

STATUTORY INSTRUMENTS SUPPLEMENT  
*to The Uganda Gazette No. 28, Volume CXII, dated 17th June, 2019*

Printed by UPPC, Entebbe. by Order of the Government.

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S T A T U T O R Y I N S T R U M E N T S

2019 No. 37.

THE LOCAL GOVERNMENTS (KAMDINI TOWN COUNCIL)  
(SANITATION AND PUBLIC HEALTH) BYELAWS, 2019

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# STATUTORY INSTRUMENTS

2019 No. 37.

## **The Local Governments (Kamdini Town Council) (Sanitation and Public Health) Byelaws, 2019**

*(Under section 39 of the Local Governments Act, Cap 243)*

IN EXERCISE of the powers conferred upon Kamdini Town Council by section 39 of the Local Governments Act, these Byelaws are made this 15th day of December, 2018.

### PART I—PRELIMINARY

#### **1. Title**

These Byelaws may be cited as the Local Governments (Kamdini Town Council) (Sanitation and Public Health) Byelaws, 2019.

#### **2. Application.**

These Byelaws apply to Kamdini Town Council

#### **3. Interpretation**

In these Byelaws, unless the context otherwise requires—

“authorised officer” includes the district health officer, the district medical officer, the district environmental health officer, health inspector, veterinary officer and any other person authorised by the Council;

“Council” means Kamdini Town Council;

“currency point” has the value assigned to it in the Schedule to these Byelaws;

“dwelling house” means a house used as a residence for human habitation rather than for business;

“eating house” means any premises where any article of food or drink is sold, or is prepared or cooked for sale, for consumption on the premises but does not include premises

licensed under the Liquor Act which are not used for the preparation, cooking or sale of food for consumption on such premises;

“environmental sanitation services” means the collection, transport, treatment, recycling or disposal of faecal sludge, solid and liquid wastes and the management of public sanitation facilities;

“faecal sludge” means untreated sludge of variable consistency collected from on-site sanitation systems storing or treating black-water and excreta, which includes latrines, non- sewered public toilets, septic tanks and cesspits;

“house” includes a dwelling house, commercial premise, warehouse, office, shop, school, college or any other building in which a person can take shelter;

“latrine or toilet” means any privy, urinal, earth closet, water closet, ecological sanitation (Ecosan) or structure used for defecation;

“liquid waste” means human excreta, liquid effluent and sludge from septic tanks, animal manure, industrial liquid effluent and domestic or commercial waste-water, but excluding storm water;

“noise” means unwanted, unpleasant or very loud sound above ninety decibels (90dB);

“nuisance” means anything which is injurious to health or offensive to the senses, or is an obstruction to the free use of property as to interfere with comfortable enjoyment of life or property of considerable persons, or which obstructs free passage or use in the customary manner as defined in the Public Health Act, Cap 281;

“occupier” means a person in occupation of premises or having charge, management or control of a building but does not include a lodger;

“owner” includes a person who receives the rent from premises or who would receive rent if that land or premises were let to a tenant;

“premises” includes dwelling places, hospitality industry establishments, health and veterinary care facilities, markets, industries of any type or capacity, schools, offices, places of worship or entrainment, sanitary infrastructure including a slaughter house or abattoir, public toilets, liquid and solid wastes treatment plants or any area whether open or enclosed where people live or work;

“sanitation” means the process where people demand, develop and sustain hygienic and healthy environment for themselves by erecting barriers to prevent the transmission of communicable diseases;

“service provider” means any person or body providing environmental sanitation services by agreement with the Council and collecting agreed fees directly from those receiving the services so provided;

“solid waste” means unwanted matter which is not in liquid or gaseous form;

“slaughter house” means any premises where livestock, animal husbandry is slaughtered on a commercial scale;

“stray animal” means any animal which on reasonable belief, the owner has refused, or neglected to take and keep charge.

**4. Requirements for dwelling house.**

A dwelling house shall conform to the following standards—

- (a) the size of the living house shall not be less than twelve feet or 3.7 metres in diameter;
- (b) the size of a rectangular or one-roomed house shall be at least one hundred square feet or nine square meters;
- (c) the size of a rectangular house with more than one room shall be at least 80 square feet or 7.3 square meters except for a room used for storage;
- (d) the roof of a house shall be leak-proof;
- (e) the walls of a house shall be at least 6 inches or 15 centimeters thick and shall all be plastered smooth;
- (f) a wall, roof or floor shall not be made of grass or other similar material;
- (g) a wall shall not be less than 10 feet or 3 meters from the top of the wall to the floor;
- (h) the floor of the house shall be made of concrete and shall be at least 6 inches above the ground;
- (i) a roof shall be ventilated either by leaving six inches clear space from the wall-head to the roof or by the insertion of ventilation in the external walls of not less than five by twelve inches;
- (j) each room of the house shall have at least two ventilators and the total area of the ventilator shall not be less than a hundredth of the floor area; and
- (k) all rooms except stores shall have at least one window which shall not be less than three by two feet and the area of each window shall not be less than a tenth of the floor area.



## **5. Requirements of kitchen**

A dwelling house shall have a kitchen which shall conform to the following standards—

- (a) the walls shall be at least eight feet or 2.4 metres high from the top of the wall to the floor;
- (b) a wall, roof or floor of a kitchen shall not be made of grass or other similar materials;
- (c) the floor shall be made of concrete and at least six inches or 15 centimeters above the ground;
- (d) the floor area of the kitchen shall not be less than 35 square feet or 3.2 square meters; and
- (e) the kitchen shall be equipped with a smoke removal apparatus.

## **6. Drying rack.**

Every household shall have a drying rack for drying of washed kitchen utensils.

## **7. Maintenance of compound**

Every owner of premises or undeveloped plot of land shall keep the grass around his or her premises, or plot of land short and in any case not more than 2.5 inches from the ground.

## **8. Household refuse to be properly managed.**

Every owner or occupier of premises used as a dwelling house shall ensure that all refuse generated from his or her premises is properly placed in dustbins and that the dustbins are properly emptied at the gazetted public or private sites as may be authorized by the Council.

## **9. Bath place.**

Every premise used as a dwelling house shall have a bathing place with a soak pit.

## **10. Destruction of mosquitoes.**

A person who owns, occupies or keeps any premises shall take all measures necessary—

- (a) to destroy mosquitoes on the premises;
- (b) to collect and remove empty tins, cans, bottles or other receptacles in which mosquitoes may breed;
- (c) to cut down and remove any grass, bamboo stamps or other vegetation in which mosquitoes are likely to breed or be harboured;
- (d) to bring any water or swamp into a condition that is not favourable to the breeding or harbouring of mosquitoes;
- (e) to fill with concrete or treat holes or the hollows in trees, which are likely to hold water; and
- (f) to cover any vessel or septic tank around the premises which could make conditions favourable to breeding of mosquitoes.

**11. Animals not to be kept in dwelling house with people.**

A person shall not share a dwelling place with an animal except a pet.

**12. Food store and reserve.**

- (1) Every household shall have a food store or granary.
- (2) Every dwelling house shall have a food reserve.

**13. Maintenance of latrine or toilet.**

(1) Every household shall have and maintain a latrine or toilet in accordance with subsection (3).

(2) Every latrine or toilet shall be maintained and kept clean at all times.

(3) Subject to subsection (1), a pit latrine shall conform to the following standards—

- (a) every pit latrine shall be lined;
- (b) the depth of a lined pit latrine shall be at least ten feet or 3.0 meters in a sandy area and not less than 15 feet or 4.5 meters in any other place;

- (c) the wall of a lined pit latrine shall be at least 6 feet high;
  - (d) every pit latrine shall be appropriately roofed to prevent any leakage;
  - (e) the roof of a pit latrine shall be at least 6 inches or 15 centimetres above the level of the surrounding ground and shall be made of concrete;
  - (f) a wall, roof or floor of a pit latrine shall not be made of grass or other similar materials;
  - (g) the hole of the pit latrine shall be 6 inches wide and 15 inches long;
  - (h) a hole of a pit latrine shall have a temporary cover;
- (4) All latrines or toilet facilities shall be drainable.

**14. Distance of latrine from building or water source.**

(1) A pit latrine shall be at least thirty feet away from premises used as a dwelling house or kitchen.

(2) A pit latrine shall be at least one hundred feet away from a spring, well, pool, lake, stream or other water supply.

(3) Where a pit latrine is full to less than three feet from the ground level, the pit latrine shall be closed, filled with earth or demolished.

**15. Defecation in gazetted places**

(1) A person shall not defecate or urinate in any place which is not gazetted for that purpose.

(2) A person who defecates or urinates in a place which is not gazetted for the purpose commits an offence, and is liable on conviction to a fine not exceeding two currency points or imprisonment not exceeding six months or both.

