

Mberengwa Rural District Council (Wells and boreholes) By-laws, 2023

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1. Tittle and application

- (1) These by-laws may be cited as the Mberengwa Rural District Council Wells and Boreholes By-laws 2023.
- (2) These by-laws shall apply in relation to both wells and boreholes from which the Council provides public water supplies and all private wells and boreholes drilled in council area.

2. Interpretation

In these by-laws, unless the context otherwise requires-

"well" means any excavation or structure created in the ground by digging, or drilling to access water

"borehole" means a narrow hole made in the ground by drilling to locate underground water

"Council" means any local authority which has adopted these by-laws;

"domestic purposes" excludes the watering of stock

"officer" means the officer of the council appointed by the council to be in charge of a borehole;

"livestock" means domestic animals regarded as an asset such as goats, sheep, pigs, cattle and donkeys

3. a) Drilling of wells and boreholes in council area

- (1) Any person who want to drill a well or a borehole within the council area should do so through application to council and issued a permit to do so

- (2) All applications to drill wells or boreholes must be accompanied by written approval from the relevant Catchment council and ZINWA
- (3) No drilling company shall be allowed to drill boreholes and wells in council area without a council permit
- (4) Any person who drill a well or borehole without council approval shall be guilty of an offence and is liable to a penalty as prescribed by council

b) Siting of wells and boreholes

- 1) No person shall site any private well or borehole without the consultation of council to make sure that:
 - i) No well or borehole shall be located on the down slope of any abolition facility
 - ii) No well shall be used without a proper lead
 - iii) Only a steel wire rope should be used to draw water from a well.

c) Upgrading of public wells and boreholes

- i) No person shall upgrade or cause to upgrade a public well or borehole without council approval
- ii) No person shall be allowed to upgrade a public well or borehole for personal benefit
- iii) For all upgrading which result in a reticulated water system, public tapes must be installed at most convenient places across communities
- iv) Council shall be responsible for all major repairs of the borehole or well save for the general maintenance and repair of the reticulated systems lines.

4. Uses of water from public wells and boreholes

- (1) Subject to the provisions of this bye law, no person shall water any livestock at any public wells and boreholes unless there is approval from traditional leaders and council
 - (a) Well and borehole water to be used for all other domestic purposes other than watering livestock
 - (b) Washing of clothes and utensils at the well and borehole is prohibited
 - (c) The use of well and borehole water for irrigation purposes shall be prohibited
- (3) Any person who contravenes subsections a b and c above shall be liable to a fine not exceeding level 3.

5. Maintenance of public wells and boreholes

- (1) Upon the drilling of a public well or borehole its maintenance is the responsibility of the local authority, and therefore the following should apply:

- a) Each well or borehole to have a working water point committee
 - b) Council to be responsible for routine maintenance of all public wells and boreholes save for minor works which is the responsibility of water point committee
 - c) Council shall facilitate the training of community based pump minders
 - d) No person shall be allowed to repair public wells or boreholes unless he is a trained pump minder
 - e) No rehabilitated well or borehole shall be used before they are commissioned by council after which the water samples will have been taken for testing to ascertain water quality and safeguard people from probable contamination
- (2) Any person who contravenes subsection (b) and (d) shall be guilty of an offence and liable to a fine as prescribed by council

6. Security of public wells and boreholes

- (1) The water point committee shall be responsible for the security of the well and borehole
- (2) Any person who vandalise a public well or borehole shall be guilty of an offence and liable to a fine as prescribed by council.

7. Fines and Penalties

Any person contravening the provisions of this well and borehole bye-law shall be liable to a fine not exceeding level 3 or to imprisonment for a term not exceeding 3 months.

SCHEDULE OF OFFENCES

Standard Scale of Fines

<u>Level</u>	<u>Dollars(US)</u>
1	5
2	10
3	20
4	100
5	200
6	300
7	400
8	500
9	600
10	700
11	1000
12	2000
13	3000
14	5000