

Final Draft for consideration by Council



CHAPTER 27

Slaughtering of Animals

KWADUKUZA



KWADUKUZA MUNICIPALITY

BYLAWS RELATING TO THE SLAUGHTERING OF ANIMALS

The Kwadukuza Municipality acting in terms of section 156(2) of the Constitution of the Republic of South Africa Act 1996, (Act 108 of 1996) read with section 13 of the Local Government: Municipal Systems Act (Act 32 of 2000) hereby publishes the bylaws as set forth hereafter as bylaws made by the Municipality which bylaws will come into effect on the first day of the month following the date of publication hereof.

1. Definitions

“Animal” means any specie of bovine, pig, sheep, goat, fowl or turkey.

“Authorised official” means an official of the Municipality authorised to implement the provisions of these bylaws.

“Municipality” means the Kwadukuza Municipal Council and includes the Mayor, Political Office Bearers, Political Structures, Municipal Manager and any Official who has delegated powers in terms of Section 59 of the Local Government Municipal Systems Act (Act 32 of 2000).

“Municipal Manager” means the person contemplated in Section 82 of the Municipal Structures Act 1998 (Act 117 of 1998).

“Owner” means:

- (a) The person in whom legal title of the premises vests from time to time.
- (b) In any case where the Municipality is unable to determine the identity of the owner, any person who is entitled to the benefit of the property concerned.

“Occupier” in relation to any premises means:

- (a) The person who has beneficial use of the premises.
- (b) Any other person who has control over or occupies, in the normal sense of the word, the premises.

“Premises” means any land whatsoever, whether vacant, occupied or with or without buildings thereon situated within the area of jurisdiction of the Municipality.



2. Slaughtering of animals

2.1 No person may (subject to section 3 hereof):

- 2.1 (a) slaughter any animal at any place other than an abattoir
- (b) permit the slaughter of any animal at any premises of which he is the owner or occupier unless it is an abattoir.
- (c) sell or provide meat of any animal for human consumption unless it has been slaughtered at an abattoir.

3. The provisions of section 2 of these bylaws shall not apply to any person who slaughters any animal for cultural or religious purposes provided that:

- (a) any meat from any animal slaughtered in terms of the provisions of section 3 of these bylaws may not be sold to any person.
- (b) the animal slaughtered in terms of section 3(1) supra may only be brought into the Municipal area and onto the premises concerned on the day of the intended slaughter.
- (c) any animal kept on premises within the Municipal area for the purpose contemplated by section 3(1) supra shall not be kept in conflict with any other Municipality bylaw.
- (d) any animal kept on any premises for the purposes contemplated in this section shall be securely held to prevent it from escaping and shall be slaughtered in a humane way as is reasonable within the particular religious or cultural values of the person effecting the slaughter and subject to the requirements of the SPCA.
- (e) all reasonable measures are taken by the owner or occupier of the premises on which the slaughter is to take place to screen such slaughter from public view.
- (f) all reasonable steps are taken by the owner or occupier of such premises to prevent any and all health nuisance resultant from such slaughter.
- (g) all blood, stomach contents and manure from such animal is disposed of by the owner or occupier on whose premises the slaughter takes place in the manner prescribed by the Municipal Manager or other authorised official so as to ensure that no fly development occurs as a consequence thereof.
- (h) the prior written approval had been obtained for such slaughter from the Municipal Manager or duly authorised officer.

4. As animals slaughtered in terms of section 3 of these bylaws have not been subjected to the normal routine inspections at abattoirs, the Municipality and its officials accepts no responsibility whatsoever for the consequences of the consumption of any meat of any animal slaughtered in terms of the authority given in terms of section 3(h) of these bylaws.



5. Should any animal introduced into any premises in terms of authority granted in accordance with these bylaws, escape from the premises on which such slaughter was to take place and the Municipality is required to re-capture such animal, or should such animal cause damage to any Municipal or private property during such escape all costs in recapturing such animal or repairing any damage so done by such animal shall be for the account of the owner or occupier of the premises on which the animal concerned was to have been slaughtered.
6. Any authorised officer may at any time, subject to compliance with the provisions of any other applicable law, enter onto and inspect any premises on which any animal is to be slaughtered in terms of these bylaws, to ensure compliance with these bylaws.
7. Any owner or occupier of premises where the slaughtering of an animal is to take place in terms of authority granted in accordance with these bylaws, shall at least 72 hours prior to the date of the intended slaughtering advise all owners and or occupiers of premises contiguous to the premises where the animal is to be slaughtered, of the intended slaughtering.
8. If any person who applies for authority to slaughter an animal, as contemplated in section 3 (h) of these bylaws, resides on premises which consists of multi residential units, the application for authority to slaughter shall be accompanied by a written permission of the body corporate or legal personae who owns the premises concerned as the case may be.
9. **Offences and Penalties**
Any person who contravenes any provision of these bylaws or who fails to comply with the requirements thereof shall be guilty of an offence and upon conviction shall be liable to the fines determined by a Chief Magistrate of the Magistrate's Court with jurisdiction in the area in which the offence has been committed or imprisonment as determined by a competent court.
11. **Repeal of bylaws**

All Municipal Bylaws, and amendments thereto, relating to Slaughtering of Animals made by the local authorities of Nkwazi/Zinkwazi Beach Transitional Local Council, KwaDukuza/ Stanger Transitional Local Council and Dolphin Coast Transitional Local Council, disestablished in terms of Provincial Notice No. 345 of 2000 in terms of section 12 of the Local Government: Municipal Structures Act, 1998: Establishment of Municipalities 9DC 29, KZ 291, KZ 292, KZ 293, KZ 294) as published on 19 September 2000, are hereby repealed.