**16. Hand washing facility.**

Every premise used as a dwelling house or commercial premise shall have a hand washing facility with water and soap placed near the pit latrine or toilet.

**17. Public toilet or latrines**

(1) The Council shall construct public toilets or pit latrines in developing or developed commercial centers or busy areas including public markets, taxi parks or bus parks.

(2) The Council shall ensure that public toilets and pit latrines are maintained in good condition.

(3) The Council may prescribe a fee for the use of any public toilet or pit latrine constructed in subparagraph (1).

**18. Provision of septic tanks and toilets or proper latrines.**

(1) An owner of a building within the town shall ensure that his or her building has a septic tank and a toilet with flushing facility or an improved pit latrine.

(2) The Council may inspect any building within the town for purposes of enforcing the construction of septic tanks and pit latrines.

(3) A person who contravenes subparagraph (1) commits an offence and is liable, on conviction, to a fine not exceeding two currency points.

**19. Public spitting and open defecation prohibited.**

(1) A person shall not spit, urinate or defecate in any open place in the town other than in public convenience, toilet or ablution.

(2) A person who contravenes subparagraph (1) commits an offence and is liable, on conviction, to a fine not exceeding two currency points or imprisonment not exceeding six months or both.

**PART III – SANITATION OF COMMERCIAL PREMISES  
AND PUBLIC PLACES**

*Lodging Houses*

**20. Registration of lodging houses.**

(1) No person shall let accommodation in any premises as lodgings unless he or she has registered the building as a lodging house with the local authority.

(2) The Council shall keep a register of lodging houses in an appropriate form.

(3) The Council shall not register any lodging house the construction and equipment of which does not comply with this Byelaw.

(4) The standards of construction of lodging houses in the Council shall conform to the standards imposed by the Public Health (Grade II Building) Rules or any similar rules imposed by the Council.

(5) No person shall be registered unless the person provides the national identification card and a copy is retained.

(6) A lodging house manager shall inform the Council in writing of any change in any of the registrable particulars of his or her lodging house within seven days of that change.

(7) The Council may cancel the registration of any lodging house the construction or equipment of which ceases to conform with this Byelaw, or of which the lodging house manager is convicted of any offence under this Byelaw.

(8) A manager who admits a person in a lodging house in contravention of this subparagraph commits an offence and is liable on conviction, to a fine not exceeding or imprisonment or a term not exceeding six months or both.

## **21. Facilities to be provided for lodgers.**

(1) Every lodging house manager shall provide for the use of all persons lodging in his or her lodging house such number of latrines as are required by the Public Health (Drainage and Sanitation) Rules or any rules issued by the Council.

(2) Every lodging house manager shall provide for the use of all persons lodging in his or her lodging house—

- (a) a supply of water;
- (b) accommodation for the storage of food;

- (c) kitchen facilities; and
- (d) waste water drainage, to the satisfaction of the council.

## **22 Duties of lodging house manager.**

Every lodging house manager shall—

- (a) maintain his or her lodging house and its accessories in good repair;
- (b) keep his or her premises free of vermin;
- (c) disinfect or disinfest his or her premises when required so to do by the council, in the manner prescribed by the council;
- (d) provide every staircase with a handrail securely fixed;
- (e) provide every passage and staircase with adequate ventilation and lighting to the satisfaction of the council;
- (f) keep clean and in good repair—
  - (i) every common receptacle for the storage of water;
  - (ii) all drainage;
  - (iii) every latrine;
  - (iv) every bath;
  - (v) every receptacle for refuse;
  - (vi) every common staircase and passage; and
  - (vii) every other place in his or her premises which is used in common;
- (g) after the termination of any letting of any accommodation and before the accommodation is occupied by any succeeding lodger, thoroughly clean the accommodation and any fittings, furniture, or appliances in it;
- (h) in the month of November in every year thoroughly cleanse every part of his or premises and redecorate the premises by limewashing or painting and make good any damage or decay; and

- (i) fix and keep displayed in every room of his or her lodging house in any language required by the Council—
- (i) a copy of duties of a lodger specified in this Byelaw;
- (ii) a card showing the number of persons who may occupy the room.

### **23. Duties of lodger.**

Every lodger shall—

- (a) every day before two o'clock in the afternoon remove all refuse from the accommodation which has been let to him or her and cleanse every receptacle used for the refuse;
- (b) keep clean his or her accommodation and any fittings or appliances in the accommodation; and
- (c) keep clean his or her furniture, bedding, household utensils and that of any person sharing his or her accommodation.

### **24. General provisions relating to lodging houses.**

No lodging house manager or lodger shall—

- (a) keep or permit to be kept any animal so as to cause any part of the premises to be filthy, unwholesome, or evil-smelling;
- (b) cause or allow any obstruction whatsoever in any passage, staircase or doorway;
- (c) cause or allow more persons to be lodged than will allow forty square feet of floor space for each such person, or, if the average height of any room or part is less than eight feet, fifty square feet of floor space for each such person; and
- (d) prevent entry or access to any part of the premises by any person duly authorised by law to inspect lodging houses while in the exercise of his or her duty, or delay or obstruct that person in the exercise of his or her duty.

**25. Notice by council to remedy defects**

The Council, or any person authorised by law to inspect lodging houses, may, in its or his or her discretion, instead of instituting an immediate prosecution, give notice to any person requiring that person to comply with any provision of this byelaw, and if the notice is given no prosecution under this byelaw in respect of the failure to comply shall be instituted until the period specified in the notice has elapsed

*Eating Houses*

**26. Eating houses to be licensed.**

(1) No premises shall be used as an eating house unless they shall first have been licensed by the Council in a form approved by the council.

(2) Every such licence shall be annual and shall expire on the 31st December of the year in respect of which it is issued.

(3) No such licence shall be transferable.

**27. Application for licence.**

(1) Every application for a licence under this Byelaw shall be made to the Council in a form prescribed by the council.

(2) The Council shall not issue a licence under this Byelaw unless the applicant produces a certificate from a medical officer of health stating that the premises in respect of which a licence is required are in conformity with the requirements of the Public Health Act.

**28. Requirements in licensed eating houses.**

In every eating house licensed under this Byelaw, the following requirements shall be complied with—

- (a) the construction, situation, lighting, ventilation, drainage, sanitary provision and state of repair of the premises shall be such as to ensure, in the opinion of the council, satisfactory sanitary conditions in the premises and the



protection from contamination of food prepared, cooked or sold in the premises; but the requirements of the council in the foregoing respects shall not be in conflict with or in excess of the requirements of the Public Health Act;

- (b) a sufficient and accessible supply of clean and wholesome water shall be maintained on the premises and, when so required by a medical officer of health, shall be boiled or otherwise sterilised and stored in a clean and covered receptacle;
- (c) sufficient accommodation and facilities for employees to wash themselves shall be provided;
- (d) there shall be provided sufficient portable receptacles of a size and shape approved by the Council and fitted with good and efficient lids, in which shall be placed all refuse from the eating house;
- (e) no cellar or basement shall be used for any of the purposes of an eating house;
- (f) one room or cupboard of sufficient dimensions shall be provided for the sole purpose of storing food and the room or cupboard shall be fly-proof and shall be ventilated and provided with storage receptacles to the satisfaction of the Council; and
- (g) there shall be provided adequate accommodation and equipment for the washing and drying of all utensils and other articles used in connection with the preparation, cooking, handling or consumption of food or drink.

## **29. Duties of licensee.**

Every licensee shall—

- (a) at all times keep his or her premises in a state of cleanliness;
- (b) cause the inside walls and ceilings of the eating house to be surfaced, to the satisfaction of the Council, with limewash or other suitable material approved by the

Council and shall so resurface those walls and ceilings at such intervals as, in the opinion of the Council, may be necessary to maintain cleanliness and freedom from risk of contamination of any food or drink prepared, cooked or consumed in the eating house;

- (c) provide and maintain on the premises adequate facilities for a sufficient supply of hot water for the purposes of an eating house;
- (d) cause all cooking, eating or drinking utensils, tables, chairs, cupboards, shelves, receptacles and furnishings of every description to be maintained in a clean and wholesome state, and shall obey all reasonable orders given in this respect by any person authorised for that purpose by the authority;
- (e) ensure that all employees engaged in the preparation, cooking or handling of food or drink are clean in person and in clothing at all times while so employed;
- (f) at all times keep his or her licence displayed in a conspicuous part of the eating house;
- (g) in no case store or keep, or allow to be stored or kept, any article of food or drink in any part of the premises except in the room or cupboard provided for this purpose or in a properly constructed showcase protected from dust and contamination from any source to the satisfaction of the authority;
- (h) in no case use, or allow to be used, as a living room or sleeping room, any room provided for the storage of food or drink or any room in which food or drink is consumed or prepared or cooked for consumption.

