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## **CHAPTER 1:**

### **Section:**

1. Definitions
2. Application of this By law
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5. Principles

#### **1. Definitions:**

- (1) In this By law unless the context otherwise indicates: –
- (2) "Accommodation establishment" means a place in which accommodation is provided for gain, with or without meals;
- (3) "Act" means the National Health Act, 2003 (Act No. 61 of 2003);
- (4) "Agent" means a person specifically or generally appointed to attend to the affairs of another;
- (5) "Animal" means any equine, bovine, sheep, goat, pig, poultry, camel, dog, cat, or other domestic animal or any wild animal or reptile which is in captivity or under the control of a person;
- (6) "Animal disease" means an impairment or disturbance of the normal function of any organ or the body of any animal that is caused by an organism or substance;
- (7) "Animal waste" means the faeces, manure, droppings, shed hair, feathers, bones, horns, blood, skins and entrails or any other waste of an animal, reptile, bird or poultry and any marine or aquatic organism;
- (8) "Approved" means approved by the municipality, regarding the environmental health requirements of the particular case;
- (9) "Approved building plan" refers to a building plan approved by the local authority or approved by the review board on appeal to the review board in terms of the National Building Standards Act, 1977 (Act No. 103 of 1977);
- (10) "Baby" means a child under the age of two years;
- (11) "Aquatic fauna" means any aquatic living organism from aquatic resources, including any aquatic plant, whether piscine or not, and any mollusc, crustacean, reptile, aquatic mammal and bird and include their eggs, larvae and all juvenile stages;
- (12) "Salon" means a place where any one or more of the services or activities contemplated in the definition of barber, hairdresser, beautician, body piercer or tattooist are normally carried on;
- (13) "Beauty salon" means a premises where a person who carries on the business of barber, hairdresser, beautician, body piercer or tattooist in a salon or any other place as approved by the municipality, which business comprises any one or more, or a combination thereof, of the aforementioned which are applied to the male or female human body;
- (14) "Biodegradable industrial wastewater" means wastewater that contains predominantly organic waste arising from industrial activities and premises including, but not limited to –

- (a) Milk processing;
  - (b) Processing of fruit and vegetable products;
  - (c) Sugar mills;
  - (d) Manufacture and bottling of soft drinks;
  - (e) Water bottling;
  - (f) Production of alcohol and alcoholic beverages in breweries, wineries or malt houses;
  - (g) Manufacture of animal feed from plant or animal products;
  - (h) Manufacture of gelatine and glue from hides, skin and bones;
  - (i) Abattoirs;
  - (j) Fish processing;
  - (k) Feedlots;
  - (l) Tannery;
  - (m) Cheese making and processing;
  - (n) Composting plant; and
  - (o) bio-diesel processing plant
- (15) "Carcass" means the remains of any animal or poultry;
- (16) "Cattery" means any establishment where cats are bred or boarded;
- (17) "Cemetery" means any land containing one or more graves;
- (18) "Child" means any person under the age of 18 years and "children" has a corresponding meaning;
- (19) "child care facility or institution" means any undertaking or institution, whether for profit or otherwise, involving the custody, care or tuition or any combination of these functions, during the whole or part of the day on all or any of the days of the week of children, or the building or the premises maintained or used for conducting such undertaking or institution thereon as the case may be;
- (20) "communicable disease" means an illness due to a specific infectious agent or its toxic products which arises through transmission of the agent or its products from an infected person, animal or inanimate reservoir to a susceptible host, either directly or indirectly through an intermediate plant or animal host, vector or inanimate environment;
- (21) "Council" means the Garden Route District Municipal Council;
- (22) "Crematorium" means a place used for cremating a corpse and includes every part of such premises;
- (23) "Domestic wastewater" means wastewater arising from domestic and commercial activities and premises, and may contain any form of sewage;
- (24) "Dog kennel" means an accommodation establishment which caters for the accommodation of dogs;
- (25) "Dry-cleaning or laundry business" means any business in which clothes or other fabrics are cleaned with water or other solvents, or clothes or fabrics are ironed;

