

Statutory Instrument of 2015.

[CAP. 24:20

Harare (Human Excreta and Dangerous Substances not to be used as Fertiliser) By-laws, 2015

ARRANGEMENT OF SECTIONS

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IT is hereby notified that the Minister of Local Government, Rural and Urban Development has in terms of section 229 of the Urban Councils Act [*Chapter 29:15*] approved the following by-laws made by Harare City Council—

Title

1. These regulations may be cited as the Harare (Human Excreta and Dangerous Substances not to be used as Fertiliser) By-laws, 2015.

Application

2. These by-laws shall apply within the City of Harare area and any local government area the administration, control and management of which is vested in the City of Harare.

Interpretation

3. In these regulations—

“dangerous substance” means any liquid, gas or solid that poses a risk to human health or safety;

“designated officer” means any person employed or delegated by Council to carry out functions prescribed in these by-laws;

“edible plant” means plant or vegetable that is fit to be eaten by human beings;

“human excreta” means by- products of digestion that is faeces and urine.

Human Excreta and Dangerous Substances not to be used as Fertiliser

4. (1) No person shall use or allow to be used as a fertiliser in raising vegetables and edible plants, human excreta or any other dangerous substance or substance calculated to be dangerous to health when so used or sell or expose for sale any vegetables or edible plants so raised.
- (2) No person shall use raw waste water to irrigate vegetables and edible plants for use by human beings and animals.
- (3) No person shall plant vegetables and edible plants along raw waste water flowing or logged areas.

Removal of vegetables and plants by designated officers

5. (1) A designated officer shall be entitled to slash or remove any vegetables and edible plants where-
 - (a) the vegetables and edible plants are being raised by human excreta or dangerous substances as fertilizer, or
 - (b) the vegetables and edible plants are being irrigated by raw waste water, or
 - (c) the vegetables and edible plants have been planted on raw waste water flowing or logged areas, or

Offences and Penalties

6. (1) Any person who—
 - (a) Uses or allows human excreta and dangerous substances to be used as fertilizer in raising vegetables and edible plants, or
 - (b) Uses raw waste water to irrigate vegetables and edible plants, or
 - (c) Plant vegetables or edible plants along raw waste water flowing or logged areas ,
 - (d) unlawfully attempts to obstruct, hinder or prevent or causes to be obstructed, hindered or prevented, a designated officer in the exercise of his or her duties under these by-laws,

shall be guilty of an offence and liable to:

- (i) payment of a prescribed penalty as provided for under the Penalties section of the First Schedule, and
- (ii) a fine not exceeding level five or one year imprisonment or to both such fine and imprisonment.

FIRST SCHEDULE

PENALTY

1. Prescribed penalty

Level 3

Repeal

The Harare (Human Excreta not to be used as Fertiliser) By-Laws, 1910 published in Statutory Instrument 324 of 1910, are hereby repealed.