**30. Prohibition of spitting.**

No person shall spit in any eating house.

**31. Infectious diseases.**

(1) No person who, to his or her knowledge, is suffering from any infectious or communicable disease shall work in or about any eating house or handle or assist in the preparation or cooking of any food or drink in an eating house.

(2) Every licensee shall without delay inform a medical officer of health of the occurrence or suspected occurrence of any infectious or communicable disease among any of his or her employees, and shall comply with any directions which the medical officer of health may give for the purpose of preventing the spread of any such disease.

**32. Keeping of animals prohibited.**

No live animal or bird shall be kept or permitted to remain in the kitchen of any eating house.

**33. Responsibility for observance of rules.**

Every licensee shall be responsible for the due observance on his or her premises of these byclaws, and any breach of this Byelaw committed by any agent, servant or employee of the licensee shall be deemed to be a breach by the licensee.

**34. Revocation or suspension of licence.**

Where any person is convicted of an offence against this Byelaw, the court may, in addition to or in substitution for any other penalty provided for the offence, revoke or suspend for such time as it thinks fit any licence granted to him or her under this Byelaw.

**PART IV—REGULATION OF USE OF WATER SOURCES**

**35. Water not to be contaminated**

(1) A person shall not bathe or wash in water from, or in any way contaminate water from, a spring, bore hole, well, dam, lake, any other water source which the community uses.

(2) The Council shall ensure that all water sources including boreholes, springs, wells and taps are fenced.

(3) It shall be the duty of the Local Council 1 and the relevant executive committee of the Local Council to ensure that all water sources are protected and that the surroundings of the water sources are kept clean within their area of jurisdiction.

**36. Animals not to enter a drinking water place**

A person who owns or keeps animals shall not allow the animals to drink from a water source which is used to provide water for human consumption.

**37. Special areas for drinking water and watering animals**

The Council shall specify special water areas for animals to drink from.

**PART V—SOLID WASTE MANAGEMENT**

**38. Responsibility of owner or occupant**

(1) An owner or occupant of a dwelling house or commercial premises is responsible for waste generated at his or her premises until the waste is collected by the Council, its appointed agents or a licenced operator.

(2) Every owner or occupant of premises, business establishment or industry is responsible for the sanitary condition of his or her premises, business establishment or industry and for the proper placement for collection of all solid waste.

**39. Prohibited placement of solid waste**

(1) A person shall not place, deposit or allow any solid waste to be placed or deposited on his or her premises or private property, on a public street, roadside, or in a ditch, river, stream, lake, pond, canal, channel, or in a park or in any excavation, or other place where it may be or become a public health nuisance.

(2) This section shall not be construed to prevent the approved placement of solid waste for collection purposes in accordance with these Byelaws or any other applicable law.

**40. Storage of solid waste**

Solid waste shall be stored in such a manner that it shall not be easily scattered or blown by the wind, and where practicable, in durable containers or dust bins.

**41. Responsibility of Council to collect and dispose of waste.**

The Council shall, either by its agents, servants or licenced collectors, ensure that solid waste in the town is collected and conveyed to treatment installations or approved disposal sites to the extent required to satisfy both public health and environmental conservation requirements, and as provided in these Byelaws.

**42. Separation of solid waste at source**

The Council shall ensure that there is separation of solid waste into degradable and non-degradable waste at the source of generation by the responsible person.

**43. Refuse to be securely covered.**

All solid waste shall be transported in an appropriate vehicle and in such a manner as to prevent it from being blown away or falling off the vehicle.

**44. Medical and clinical waste.**

Medical and clinical waste shall be disposed of by incineration, autoclaving before being disposed off at a land fill or in any other manner approved by the Council.

**45. Littering of polythene paper and plastics**

No person shall throw down, drop or otherwise deposit in, into or from any place in the open air to which the public are entitled or permitted to have access without payment, and leave, polythene or plastics in such circumstances as to cause, contribute to, or tend to lead to, the defacement by litter of any place in the open air, unless such depositing and leaving was lawfully authorized.

#### **46. Reclamation plants and recycling**

(1) A person shall not operate a plant for purposes of composition, processing, reclaiming refuse or recycling solid waste without a valid permit issued by the Council.

(2) A person who wishes to operate a plant in subparagraph (1) shall submit plans, specifications and other information pertinent to the recycling project to the Council for review and approval before the start of the project.

(3) A person shall not commence construction of a plant in subparagraph (1) until the approval from the Council has been obtained.

(4) A person operating a plant shall ensure that there is proper disposal of all solid waste that has not been recycled.

(5) The owner of the plant shall ensure that skilled personnel are employed at the plant to ensure the proper operation and maintenance of the facilities in a nuisance free manner.

(6) A person who contravenes this paragraph commits an offence and is liable, on conviction, to a fine not exceeding two currency points or imprisonment for a term not exceeding six months, or both.

#### **47. Participation in the sanitation campaign**

(1) The council shall hold a monthly cleanup campaign on the fifteenth day of every month or such time the council may prescribe.

(2) Every person residing or conducting business within the Town shall participate in the cleanup campaign held in subparagraph (1).

(3) A person who contravenes subparagraph (2) commits an offence and is liable, on conviction, to a fine not exceeding two currency points.

### **PART VI—FAECAL SLUDGE MANAGEMENT**

#### **48. Responsibility of owner or occupant of premises**

(1) An owner or occupant of dwelling or commercial premises is responsible for faecal sludge generated in the premises until it is

collected by the Council, its appointed agents or an operator licenced by the Council.

(2) An owner or occupant of any premises, business establishment or industry is responsible for the sanitary condition of his or her premises, business establishment or industry and for the proper placement for collection of all faecal sludge.

**49. Prohibited placement of faecal sludge**

(1) A person shall not place, deposit or allow any faecal sludge to be placed or deposited on his or her premises or private property, on a public street, roadside, or in a ditch, river, stream, lake, pond, canal, channel, or in a park or in any excavation, or other place where it may be or become a public health nuisance.

(2) This paragraph shall not be construed to prevent the approved placement of faecal sludge for collection purposes in accordance with these Byelaws or any other applicable law.

**50. Recommended emptying methods.**

(1) The faecal sludge emptying methods authorised for use in the council for filled up latrines or toilets shall include—

- (a) mechanized emptying using vacuum tankers; and
- (b) semi-manual emptying technologies such as the “gulper” method.

(2) The manual emptying of faecal sludge is prohibited unless the approval of the Council is obtained.

(3) The Council may at a prescribed fee provide emptying services through appointed agents.

(4) A person who contravenes subparagraph (1) and (2) commits an offence and is liable, on conviction, to a fine not exceeding two currency points or imprisonment not exceeding six months or both.

## **51. Transportation of faecal sludge**

(1) An owner or operator of a vehicle or equipment used for the collection and transportation of faecal sludge shall ensure that the vehicle or equipment—

- (a) is secure,
- (b) is appropriately constructed, and
- (c) is cleaned and decontaminated frequently to prevent the vehicle and equipment from becoming a public health nuisance.

(2) A faecal sludge transporter shall ensure that the vehicle or equipment used to collect and transport the faecal sludge is loaded in such a manner that the faecal sludge is not exposed, leaks or spills, and where spillage occurs, the faecal shall be removed immediately by the transporter in a sanitary manner.

(3) A faecal sludge transporter or hauler shall display the company name, contact number, company logo, and license number of the faecal sludge hauler or transport vehicle on both sides of the vehicle.

(4) A faecal sludge transporter shall follow scheduled routes from the point of collection to the disposal site or treatment plant.

(5) The owner or operator of a vehicle or equipment used for the business of collecting, transporting or disposing faecal sludge shall register the vehicle or equipment with the Council

(6) A person who contravenes subparagraph (1), (2), (3) and (4) commits an offence and is liable, on conviction, to a fine not exceeding two currency points or imprisonment not exceeding six months or both

## **52. Prohibited disposal of faecal sludge**

(1) A person shall not discharge faecal sludge in a manhole, drainage or body of water or open land.



(2) A person who contravenes this paragraph commits an offence and is liable, on conviction, to a fine not exceeding two currency points or imprisonment not exceeding six months, or both.

### **53. Methods of disposal of faecal sludge**

(1) All faecal sludge shall be disposed of by a method or methods prescribed by the Council.

(2) Faecal sludge discharged or made available by the occupiers of premises shall be collected, treated and disposed of only by the Council or its authorised service providers.

### **54. Disposal sites to be approved**

(1) The disposal sites for faecal sludge shall be approved by the Council, which shall be obtained in advance of commencement of an operation, and before any change of method of disposal or site.

