the owner or occupier of the premises in the fumigation area; provided, however, that no such certificate shall be issued within a period of four (4) hours after ventilation has been commenced;
 - (d) all empty containers and residues of the substances which have been used for fumigation have been removed or rendered innocuous by the fumigator;
 - (e) all water contained in cisterns, tanks or otherwise in the fumigation area that may have become contaminated by the fumigant has been run off.

PRECAUTIONS REGARDING RESIDUES AND CONTAINERS

337. No fumigator shall fall upon completion of the fumigation:-
- (a) to destroy or remove and dispose of all residues of the substances used for fumigation in such a way as to obviate any danger therefrom;
 - (b) to render unfit for further use any empty containers other than the apparatus used for generating the gas.

Duties of Owner and Occupier of Fumigated Premises.

338. (a) No owner or occupier of any premises in the fumigation area shall re-occupy or allow or permit to be re-occupied such premises until the certificate of safety referred to in section 336 of this Chapter has been handed to him by the fumigator and until the time stated therein for re-occupation has arrived.
- (b) No owner or occupier to whom such certificate of safety has been handed shall fail to remove from such premises, shake out and air for at least two (2) hours before use all mattresses, bedding, blankets, pillows, clothing, cushions and upholstered articles likely to absorb the fumigant which has been exposed to the fumigant and such articles shall not be returned to the fumigation area until they have been exposed to the open air outside the building for a period of at least two (2) hours and the gas shaken or beaten from them.
- (c) the owner or occupier shall keep fully open all windows and ventilators and maintain adequate cross ventilation in all rooms to be occupied for sleeping in for the duration of the following night.
- (d) the terms of sub-sections (a), (b) and (c) hereof shall be endorsed on every notice issued under sub-section (a) (ii) of section 327 of this Chapter.

CERTAIN FUMIGANTS PROHIBITED

339. No person shall use or cause or permit to be used for the purpose of the deverminisation, disinfestation, disinfection or fumigation of any building premises or part thereof, any petrol, carbon disulphide, either preparation or material capable of giving off vapour which forms an explosive mixture with air.

MINIMUM GAS CONCENTRATION AND EXPOSURES

340. For bed-bug destruction the minimum period for which a house shall be exposed to hydrogen cyanide shall be five (5) hours and the minimum quantity that shall be used shall be as follows:-
- (a) sodium cyanide, 16g per m³ of air space with sufficient quantity of diluted acid to liberate its full yield of hydrocyanic gas; or
 - (b) liquid cyanide, 9ml per m³ of air space; or
 - (c) absorbed liquid cyanide, 6g hydrocyanic gas per m³ of air space.

REGISTER

341. A register shall be kept by every fumigator in which he shall enter immediately following the completion of any fumigation, the following particulars:-
- (a) Description and address of premises fumigated;

- (b) Time and date at which fumigant was released;
- (c) Time and date at which ventilation was started;
- (d) Time and date at which risk area was declared free from danger;
- (e) Name of fumigator.

INSPECTION

342. The register and equipment, including gas masks and first-aid appliances used by the fumigator shall be open to inspection for any purpose connected with the carrying out of this Chapter at all reasonable times without previous notice by the Medical Officer of Health or any other duly authorised servant of the Council.

BY-LAWS NOT TO APPLY IN CERTAIN CASES

343. Nothing in this Chapter shall apply to:-
- (a) a fumigation carried out exclusively for agricultural or horticultural purposes of an agricultural or horticultural building, no part of which is used for human habitation;
 - (b) Fumigation carried out in any building, or part of a building, which building or part of a building has been specially constructed or adapted for the purpose of effecting the fumigation of any articles.

ANTI-RODENT GRASSING OPERATIONS

- 344 (1) A gassing operation carried out with cyanide having a calcium base for the destruction of rodents in any building shall not be commenced until the person in charge of the gassing has satisfied himself that all people other than the anti-rodent staff have left the area concerned and all domestic pets and liquid foodstuffs of such a kind or so stored as to be liable to absorb the fumigant have been removed from the fumigation area.
- (2) The person in charge of such gassing operations shall:-
- (a) have available an electric torch, an approved gas-mask and an approved carbon-dioxide apparatus, all in good working order and shall be fully conversant with their use;
 - (b) be capable of rendering first-aid and artificial respiration as applied to cyanide poisoning; and
 - (c) allow no person, other than a member of the anti-rodent staff, to enter the area concerned until he is satisfied that there is no danger.

SCHEDULE 1.

- 1.) An approved carbon-dioxide apparatus and at least six spare carbon-dioxide cylinders therefore,
- 2.) At least 100ml of aromatic spirit of ammonia (sal volatile) of British Pharmacopoea standard in a stoppered bottle.
- 3.) At least one clean blanket.
- 4.) A box containing bandages, lint, surgical gauze, safety pins, tincture of iodine, scissors and cotton wool.

SCHEDULE 2.

Certificate of Safety.

For (here specify premises).

I hereby certify that the above premises will be safe for complete occupation at(time)

On(date), provided that all mattresses, bedding, linen, clothing and upholstered articles likely to absorb the fumigant, which has been exposed to the fumigant, have been taken out of the fumigated room or rooms, shaken and aired for at least tow (2) hours before use, and that all windows and ventilators of the rooms to be occupied for sleeping in are kept fully opened for the duration of the following night and that adequate cross ventilation is maintained therein.

.....
(Signature of Fumigator.)

CHAPTER 21.

Sections 350 to 377 rescinded by A.N. 682 of 10/5/1972 as well as schedule 1.