- (26) "dry-cleaning or laundry receiving depot" means a premises used for the receipt, storage and dispatch of clothes or other fabrics in connection with a dry cleaning or laundry business;
- (27) "Effluent" means waste water generated because of an activity;
- (28) "Environment" means the surroundings within which humans exist made up of –
- (a) The land, water and atmosphere of the earth;
- (b) micro-organisms, plant and animal life;
- (c) Any part or combination of (a) and (b) and the interrelationships among and between Them; and
- (29) The physical, chemical, aesthetic and cultural properties and conditions of the Foregoing that influence human health and well-being;
- (30) "Environmental health practitioner" means the person appointed by the Mayor under Section 80 (1) (c) of the National Health Act, 2003 (Act No. 61 of 2003);
- (31) "free space" means the space in a room which is not occupied by fixed furniture or other appliances;
- (32) "Hazard" means an intrinsic potential or ability of an agent, equipment, material, activity or process to cause harm;
- (33) "hazardous substances" means any substance which may cause injury, ill-health to or death of human beings due to their toxic, corrosive, irritant, strongly sensitizing or flammable nature or the generation of pressure thereby in certain circumstances during importation, manufacture, sale, use, operation, application, modification, disposal or dumping. Includes hazardous chemical substances and substances such as solid, liquid, gas, aerosol or combination thereof, but excludes hazardous electronic products and radioactive substances;
- (34) "Hazardous waste" means hazardous waste as defined in the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008);
- (35) "Health certificate" means a health certificate issued in terms of these By-laws;
- (36) "Health care risk waste" refers to healthcare risk waste as defined in the SANS 10248, Management of Health Care Waste;
- (37) "Health care facility" means a health establishment as defined in the Act;
- (38) "health nuisance" means any activity, condition, premises or thing which, on account of effluent, vapours, chemical effluvia, odours, noise, vibration, radiation, refuse, waste products, dirt, chemical or biochemical material, microbial infection, vermin, vegetation, overcrowding, lack of proper general hygiene, ventilation, lighting, design, situation or on account of any other cause or practice whatsoever, is/are in

- the opinion of the Municipal Manager or a duly authorised council employee potentially unhealthy or which is/are offensive, including, without affecting the generality of the foregoing, any facility for the storage, distribution or handling of water that is likely to be used by man for domestic purposes or consumption, including such water itself, which is contaminated or polluted;
- (39) "Home for the aged" means an institution or other place of residence maintained mainly for the accommodation and care of aged or debilitated persons;
- (40) "irrigation" means the application of water to any land or grounds for any purpose and includes waste water or water containing waste generated through any activity;
- (41) "Kennel" means any establishment that has as its business the breeding, training or boarding of dogs and includes pounds whether operated by the State or otherwise;
- (42) "Landfill site" means a waste disposal facility as defined in the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008);
- 43) "local municipality" means a Category B municipality envisaged in Section 155(1)(b) of the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996);
- (44) "Marine fauna" means any marine living resources from the sea and the seashore, including any aquatic plant, whether piscine or not, and any mollusc, crustacean, coral, sponge, holothurian or other echinoderm, reptile, marine mammal and seabird and include their eggs, larvae and all juvenile stages;
- (45) "Municipality" means the Garden Route District Municipality established in terms of Section 12 of the Municipal Structures Act, 1998 (Act No. 117 of 1998) Provincial Notice 492 dated 22 September 2000 and includes any political structure, political office bearer, Councillor duly authorized agent thereof or any employee thereof acting in connection with this By-law by virtue of a power vested in the municipality and delegated or sub-delegated to such political structure, political office bearer, councillor, agent or employee;
- (46) "Objectionable material" means garden litter, rubbish, waste material, rubble, scrap metal, article or thing, disused machinery, motor cars or other vehicles, as well as the disused parts thereof, refuse from any building operations, or any refuse capable of being deposited on any land or premises, including new or used building materials not necessarily required in connection with bona fide building operations actually in progress on any land, and includes any, solid liquid or gas which is or may become a nuisance or which materially interferes with the ordinary comfort or convenience of the public;