(2) Deposits of faecal sludge that do not originate from an established service area are prohibited.

(3) Industrial waste shall not be accepted at the disposal facility unless it has been pre-treated in accordance with guidelines issued by the relevant authority.

(4) A person licenced to dispose of faecal sludge shall—

- (a) act in accordance with any relevant laws on posted site use of the facility;
- (b) not act in a manner contrary to the posted site regulations;
- (c) pay any fees prescribed by the Council or any relevant law.

(5) A person depositing faecal sludge at an appropriate facility shall access the facility only during hours of operation.

(6) A person who contravenes this paragraph commits an offence and is liable, on conviction, to a fine not exceeding two currency points or imprisonment not exceeding six months or both.

**55. Disposal fees**

(1) The Council may prescribe a fee for each volume of load for purposes of emptying and disposal of faecal sludge.

(2) The fees prescribed under this paragraph may be annual or periodic for operations and maintenance cost recovery.

(3) The fees may be included in any charge payable for the removal of the waste or charged separately by the Council at the plant site or by other arrangements specified by the Council.

**PART VII—SLAUGHTER HOUSES**

**56. Animals or birds to be slaughtered in slaughterhouses.**

(1) A person shall not slaughter any animal or bird intended for sale to the public or intended for public consumption, except in a licenced slaughterhouse.

(2) A person shall not, within the boundaries of the Council, slaughter an animal or bird in a slaughterhouse except with the permission of the Council.

**57. Time of taking animals or birds for slaughter**

Every person having custody of an animal or bird intended for slaughter in a slaughterhouse shall deliver the animal or bird to a slaughterhouse or a place appointed by the Council for the slaughter of animals or bird not later than twelve hours prior to the slaughtering of the animal or bird.

**58. Slaughter fees**

The Council shall determine the fees payable for the slaughter of animals or birds in a slaughterhouse from time to time.

**59. Animals or birds prohibited in slaughterhouse**

An owner of a slaughterhouse shall not allow or permit any animal or bird other than an animal or bird intended for slaughter in a slaughterhouse.

## **60. Examination of animals or birds and carcasses**

(1) An authorised officer may at any time examine an animal or bird intended for slaughter in a slaughterhouse and may forbid the slaughtering of the animal or bird if he or she is of the opinion that the animal or bird is diseased.

(2) An authorised officer may at any time detain any meat in a slaughterhouse for examination by a medical officer of health or a veterinary officer; and where the medical officer of health or veterinary officer is of the opinion that the meat is unfit for human consumption, the authorised officer may order the destruction of the meat.

(3) The owner of an animal, bird or carcass declared by the medical officer or veterinary officer to be unfit for human consumption shall not be compensated for the destruction of his or her animal, bird or carcass.

(4) A person who contravenes this paragraph commits an offence.

## **61. Marking of meat**

(1) The Council may approve and authorise the use of marks of inspection as evidence that the meat embossed with such marks is fit for human consumption.

(2) All meat that has been inspected and approved as meat fit for human consumption in a slaughterhouse shall be stamped with the mark referred to in subparagraph (1).

(3) Only an authorised officer shall apply the mark referred to in subparagraph (1) to meat.

## **62. Animals slaughtered outside council's jurisdiction**

(1) Any person who desires to bring any meat to a butcher's shop within the council's area of jurisdiction shall obtain the prior written permission of the council to do so.

(2) The Council or an authorised officer to whom an application is made under subparagraph (1) of this paragraph may require such meat to be brought to a suitable place for examination or to be identified as having been examined at the time of slaughter by the marks, seals, brands or labels recognised by the council as authentic.

(3) Any person found in possession of or conveying meat obtained outside the council area of jurisdiction for the purpose of sale or public consumption, without the permission referred to in subparagraph (1), commits an offence.

(4) This paragraph shall not apply to meat lawfully imported into Uganda that has been slaughtered in a slaughterhouse recognised by the council.

**63. Appointment of slaughter persons.**

The Council may appoint a person to slaughter animals or birds and may determine the terms and conditions of his or her appointment.

**64. Entry into slaughterhouse prohibited.**

A person shall not enter any slaughterhouse in the council's area of jurisdiction without the permission of the Council except that an authorised worker shall be permitted to enter during working hours.

**65. Fixing of hours.**

The Council may fix the hours for the slaughter of animals or birds.

**66. Conveyance of meat**

(1) Any person who conveys or causes to be conveyed any meat in a vehicle shall—

- (a) first register with the Council as an authorised transporter of meat;
- (b) cause the inside and the covering of the vehicle, the receptacles for meat and any apparatus likely to come into contact with the meat used for loading and unloading, to be kept in a clean condition; and

- (c) not permit any person or any live animal, bird or any material or thing to be conveyed in the body of the vehicle together with the meat.

(2) An authorised transporter of meat, for public consumption, shall be approved by the Council and shall bear the recognised label of the Council.

(3) A person shall not convey any meat, intended for sale as food for human consumption, in any vehicle unless the Council has in writing approved the vehicle for that purpose.

(4) The Council may refuse to approve any vehicle which is not covered, and which has no proper provision for preventing the meat from getting contaminated.

(5) If the council is of the opinion that any vehicle approved under subparagraph (1) is not being maintained in a satisfactory condition, the Council may direct that the vehicle be discontinued from conveying meat.

(6) A person engaged in the handling or transportation of meat shall—

- (a) not permit any part of the meat to come into contact with the ground; and
- (b) take all precautions necessary to prevent the exposure of meat to contamination.

(7) An employer of any person engaged in the handling or transporting of meat shall cause the person when handling or transporting meat, to wear a clean and washable head covering and an overall.

(8) Any authorised officer may at any time inspect any vehicle used for carrying meat to ascertain whether the provisions of this Byelaw are being complied with.

**67. Duties of animal owners or keepers**

(1) Every animal owner or keeper shall ensure that the animal is vaccinated in accordance with relevant laws.

(2) Every owner or keeper of an animal shall ensure that—

- (a) the animal is kept within its appropriate shelter;
- (b) the animal and its shelter is kept clean at all times;
- (c) where the animal is not a pet and of domestic nature, its shelter is situated 10 meters from the dwelling house, food storage facilities or any water source used for domestic consumption;
- (d) the animal does not stray on to the road, into homesteads or gardens within the community.

(3) Notwithstanding subparagraph (2) (c), every owner or keeper of bees shall ensure that the apiary is at least thirty meters away from any public place, dwelling house or structure used for human habitation or keeping of animals.

(4) A person who—

- (a) causes any street, public or private place to be strayed by his or her animals; or
- (b) obstruct any authorized officer of the Council in the management of stray animals;

commits an offence and is liable, on conviction, to a fine not exceeding two currency points or imprisonment not exceeding six months.

**68. Power of seizure of stray animals vested in the Council.**

(1) An administrative, veterinary or police officer or law enforcement personnel or inspecting officer may seize any animal found straying, or any animal which he or she has reason to believe the owner refuses to take and keep charge.

(2) Subject to subparagraph (1), an administrative, veterinary or police officer or law enforcement personnel or inspecting officer, may order that an animal found straying to be taken immediately into an area or place, and detain it there, subject to the orders of a magistrate.

(3) A seizure and detention made under this section shall be reported by the official making it to a magistrate having jurisdiction in the area.

## **PART IX—MISCELLANEOUS**

### **69. Licencing of video or disco operations.**

(1) A person shall not operate a video or disco hall without obtaining a license issued by the Council.

(2) The Council may give a license to operate video or disco where it is satisfied that the premises to be used are secure enough to protect customers.

(3) A person shall not operate a video or disco hall without a latrine with a hand washing facility.

(4) A person operating a video hall shall ensure that no child is admitted in the facility during school days.

(5) An authorised officer shall regularly inspect the video and disco halls.

### **70. Prohibition of children in video or disco operations**

(1) The proprietors and operators of video or disco operations shall not permit entry of a child into the video or disco operation.

(2) A person who contravenes this paragraph commits an offence is liable, on conviction, to a fine not exceeding two currency points or to a term of imprisonment not exceeding six months or both.

STATUTORY INSTRUMENTS SUPPLEMENT  
*to The Uganda Gazette No. 28, Volume CXII, dated 17th June, 2019*

Printed by UPPC, Entebbe, by Order of the Government.

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S T A T U T O R Y   I N S T R U M E N T S

2019 No. 36

THE LOCAL GOVERNMENTS (IBUJE TOWN COUNCIL)  
(SANITATION AND PUBLIC HEALTH) BYELAWS, 2019

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SCHEDULE

2019 No. 36.

**The Local Governments (Ibujé Town Council) (Sanitation And  
Public Health) Byelaws, 2019**

*(Under section 39 of the Local Governments Act, Cap 243)*

IN EXERCISE of the powers conferred upon Ibujé Town Council by section 39 of the Local Governments Act, these Byelaws are made this 15th day of December, 2018.

PART I—PRELIMINARY

**1. Title**

These Byelaws may be cited as the Local Governments (Ibujé Town Council) Byelaws, 2019.

**2. Application.**

These Byelaws apply to Ibujé Town Council.

**3. Interpretation**

In these Byelaws, unless the context otherwise requires—

“authorised officer” includes the district health officer, the district medical officer, the district environmental health officer, health inspector, veterinary officer and any other person authorised by the Council;

“Council” means Ibujé Town Council;

“currency point” has the value assigned to it in the Schedule to these Byelaws;

“dwelling house” means a house used as a residence for human habitation rather than for business;

“eating house” means any premises where any article of food or drink is sold, or is prepared or cooked for sale, for consumption on the premises but does not include premises

licensed under the Liquor Act which are not used for the preparation, cooking or sale of food for consumption on such premises;

“environmental sanitation services” means the collection, transport, treatment, recycling or disposal of faecal sludge, solid and liquid waste and the management of public sanitation facilities;

“faecal sludge” means untreated sludge of variable consistency collected from on-site sanitation systems storing or treating black-water and excreta, which includes latrines, non- sewerred public toilets, septic tanks and cesspits;

“house” includes a dwelling house, commercial premise, warehouse, office, shop, school, college or any other building in which a person can take shelter;

“latrine or toilet” means any privy, urinal, earth closet, water closet, ecological sanitation (Ecosan), structure or used for defecation;

“liquid waste” means human excreta, liquid effluent and sludge from septic tanks, animal manure, industrial liquid effluent and domestic or commercial waste-water, but does not include storm water;

“noise” means unwanted, unpleasant or very loud sound above ninety decibels (90dB);

“nuisance” means anything which is injurious to health or offensive to the senses, or is an obstruction to the free use of property as to interfere with comfortable enjoyment of life or property of considerable persons, or which obstructs free passage or use in the customary manner as defined in the Public Health Act, Cap. 281;

“occupier” means a person in occupation of premises or having charge, management or control of a building but does not include a lodger;

“owner” includes a person who receives the rent from premises or who would receive rent if that land or premises were let to a tenant;

“premises” includes dwelling places, hospitality industry establishments, health and veterinary care facilities, markets, industries of any type or capacity, schools, offices, places of worship or entrainment, sanitary infrastructure including a slaughter house or abattoir, public toilets, liquid and solid wastes treatment plants or any area whether open or enclosed where people live or work;

“sanitation” means the process where people demand, develop and sustain hygienic and healthy environment for themselves by erecting barriers to prevent the transmission of communicable diseases;

“service provider” means any person or body providing environmental sanitation services by agreement with the Council and collecting agreed fees directly from those receiving the services so provided;

“solid waste” means unwanted matter which is not in liquid or gaseous form;

“slaughter house” means any premises where livestock, animal husbandry is slaughtered on a commercial scale;

“stray animal” means any animal which, on reasonable belief, the owner has refused, or neglected to take and keep charge.

## PART II—HOUSEHOLD SANITATION

### 4. Requirements for dwelling house.

A dwelling house shall conform to the following standards—

- (a) the size of the living room shall not be less than twelve feet or 3.7 metres in diameter;
- (b) the size of a rectangular or one-roomed house shall be at least one hundred square feet or nine square meters;
- (c) the size of a rectangular house with more than one room shall be at least 80 square feet or 7.3 square meters except for a room used for storage;
- (d) the roof of a house shall be leak-proof;
- (e) the walls of a house shall be at least 6 inches or 15 centimeters thick and shall all be plastered smooth;
- (f) a wall, roof or floor shall not be made of grass or other similar material;
- (g) a wall shall not be less than 10 feet or 3 meters from the top of the wall to the floor;
- (h) the floor of the house shall be made of concrete and shall be at least 6 inches above the ground;
- (i) a roof shall be ventilated either by leaving six inches clear space from the wall-head to the roof or by the insertion of ventilation in the external walls of not less than nine by twelve inches;
- (j) each room of the house shall have at least two ventilators and the total area of the ventilator shall not be less than a hundredth of the floor area; and
- (k) all rooms except stores shall have at least one window which shall not be less than three by two feet and the area of each window shall not be less than a tenth of the floor area.

## **5. Requirements of kitchen**

A dwelling house shall have a kitchen which shall conform to the following standards—

- (a) the walls shall be at least eight feet or 2.4m high from the top of the wall to the floor;
- (b) a wall, roof or floor of a kitchen shall not be made of grass or other similar materials;
- (c) the floor shall be made of concrete and at least six inches or 15 centimeters above the ground;
- (d) the floor area of the kitchen shall not be less than 35 square feet or 3.2 square meters; and
- (e) the kitchen shall be equipped with a smoke removal apparatus.

## **6. Drying rack.**

Every household shall have a drying rack for drying of washed kitchen utensils.

## **7. Maintenance of compound**

Every owner of premises or undeveloped plot of land shall keep the grass around his or her premises or plot of land short and in any case not more than 2.5 inches from the ground.

## **8. Household refuse to be properly managed.**

Every owner of premises used as a dwelling house shall ensure that all refuse generated from his or her premise is properly placed in dustbins and that the dustbins are properly emptied at the gazetted public or private sites as may be authorized by the Council.

## **9. Bath place.**

Every premise used as a dwelling house shall have a bathing place with a soak pit.

## **10. Destruction of mosquitoes.**

A person who owns, occupies or keeps any premises shall take all measures necessary—



- (a) to destroy mosquitoes on the premises;
- (b) to collect and remove empty tins, cans, bottles or other receptacles in which mosquitoes may breed;
- (c) to cut down and remove any grass, bamboo stamps or other vegetation in which mosquitoes are likely to breed or be harboured;
- (d) to bring any water or swamp into a condition that is not favourable to the breeding or harbouring of mosquitoes;
- (e) to fill with concrete or treat holes or the hallows in trees, which are likely to hold water; and
- (f) to cover any vessel or septic tank around the premises which could make conditions favourable to breeding of mosquitoes.

**11. Animals not to be kept in dwelling house with people.**

A person shall not share a dwelling house with an animal except a pet.

**12. Food store and reserve.**

- (1) Every dwelling house shall have a food store or granary.
- (2) Every dwelling house shall have a food reserve.

**13. Maintenance of latrine or toilet.**

- (1) Every dwelling house shall have and maintain a latrine or toilet in accordance with subparagraph (3).
- (2) Every latrine or toilet shall be maintained and kept clean at all times.
- (3) Subject to paragraph (1), a pit latrine shall conform to the following standards—
  - (a) every pit latrine shall be lined;
  - (b) the depth of a lined pit latrine shall be at least ten feet or 3.0 meters in a sandy area and not less than 15 feet or 4.5 meters in any other place;

- (c) the wall of a lined pit latrine shall be at least 6 feet high;
  - (d) every pit latrine shall be appropriately roofed to prevent any leakage;
  - (e) the roof of a pit latrine shall be at least 6 inches or 15 centimetres above the level of the surrounding ground and shall be made of concrete;
  - (f) a wall, roof or floor of a pit latrine shall not be made of grass or other similar materials;
  - (g) the hole of the pit latrine shall be 6 inches wide and 15 inches long;
  - (h) a hole of a pit latrine shall have a temporary cover;
- (4) All latrines or toilet facilities shall be drainable.

**14. Distance of latrine from building or water source.**

(1) A pit latrine shall be at least thirty feet away from premises used as a dwelling house or kitchen.

(2) A pit latrine shall be at least one hundred feet away from a spring, well, pool, lake, stream or other water supply.

(3) Where a pit latrine is full to less than three feet from the ground level, the pit latrine shall be closed, filled with earth or demolished.

**15. Defecation in gazetted places**

(1) A person shall not defecate or urinate in any place which is not gazetted for that purpose.

(2) A person who defecates or urinates in a place which is not gazetted for the purpose commits an offence and is liable on conviction to a fine not exceeding two currency points or imprisonment not exceeding six months or both.

**16. Hand washing facility.**

Every premise used as a dwelling house or commercial premise shall have a hand washing facility with water and soap placed near the pit latrine or toilet.

### **17. Public toilet or latrines**

(1) The Council shall construct public toilets or pit latrines in developing or developed commercial centers or busy areas including public markets, taxi parks and bus parks.

(2) The Council shall ensure that public toilets and pit latrines are maintained in good condition.

(3) The Council may prescribe a fee for the use of any public toilet or pit latrine constructed in subparagraph (1).