- (47) "Occupier" means any person who occupies any premises or part thereof without regard to the title under which he or she occupies, and includes –
- (a) Any person in actual occupation of those premises;
  - (b) Any person legally entitled to occupy those premises;
- (48) in the case of those premises being subdivided and let to lodgers or various tenants, the person receiving the rent payable by such lodgers or tenants whether on the person's own account or as agent for any person entitled thereto or interested therein;
- (49) Any person having the charge or management of those premises, and includes the agent of any such person when the person is absent from the Republic of South Africa or his or her whereabouts are unknown; and
- (50) The owner of those premises; "Owner", in relation to –
- (a) Animals or things, conveyances and other movable property, means the person in whom ownership is vested and includes a person who is responsible for the control or Management thereof or a person who has such animal or thing, conveyance or movable Property in his or her possession, but in the case of game or animals that are not branded in terms of the Animal Identification Act, 2002 (Act No 6 of 2002), or of which the ownership cannot readily be established, the user of the land on which such game or animals are present is deemed to be the owner; and
  - (b) Land – Means the person in whose name that land is registered;
  - (c) That has been purchased by a person but has not yet been registered in his or her name, means such purchaser;
  - (d) that is subject to a usufruct, means the usufructuary; (e) of which the owner or Purchaser is a minor, mentally disabled person, insolvent or is otherwise incompetent in Law to administer his or her estate, or is deceased, or is a body corporate under judicial Management or liquidation, means the agent or legal representative
  - (f) of such Owner or purchaser or another person authorized by law to administer his or her affairs or, in the case of a body corporate, the judicial manager or liquidator concerned; and
  - (g) A category B municipality which is in control of land by virtue of the powers and functions Allocated to it in terms of Schedules 4B and 5B of the Constitution;
- (51) "Permit" means the written permission granted by the local municipality;
- (52) "Person" includes any sphere of government; natural and juristic person includes any Sphere of government; natural and juristic person;
- (53) "Pest" means any animal, which includes insects and rodents that may transmit disease;

- (54) "Pest control program" means a written program that outlines activities to be  
Conducted for the control of pests in premises;
- (55) "Pesticide" refers to any substance or mixture of substances of chemical or biological  
Ingredients, intended for repelling, destroying or controlling any pest;
- (56) "Pet parlour" means an establishment where pets are groomed;
- (57) "Pet shop" means an establishment where pets are kept for trading purposes;
- (58) "Places of care" means a premises where a person or institution who carries on the  
business of an Early Childhood Development Centre, Old Age Home, Nursing Home,  
Maternity Home, or which business comprises any one or more, or a combination  
thereof, as approved by the local municipality;
- (59) "Pollution" means any change in the environment caused by –
- (a) Substances;
  - (b) Radioactive or other waves; or
  - (c) Noise, odours, dust or heat,
  - (d) emitted from any activity, including the storage or treatment of waste or substances,  
Construction and the provision of services, whether engaged in by any person or an  
Organ of state, where that change has an adverse effect on human health or wellbeing  
or on the composition, resilience and productivity of natural or managed ecosystems,  
or on materials useful to people, or will have such an effect in the future;
- (60) "potable water" means water that complies with SANS 241;
- (61) "Poultry" means any fowl, goose, ostrich, duck, pigeon, dove, turkey, Muscovy,  
Guinea-fowl, peacock and/or peahen or bird whether domesticated or wild;
- (62) "Premises" means any building, tent or any other structure, together with  
the land on  
Which the same is situated and the adjoining land used in connection therewith and  
Any land without buildings or tents, and includes any vehicle, conveyance, ship or  
Boat;
- (63) "Public place" means –
- (a) any public land, square, public swimming bath, public resort, public recreation site,  
zoological, botanical or other public garden, park or hiking trail, including any portion  
thereof and any facility or apparatus therein or thereon, as well as any public open  
space, public road, road reserve, reserve street, lake, dam, or river;

- (b) any public building, structure, hall, room or office including any part thereof and any facility or apparatus therein, which is the property of, or possessed, controlled or leased by the Municipality and to which the public has access, whether on payment of admission fees or not;
- (64) Any nature conservation area including –
- (a) Nature reserves;
  - (b) Protected natural areas;
  - (c) Nature conservation worthy areas;
  - (d) Natural open spaces;
- (65) “Public gathering places” refers to public places, such as shopping malls, airports, Cinemas, sport fields, stadia, public events, halls, including government owned or Occupied premises;
- (66) "Publish" in respect of the provisions means –
- (a) To publish a notice in the Provincial Gazette and a local newspaper; and
  - (b) To display the notice so published on the notice boards of the municipality;
- (67) “Recreational water” refers to public and private swimming pools, spa baths, Oceans, estuaries, rivers and dams;
- (68) “Responsible authority” means the authority or municipality responsible for the execution of waste disposal functions within the area of jurisdiction of Garden Route District Municipality;
- (69) “structure” means any stable, shed, pigsty, kraal, aviary, paddock, covering structure, poultry house, enclosure, run, loft or building used for the keeping, Housing or enclosing of animals and poultry;
- (70) “Swimming pool” means a swimming pool, spa bath, including a Jacuzzi that is Accessible to the public and includes swimming pools at schools or other tertiary Institutions;
- (71) “User”, in relation to land, means –
- (a) Any person who has a personal or real right in respect of land in his or her capacity as fiduciary, commissary, servitude holder, possessor, lessee or occupier, irrespective of whether he or she resides thereon or not; and
  - (b) Any other person who is generally recognised as having a right of tenure on the land concerned;
- (72) “Waste” means waste as defined in the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008);

(73) "Wastewater" means water containing waste or water that has been in contact With waste material and may include biodegradable industrial wastewater and domestic waste water.

(74) "Water resource" means a source as defined in Section 1 of the National Water Act, 1998 (Act 36 of 1998);

## **2. Application of this By-Law**

2.1 The Municipality, aware of the constitutional right of every person to an environment that is not harmful to his or her health or well-being, and the principles that underlie the National Health Act, 2003 (Act No. 61 of 2003) adopts this By-law with the aim of protecting and promoting the health and well-being of all people in the Garden Route District Municipality's area by providing, in conjunction with applicable laws, a legal and administrative framework within which the municipality can develop, manage and promote its municipal health obligations.

2.2 The provisions of this By-law take precedence over the provisions of any other By-law or zoning scheme applicable in the district, insofar as such other By-law or zoning scheme regulates any aspect of Municipal Health Services as defined in the Act.

2.3 This By-Law binds any organ of state.

## **3. Purpose**

1) The purpose of these Municipal Health Services By-laws is to enable the Municipality to protect and promote the long-term health and well-being of people in the municipal area by –

3.1.1 Providing, in conjunction with any other applicable law, an effective legal and administrative framework within which the Municipality can –

3.1.1.1 Manage and regulate activities that have the potential to impact adversely on public health; an

3.1.1.2 Require premises to be properly maintained and managed; and

3.1.1.3 Define the rights and obligations of the Municipality and the public in relation to this purpose.

## **4. Scope of Applicability**

4.1 This By law will be applicable to the municipal level where municipal health services are rendered.

## 5. Principles

5.1 The overarching principles of this By law are those principles as contained in Chapter 2 of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996).

### CHAPTER 2

#### GENERAL PROVISIONS RELATING TO HEALTH NUISANCES

Section:

6. Behaviour and Conduct
7. Prohibition on creation, existence or occurrence of a health nuisance
8. Duty to eliminate or reduce a Health Nuisance

#### 6. Behaviour and Conduct

1. A health nuisance exists or occurs if any of the following occurs on any land or premises –
  - (a) a swimming pool, water pool, ditch, gutter, dung pit or heap is so foul or in such a state or so situated or constructed to be detrimental to health;
  - (b) An accumulation of waste or other matter which is dangerous to health occurs;
2. when engaging in a controlled activity as contemplated in the National Water Act, 1998 (Act No. 36 of 1998), Section 37(1)(a), irrigation of any land with waste water or water containing waste generated through any industrial activity or by a water work and such activity –
  - (a) does not comply with regulation 2 of the General Authorizations, promulgated in terms of Section 63 of the National Water Act, 1998 (Act No. 36 of 1998), as amended; or,
  - (b) where the general authorization does not apply, does not comply to any condition of the license authorizing such water use in terms of Section 22 of the National Water Act, 1998 (Act No. 36 of 1998); or,
  - (c) Does not comply to any limitation, restriction or prohibition in terms of the National Water Act, 1998 (Act No. 36 of 1998) or any other applicable law; or
  - (d) Does not comply with the “Guide: Permissible utilization and disposal of treated sewage effluent”, 1978. Department of National Health and Population Development Report No. 11/2/5/3, as amended from time to time (obtainable from the Department of Health).
3. Where waste water or water containing waste is discharged into a water source and such activity does not –
  - (a) comply with regulation 3 of the General Authorizations, promulgated in terms of Section 63 of the National Water Act, 1998 (Act No. 36 of 1998), as amended; or,