### **18. Provision of septic tanks and toilets or proper latrines.**

(1) An owner of a building within the town shall ensure that his or her building has a septic tank constructed in accordance with recognised standards and a toilet with flushing facility or an improved pit latrine.

(2) The Council may inspect any building within the town for purposes of enforcing the construction of septic tanks and pit latrines.

(3) A person who contravenes subparagraph (1) commits an offence and is liable, on conviction, to a fine not exceeding two currency points or imprisonment not exceeding six months or both.

### **19. Public spitting and open defecation prohibited.**

(1) A person shall not spit, urinate or defecate in any open place in the town other than in a public convenience, toilet or ablution.

(2) A person who contravenes sub paragraph (1) commits an offence and is liable, on conviction, to a fine not exceeding two currency points or imprisonment not exceeding six months or both.

## **PART III—SANITATION OF COMMERCIAL PREMISES AND PUBLIC PLACES**

### *Lodging Houses*

### **20. Registration of lodging houses.**

(1) No person shall let accommodation in any premises as lodgings unless he or she has registered the building as a lodging house with the Council.

(2) The Council shall keep a register of lodging houses in an appropriate form.

(3) The Council shall not register any lodging house the construction and equipment of which does not comply with this Byelaw.

(4) The standards of construction of lodging houses in the Council shall conform to the standards imposed by the Public Health (Grade II Building) Rules or any similar rules imposed by the Council.

(5) No person shall be registered unless the person provides the national identification card and a copy is retained.

(6) A lodging house manager shall inform the Council in writing of any change in any of the registrable particulars of his or her lodging house within seven days of that change.

(7) The Council may cancel the registration of any lodging house which ceases to conform with this Byelaw, or of which the lodging house manager is convicted of any offence under this Byelaw.

(8) A manager who admits a person in a lodging house in contravention of this subsection commits an offence and is liable on conviction to a fine not exceeding or imprisonment not exceeding six months or both.

## **21. Facilities to be provided for lodgers.**

(1) Every lodging house manager shall provide for the use of all persons lodging in his or her lodging house such number of latrines as are required by the Public Health (Drainage and Sanitation) Rules or any rules issued by the Council.

(2) Every lodging house manager shall provide for the use of all persons lodging in his or her lodging house—

- (a) a supply of water;
- (b) accommodation for the storage of food;
- (c) kitchen facilities; and
- (d) waste water drainage, to the satisfaction of the Council.

## **22. Duties of lodging house manager.**

Every lodging house manager shall—

- (a) maintain his or her lodging house and its accessories in good repair;
- (b) keep his or her premises free of vermin;
- (c) disinfect or disinfest his or her premises when required so to do by the Council, in the manner prescribed by the Council;
- (d) provide every staircase with a handrail securely fixed;
- (e) provide every passage and staircase with adequate ventilation and lighting to the satisfaction of the Council;
- (f) keep clean and in good repair—
  - (i) every common receptacle for the storage of water;
  - (ii) all drainage;
  - (iii) every latrine;
  - (iv) every bath;
  - (v) every receptacle for refuse;
  - (vi) every common staircase and passage; and
  - (vii) every other place in his or her premises which is used in common;
- (g) after the termination of any letting of any accommodation and before the accommodation is occupied by any succeeding lodger, thoroughly clean the accommodation and any fittings, furniture, or appliances in it;
- (h) in the month of November in every year thoroughly cleanse every part of his or premises and redecorate the premises by limewashing or painting and make good any damage or decay; and
- (i) fix and keep displayed in every room of his or her lodging house in any language required by the Council—

- (i) a copy of duties of a lodger specified in this Byelaw;
- (ii) a card showing the number of persons who may occupy the room.

**23. Duties of lodger.**

Every lodger shall—

- (a) every day before two o'clock in the afternoon remove all refuse from the accommodation which has been let to him or her and cleanse every receptacle used for the refuse;
- (b) keep clean his or her accommodation and any fittings or appliances in the accommodation; and
- (c) keep clean his or her furniture, bedding, household utensils and that of any person sharing his or her accommodation.

**24. General provisions relating to lodging houses.**

No lodging house manager or lodger shall—

- (a) keep or permit to be kept any animal so as to cause any part of the premises to be filthy, unwholesome, or evil-smelling;
- (b) cause or allow any obstruction whatsoever in any passage, staircase or doorway;
- (c) cause or allow more persons to be lodged than will allow forty square feet of floor space for each such person, or, if the average height of any room or part is less than eight feet, fifty square feet of floor space for each such person; and
- (d) prevent entry or access to any part of the premises by any person duly authorised by law to inspect lodging houses while in the exercise of his or her duty, or delay or obstruct that person in the exercise of his or her duty.

**25. Notice by Council to remedy defects**

The Council, or any person authorised by law to inspect lodging houses, may, in its or his or her discretion, instead of instituting an immediate prosecution, give notice to any person requiring that person to comply with any provision of this byelaw, and if the notice is given no prosecution under this Byelaw in respect of the failure to comply shall be instituted until the period specified in the notice has elapsed

*Eating Houses*

**26. Eating houses to be licensed.**

(1) No premises shall be used as an eating house unless they shall first have been licensed by the Council in a form approved by the Council.

(2) Every such licence shall be annual and shall expire on 31st December of the year in respect of which it is issued.

(3) No such licence shall be transferable.

**27. Application for licence.**

(1) Every application for a licence under this Byelaw shall be made to the Council in a form prescribed by the Council.

(2) The Council shall not issue a licence under this Byelaw unless the applicant produces a certificate from a medical officer of health stating that the premises in respect of which a licence is required are in conformity with the requirements of the Public Health Act.

**28. Requirements in licensed eating houses.**

In every eating house licensed under this Byelaw, the following requirements shall be complied with—

- (a) the construction, situation, lighting, ventilation, drainage, sanitary provision and state of repair of the premises shall be such as to ensure, in the opinion of the Council, satisfactory sanitary conditions in the premises and the

protection from contamination of food prepared, cooked or sold in the premises; but the requirements of the Council in the foregoing respects shall not be in conflict with or in excess of the requirements of the Public Health Act;

- (b) a sufficient and accessible supply of clean and wholesome water shall be maintained on the premises and, when so required by a medical officer of health, shall be boiled or otherwise sterilised and stored in a clean and covered receptacle;
- (c) sufficient accommodation and facilities for employees to wash themselves shall be provided;
- (d) there shall be provided sufficient portable receptacles of a size and shape approved by the Council and fitted with good and efficient lids, in which shall be placed all refuse from the eating house;
- (e) no cellar or basement shall be used for any of the purposes of an eating house;
- (f) one room or cupboard of sufficient dimensions shall be provided for the sole purpose of storing food and the room or cupboard shall be fly-proof and shall be ventilated and provided with storage receptacles to the satisfaction of the Council; and
- (g) there shall be provided adequate accommodation and equipment for the washing and drying of all utensils and other articles used in connection with the preparation, cooking, handling or consumption of food or drink.

## **29. Duties of licensee.**

Every licensee shall—

- (a) at all times keep his or her premises in a state of cleanliness;
- (b) cause the inside walls and ceilings of the eating house to be surfaced, to the satisfaction of the Council, with limewash or other suitable material approved by the



Council and shall so resurface those walls and ceilings at such intervals as, in the opinion of the Council, may be necessary to maintain cleanliness and freedom from risk of contamination of any food or drink prepared, cooked or consumed in the eating house;

- (c) provide and maintain on the premises adequate facilities for a sufficient supply of hot water for the purposes of an eating house;
- (d) cause all cooking, eating or drinking utensils, tables, chairs, cupboards, shelves, receptacles and furnishings of every description to be maintained in a clean and wholesome state, and shall obey all reasonable orders given in this respect by any person authorised for that purpose by the authority;
- (e) ensure that all employees engaged in the preparation, cooking or handling of food or drink are clean in person and in clothing at all times while so employed;
- (f) at all times keep his or her licence displayed in a conspicuous part of the eating house;
- (g) in no case store or keep, or allow to be stored or kept, any article of food or drink in any part of the premises except in the room or cupboard provided for this purpose or in a properly constructed showcase protected from dust and contamination from any source to the satisfaction of the authority;
- (h) in no case use, or allow to be used, as a living room or sleeping room, any room provided for the storage of food or drink or any room in which food or drink is consumed or prepared or cooked for consumption.

**30. Prohibition of spitting.**

No person shall spit in any eating house.

**31. Infectious diseases.**

(1) No person who, to his or her knowledge, is suffering from any infectious or communicable disease shall work in or about any eating house or handle or assist in the preparation or cooking of any food or drink in an eating house.

(2) Every licensee shall without delay inform a medical officer of health of the occurrence or suspected occurrence of any infectious or communicable disease among any of his or her employees and shall comply with any directions which the medical officer of health may give for the purpose of preventing the spread of any such disease.

**32. Keeping of animals prohibited.**

No live animal or bird shall be kept or permitted to remain in the kitchen of any eating house.

**33. Responsibility for observance of rules.**

Every licensee shall be responsible for the due observance on his or her premises of this Byelaw, and any breach of this Byelaw committed by any agent, servant or employee of the licensee shall be deemed to be a breach by the licensee.

**34. Revocation or suspension of licence.**

Where any person is convicted of an offence against under this Byelaw, the court may, in addition to or in substitution for any other penalty provided for the offence, revoke or suspend for such time as it thinks fit any licence granted to him or her under this Byelaw.

**PART IV—REGULATION OF USE OF WATER SOURCES**

**35. Water not to be contaminated.**

(1) A person shall not bathe or wash in water from, or in any way contaminate water from, a spring, borehole, well, dam, lake, any other water source which the community uses.

(2) The Council shall ensure that all water sources including boreholes, springs, wells and taps are fenced.

(3) It shall be the duty of the Council and the relevant executive committee of the Council to ensure that all water sources are protected and that the surroundings of the water sources are kept clean within their area of jurisdiction.

**36. Animals not to enter a drinking water place**

A person who owns or keeps animals shall not allow the animals to drink from a water source which is used to provide water for human consumption.

**37. Special areas for drinking water and watering animals**

The Council shall specify special water areas for animals to drink from.

**PART V—SOLID WASTE MANAGEMENT**

**38. Responsibility of owner or occupant**

(1) An owner or occupant of a dwelling house or commercial premises is responsible for waste generated at his or her premises until the waste is collected by the Council, its appointed agents or a licenced operator.

(2) Every owner or occupant of premises, business establishment or industry is responsible for the sanitary condition of his or her premises, business establishment or industry and for the proper placement for collection of all solid waste.

**39. Prohibited placement of solid waste**

(1) A person shall not place, deposit or allow any solid waste to be placed or deposited on his or her premises or private property, on a public street, roadside, or in a ditch, river, stream, lake, pond, canal, channel, or in a park or in any excavation, or other place where it may be or become a public health nuisance.

(2) This section shall not be construed to prevent the approved placement of solid waste for collection purposes in accordance with these Byelaws or any other applicable law.

**40. Storage of solid waste.**

Solid waste shall be kept and stored in such a manner that it shall not be easily scattered or blown by the wind, and where practicable, in durable containers or dust bins.

**41. Responsibility of Council to collect and dispose waste.**

The Council shall, either by its agents, servants or licenced collectors, ensure that solid waste in the town is collected and conveyed to treatment installations or approved disposal sites to the extent required to satisfy both public health and environmental conservation requirements, and as provided in these Byelaws.

**42. Separation of solid waste at source.**

The Council shall ensure that there is separation of solid waste into degradable and non-degradable waste at the source of generation by the responsible person.

**43. Refuse to be securely covered.**

All solid waste shall be transported in an appropriate vehicle and in such a manner as to prevent it from being blown away or falling off the vehicle.

**44. Medical and clinical waste.**

Medical and clinical waste shall be disposed of by incineration, autoclaving before being disposed off at a land fill or in any other manner approved by the Council.

**45. Littering of polythene paper and plastics.**

No person shall throw down, drop or otherwise deposit in, into or from any place in the open air to which the public are entitled or permitted to have access without payment, and leave polythene or plastics in such circumstances as to cause, contribute to, or tend to lead to, the defacement by litter of any place in the open air, unless such depositing and leaving was lawfully authorized.

**46. Reclamation plants and recycling**

(1) A person shall not operate a plant for purposes of composition, processing, reclaiming refuse or recycling solid waste without a valid permit issued by the Council.

(2) A person who wishes to operate a plant in subparagraph (1) shall submit plans, specifications and other information pertinent to the recycling project to the Council for review and approval before the start of the project.

(3) A person shall not commence construction of a plant in subsection (1) until the approval from the Council has been obtained

(4) A person operating a plant shall ensure that there is proper disposal of all solid waste that has not been recycled.

(5) The owner of the plant shall ensure that skilled personnel are employed at the plant to ensure the proper operation and maintenance of the facilities in a nuisance free manner.

(6) A person who contravenes this paragraph commits an offence and is liable, on conviction, to a fine not exceeding two currency points or imprisonment for a term not exceeding six months, or both.

**47. Participation in the sanitation campaign**

(1) The Council shall hold a monthly cleanup campaign on the fifteenth day of every month or such time the Council may prescribe.

(2) Every person residing or conducting business within the town shall participate in the cleanup campaign held in subparagraph (1).

(3) A person who contravenes subparagraph (2) commits an offence and is liable, on conviction, to a fine not exceeding two currency points or imprisonment not exceeding six months or both.

**PART VI—FAECAL SLUDGE MANAGEMENT**

**48. Responsibility of owner or occupant of premises**

(1) An owner or occupant of dwelling or commercial premises is responsible for faecal sludge generated in the premises until it is collected by the Council, its appointed agents or an operator licenced by the Council.

(2) An owner or occupant of any premises, business establishment or industry is responsible for the sanitary condition of his or her premises, business establishment or industry and for the proper placement for collection of all faecal sludge.

#### **49. Prohibited placement faecal sludge**

(1) A person shall not place, deposit or allow any faecal sludge to be placed or deposited on his or her premises or private property, on a public street, roadside, or in a ditch, river, stream, lake, pond, canal, channel, or in a park or in any excavation, or other place where it may be or become a public health nuisance.

(2) This paragraph shall not be construed to prevent the approved placement of faecal sludge for collection purposes in accordance with these Byelaws or any other applicable law.

#### **50. Recommended emptying methods.**

(1) The faecal sludge emptying methods authorised for use in the Council for filled up latrines or toilets shall include—

- (a) mechanized emptying using vacuum tankers; and
- (b) semi-manual emptying technologies such as the “gulper” method.

(2) The manual emptying of faecal sludge is prohibited unless the approval of the Council is obtained.

(3) The Council may at a prescribed fee provide emptying services through appointed agents.

(4) A person who contravenes subparagraph (1) and (2), commits an offence and is liable, on conviction, to a fine not exceeding two currency points or imprisonment not exceeding six months or both.

#### **51. Transportation of faecal sludge**

(1) An owner or operator of a vehicle or equipment used for the collection and transportation of faecal sludge shall ensure that the vehicle or equipment—

- (a) is secure,
- (b) is appropriately constructed, and
- (c) is cleaned and decontaminated frequently to prevent the vehicle and equipment from becoming a public health nuisance.

(2) A faecal sludge transporter shall ensure that the vehicle or equipment used to collect and transport the faecal sludge is loaded in such a manner that the faecal sludge is not exposed, leaks or spills, and where spillage occurs, the faecal shall be removed immediately by the transporter in a sanitary manner.

(3) A faecal sludge transporter or hauler shall display the company name, contact number, company logo, and license number of the faecal sludge hauler or transport vehicle on both sides of the vehicle.

(4) A faecal sludge transporter shall follow scheduled routes from the point of collection to the disposal site or treatment plant.

(5) The owner or operator of a vehicle or equipment used for the business of collecting, transporting or disposing faecal sludge shall register the vehicle or equipment with the Council

(6) A person who contravenes subparagraph (1), (2), (3) and (4) commits an offence and is liable, on conviction, to a fine not exceeding two currency points or imprisonment not exceeding six months or both.

## **52. Prohibited disposal of faecal sludge**

(1) A person shall not discharge faecal sludge in a manhole, drainage or body of water or open land.

(2) A person who contravenes this paragraph commits an offence and is liable, on conviction, to a fine not exceeding two currency points or imprisonment not exceeding six months, or both.

### **53. Methods of disposal of faecal sludge**

(1) All faecal sludge shall be disposed of by a method or methods prescribed by the Council.

(2) Faecal sludge discharged or made available by the occupiers of premises shall be collected, treated and disposed of only by the Council or its authorised service providers.

### **54. Disposal sites to be approved**

(1) The disposal sites for faecal sludge shall be approved by the Council, which shall be obtained in advance of commencement of an operation, and before any change of method of disposal or site.

(2) Deposits of faecal sludge that do not originate from an established service area are prohibited.

(3) Industrial waste shall not be accepted at the disposal facility unless it has been pre-treated in accordance with guidelines issued by the relevant authority.

(4) A person licenced to dispose of faecal sludge shall—

- (a) act in accordance with any relevant laws on posted site use of the facility;
- (b) not act in a manner contrary to the posted site regulations;
- (c) pay any fees prescribed by the Council or any relevant law.