- (b) where the general authorization does not apply, comply to any condition of the license authorizing such water use in terms of Section 22 of the National Water Act, 1998 (Act No. 36 of 1998); or,
  - (c) Comply to any limitation, restriction or prohibition in terms of the National Water Act, 1998 (Act No. 36 of 1998) or any other applicable law.
  - (d) where sewage sludge is disposed of or utilized in a manner that does not comply with the guidelines for the utilization and disposal of waste water sludge as published by the Department of Water and Sanitation and the Department of Environmental Affairs, as revised by the department from time to time.
4. A building, structure and or adjacent land is —
- (a) So constructed, situated, used or kept as to be dangerous to health;
  - (b) Kept or permitted to remain in a state as to be dangerous to health; or
  - (c) Infested with pests or vermin or in a state that is conducive to the breeding of pests or vermin;
  - (d) a building, structure or enclosure is constructed without first removing or decontaminating in an approved manner, any faecal, animal or vegetable waste disposed of on the land or premises; or
  - (e) A building or structure is demolished without first eradicating all vermin;
  - (f) A dwelling or any other premises is occupied for which no proper and sufficient supply of potable water is available as prescribed in the Regulations relating to compulsory national standards and measures to conserve water, promulgated in terms of the Water Services Act, 1997 (Act No. 108 of 1997);
  - (g) A dwelling or building is occupied for which no proper toilet facilities, as required in terms of the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977), is available;
  - (h) A dwelling or building is occupied which is not properly ventilated in accordance with the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977); or
  - (i) A dwelling that is not ventilated to destroy or render harmless any gases, vapours, dust or other impurities generated which are detrimental to health;
  - (j) A dwelling that is as overcrowded illuminated or ventilated as to be dangerous to the health of those occupants or employed therein or thereon; or cause or give rise to smells or effluvia and or any other condition which is dangerous to health.
  - (k) Conditions exist that are conducive and contributively to the spread of a contagious and communicable disease;
  - (l) organic matter or animal waste are being used or kept in a manner that attracts vermin or pests such as, but not limited to rats, mice, flies and mosquitoes;
  - (m) Unhygienic conditions that may be dangerous to health are present on any part of the land or premises;

- (n) A carcass or the remains of an animal, poultry, bird or marine- or aquatic fauna, or any animal waste remains unburied or is not suitably disposed of for more than 24 hours after death.

5. A health nuisance exists if –

- (a) Any other activity, condition or thing declared to be a health nuisance under any legislation exists or occurs on or emanates from land or premises.

## **7. Prohibition on creation, existence or occurrence of a Health Nuisance**

1. No person may –

- (a) Create a health nuisance;

- (b) Perform any act which may cause a health nuisance;

- (c) organise, allow or permit an activity, event or function in or on land or premises, or use, cause, allow or permit to be used land or premises for a purpose which by its nature or otherwise or due to its consequences creates or is likely to create a health nuisance;

2. Unless he or she is authorised or permitted by law to do so or does so with the written permission of the municipality and in accordance with any conditions imposed by the municipality –

- (a) In a public place activate, handle or use any material, object or thing which is likely to cause a health nuisance;

- (b) Introduce into or handle in a public place any material, object or thing or any liquid or solid substance which by its nature or because of the manner of its introduction or handling creates a health nuisance;

- (c) carry, convey, or cause or permit to be carried or conveyed through or in any street or public place, any objectionable material or thing, liquid or solid, which is or may become dangerous or detrimental to health, unless such objectionable material or thing is contained and covered with a suitable material to prevent the creation of any health nuisance;

- (d) By an action directly or indirectly or by negligence allow that a health nuisance be created or continued;

- (e) A person who contravenes a provision of subsections (1) commits an offence.

## **8. Duty to eliminate or reduce a Health Nuisance**

1. The owner, occupier or user of land or premises must –

- (a) Ensure that a health nuisance does not exist or occur on his or her land or premises; and

2. Within 24 hours of becoming aware of the existence of a health nuisance on the land or premises, eliminate the health nuisance, or if he or she is unable to eliminate the health nuisance –

- (a) Take steps to the satisfaction of the municipality to reduce the risk to municipal health; and

- (b) Report the existence of the health nuisance to the municipality.

- (c) The owner of land or premises must ensure that a health nuisance as defined in Section 5(1) (k), (l) and (m) does not occur on his land or premises and within 24 hours of becoming

aware of the existence of a health nuisance on the land or premises report the existence of the health nuisance to the municipality and eliminate the health nuisance.

3. For the purposes of subsection (1) (a), the owner, occupier or user of land or premises must, for the purpose of eliminating or reducing the quantity of —