(5) A person depositing faecal sludge at an appropriate facility shall access the facility only during hours of operation.

(6) A person who contravenes this paragraph commits an offence and is liable, on conviction, to a fine not exceeding two currency points or imprisonment not exceeding six months or both.

### **55. Disposal fees**

(1) The Council may prescribe a fee for each volume of load for purposes of emptying and disposal of faecal sludge.



(2) The fees prescribed under this section may be annual or periodic for operations and maintenance cost recovery.

(3) The fees may be included in any charge payable for the removal of the waste or charged separately by the Council at the plant site or by other arrangements specified by the Council.

## **PART VII—SLAUGHTER HOUSES.**

### **56. Animals or birds to be slaughtered in slaughterhouses.**

(1) A person shall not slaughter any animal or bird intended for sale to the public or intended for public consumption, except in a licenced slaughterhouse.

(2) A person shall not, within the boundaries of the Council, slaughter an animal or bird in a slaughterhouse except with the permission of the Council.

### **57. Time of taking animals or birds for slaughter**

Every person having custody of an animal or bird intended for slaughter in a slaughterhouse shall deliver the animal or bird to a slaughterhouse or a place appointed by the Council for the slaughter of animals or bird not later than twelve hours prior to the slaughtering of the animal or bird.

### **58. Slaughter fees**

The Council shall determine the fees payable for the slaughter of animals or birds in a slaughterhouse from time to time.

### **59. Animals or birds prohibited in slaughterhouse**

An owner of a slaughterhouse shall not allow permit any animal or bird other than an animal or bird intended for slaughter in a slaughterhouse.

### **60. Examination of animals or birds and carcasses**

(1) An authorised officer may at any time examine an animal or bird intended for slaughter in a slaughterhouse and may forbid the slaughtering of the animal or bird if he or she is of the opinion that the animal or bird is diseased.

(2) An authorised officer may at any time detain any meat in a slaughterhouse for examination by a medical officer of health or a veterinary officer; and where the medical officer of health or veterinary officer is of the opinion that the meat is unfit for human consumption, the authorised officer may order the destruction of the meat.

(3) The owner of an animal, bird or carcass declared by the medical officer or veterinary officer to be unfit for human consumption shall not be compensated for the destruction of his or her animal, bird or carcass.

(4) A person who contravenes this paragraph commits an offence.

#### **61. Marking of meat**

(1) The Council may approve and authorise the use of marks of inspection as evidence that the meat embossed with such marks is fit for human consumption.

(2) All meat that has been inspected and approved as meat fit for human consumption in a slaughterhouse shall be stamped with the mark referred to in subparagraph (1).

(3) Only an authorised officer shall apply the mark referred to in subparagraph (1) to meat.

#### **62. Animals slaughtered outside Council's jurisdiction**

(1) Any person who desires to bring any meat to a butcher's shop within the Council's area of jurisdiction shall obtain the prior written permission of the Council to do so.

(2) The Council or an authorised officer to whom an application is made under subparagraph (1) of this paragraph may require such meat to be brought to a suitable place for examination or to be identified as having been examined at the time of slaughter by the marks, seals, brands or labels recognised by the Council as authentic.

(3) Any person found in possession of or conveying meat obtained outside the Council area of jurisdiction for the purpose of sale or public consumption, without the permission referred to in subparagraph (1), commits an offence.

(4) This paragraph shall not apply to meat lawfully imported into Uganda that has been slaughtered in a slaughterhouse recognised by the Council.

**63. Appointment of slaughter persons.**

The Council may appoint a person to slaughter animals or birds and may determine the terms and conditions of his or her appointment.

**64. Entry into slaughterhouse prohibited.**

A person shall not enter any slaughterhouse in the Council's area of jurisdiction without the permission of the Council except that an authorised worker shall be permitted to enter during working hours.

**65. Fixing of hours.**

The Council may fix the hours for the slaughter of animals or birds.

**66. Conveyance of meat**

(1) Any person who conveys or causes to be conveyed any meat in a vehicle shall—

- (a) first register with the Council as an authorised transporter of meat;
- (b) cause the inside and the covering of the vehicle, the receptacles for meat and any apparatus likely to come into contact with the meat used for loading and unloading, to be kept in a clean condition; and
- (c) not permit any person or any live animal, bird or any material or thing to be conveyed in the body of the vehicle together with the meat.

(2) An authorised transporter of meat, for public consumption, shall be approved by the Council and shall bear the recognised label of the Council.

(3) A person shall not convey any meat, intended for sale as food for human consumption, in any vehicle unless the Council has in writing approved the vehicle for that purpose.

(4) The Council may refuse to approve any vehicle which is not covered, and which has no proper provision for preventing the meat from getting contaminated.

(5) If the Council is of the opinion that any vehicle approved under sub paragraph (1) is not being maintained in a satisfactory condition, the Council may direct that the vehicle be discontinued from conveying meat.

(6) A person engaged in the handling or transportation of meat shall—

- (a) not permit any part of the meat to come into contact with the ground; and
- (b) take all precautions necessary to prevent the exposure of meat to contamination.

(7) An employer of any person engaged in the handling or transporting of meat shall cause the person when handling or transporting meat, to wear a clean and washable head covering and an overall.

(8) Any authorised officer may at any time inspect any vehicle used for carrying meat to ascertain whether the provisions of this Byelaw are being complied with.

#### PART VIII—DUTIES OF OWNERS OR KEEPERS OF ANIMALS

##### **67. Duties of animal owners or keepers**

(1) Every animal owner or keeper shall ensure that the animal is vaccinated in accordance with relevant laws.

(2) Every owner or keeper of an animal shall ensure that—

- (a) the animal is kept within its appropriate shelter;
- (b) the animal and its shelter is kept clean at all times;
- (c) where the animal is not a pet and of domestic nature, its shelter is situated 10 meters from the dwelling house, food storage facilities or any water source used for domestic consumption;

- (d) the animal does not stray on to the road, into homesteads or gardens within the community.

(3) Notwithstanding subparagraph (2) (c), every owner or keeper of bees shall ensure that the apiary is at least thirty meters away from any public place, dwelling house or structure used for human habitation or keeping of animals.

(4) A person who—

- (a) causes any street, public or private place to be strayed by his or her animals; or

- (b) obstruct any authorized officer of the Council in the management of stray animals;

commits an offence and is liable, on conviction, to a fine not exceeding two currency points or imprisonment not exceeding six months.

#### **68. Power of seizure of stray animals vested in the Council.**

(1) An administrative, veterinary or police officer or law enforcement personnel or inspecting officer may seize any animal found straying, or any animal which he or she has reason to believe the owner refuses to take and keep charge.

(2) Subject to subparagraph (1), an administrative, veterinary or police officer or law enforcement personnel or inspecting officer, may order that an animal found straying to be taken immediately into an area or place, and detain it there, subject to the orders of a magistrate.

(3) A seizure and detention made under this section shall be reported by the official making it to a magistrate having jurisdiction in the area.

### **PART IX—MISCELLANEOUS**

#### **69. Licencing of video or disco operations.**

(1) A person shall not operate a video or disco hall without obtaining a license issued by the Council.

(2) The Council may give a license to operate video or disco where it is satisfied that the premises to be used are secure enough to protect customers.

(3) A person shall not operate a video or disco hall without a latrine with a hand washing facility.

(4) A person operating a video hall shall ensure that no child is admitted in the facility during school days.

(5) An authorised officer shall regularly inspect the video and disco halls.

#### **70. Prohibition of children in video or disco operations**

(1) The proprietors and operators of video or disco operations shall not permit entry of a child into the video or disco operation.

(2) A person who contravenes this paragraph commits an offence is liable, on conviction, to a fine not exceeding two currency points or to a term of imprisonment not exceeding six months or both.

#### **71. Miscellaneous matters**

(1) The Council shall issue guidelines specifying standards in respect to noise pollution, sound proofing a toilet and latrines in accordance with national standards.

(2) A person who contravenes the guidelines issued under this section commits an offence is liable, on conviction, to a fine not exceeding two currency points or to a term of imprisonment not exceeding six months or both.

#### **72 Offence and general penalty.**

A person who contravenes a provision of these Byelaws for which no specific penalty is provided commits an offence and is liable, on conviction, to a fine not exceeding two currency points or to a term of imprisonment not exceeding six months, or both.

## SCHEDULE

*section 3*

### CURRENCY POINT.

One currency point is equivalent to twenty thousand Uganda shillings.

**PASSED** by the Town Council on the ..... day  
of.....2018

I hereby sign these Byelaws on this ..... day of.....  
2018

.....  
CHAIRPERSON, LCIII,  
*Ibuje Town Council.*