- (a) Flies use best practice methods;
- (b) Mosquitoes —
- (c) Drain accumulated water at least once every seven days;
- (d) By making use of best practice methods to control mosquitoes and their larvae
- (e) In the case of wells, provide a mosquito-proof cover and a pump;
- (f) fit tanks, barrels and similar containers in which mosquitoes may breed with mosquito-proof covers or mosquito wire gauze screens in a manner that prevents mosquitoes gaining access to water contained in them; and
- (g) Regularly clear clogged or sagging gutters and down pipes so that stagnant water cannot accumulate in them; and
- (h) Vermin, use mouse traps or vermin poison or any other best practice methods.
- (i) The owner, occupier or user of land or premises must ensure that every well, hole, pit, reservoir, pond or excavation thereon is not filled in a way, or with any material, that may cause an adjacent water source to be polluted or contaminated.
- (j) The occupier must cause all waste to be placed in suitable refuse receptacles.
- (k) The owner, occupier or user of land or premises must dispose of any hazardous material or substance in such a way that it will not cause a health nuisance or pollute a water source.
- (l) The owner, occupier or user of land or premises who contravenes a provision of subsection (1), (2) and (4) or the occupier who contravenes a provision of subsection (3) commits an offence.

### **CHAPTER 3:**

#### **STANDARDS APPLICABLE TO PREMISES**

Section:

- 9. Standards applicable to Premises
- 10. Health Certification
- 11. Non-compliance

#### **9. Standards applicable to Premises**

- (a) All premises indicated in this Chapter are subject to Municipal Health Legislature requirements and the monitoring standards, as defined in Annexure A of this By-Law, or in terms of an approved Council policy



## 10. Health Certification

1. The premises indicated in the table below may not be operated without a Health Certificate and must comply with the applicable sections within this By-Law.

**TABLE A: 1**

Type of Premises	Validity Period of Health Certificate (From date of issue)	Comply with the Section within this By-Law
Child Care Centre & Early Childhood Development Centre	One Calendar year	Annex A:1
Nursing Homes	One Calendar year	Annex A:2
Maternity Homes	One Calendar year	Annex A:3
Old Age Homes	One Calendar year	Annex A:4
School Premises	One Calendar year	Annex A:5
Accommodation Establishments	One Calendar year	Annex A:6
Beauty Salons	One Calendar year	Annex A:7
Funeral Undertakers	One calendar year	Annex A:8
Offensive trades	One calendar year	Annex A :9

2. An owner or person who carries on a business indicated in Table 1 must apply for a health certificate from the municipality and such health certificate must be issued by an Environmental Health Practitioner subject to such conditions as he deems fit.

3. A Health Certificate issued to a premise must include the following:

- (a) The details of the Health Certificate holder, owner/person in charge of the premises;
- (b) The physical address of the premises;
- (c) The identity number of the certificate holder;
- (d) A certificate number;
- (e) If a Child Care Centre the number of children and the minimum age groups permitted on the premises.
- (f) If a Nursing Home/Old Age Home/Maternity Home, the number of beds/patients that can be accommodated on the premises.
- (g) Services provided/offered on the premises and services prohibited;
- (h) Date of issue; and the validity period.

4. The Health Certificates must be displayed in a conspicuous manner on the premises, to be clearly visible to everyone entering the premises.

5. A Health Certificate shall not be transferable from one owner to another, or from one premises to another.

6. Health Certificates must be renewed by an Environmental Health Practitioner employed by the Garden Route District Municipality;

(a) Annually in case of change of ownership;

(b) In case of renovations/additions to the existing premises; and

(c) If the services move from one premises to another.

7. A Health Certificate may be withdrawn by an Environmental Health Practitioner where conditions of the premises are such that they pose a health hazard or health risk to the service users.

**Table 2 below indicates the premises that do not need a Health Certificate.**

**TABLE 2:**

Type of Premises	Comply with the Section within this By-Law
Children's Homes	Annex B : 1
Dry Cleaning & Laundry Establishments	Annex B : 2
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Prisons and Police Station Holding Cells	Annex B : 9
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Office Accommodation	Annex B : 11

## **11. Non-compliance**

1. Should an owner or person in charge of a premises listed in Table 1 and 2 fail to comply with the provisions or any conditions or requirements imposed in terms of this By-Law the municipality may act in terms of Section 21 of this By-Law.

## **12. Compliance requirements relating to surveillance of Premises**

1. The municipality, taking cognizance of the provisions of the under mentioned sections within the By-Law, within Table 3, adopts the provisions in this Chapter.
2. Within the powers conferred upon the municipality by the National Health Act, 2003 (Act No. 61 of 2003), the municipality may act in terms of Section 21 of this By law where the non-compliance with any of the provisions of the Act and Regulations contemplated in sub-section (1) constitutes a Health Nuisance.

### **CHAPTER 4:**

#### **WATER AND SANITATION:**

##### **Section:**

## **13. Applicable legislation and enforcement**

1. The Municipality, taking cognizance of the provisions of the National Water Act, 1998 (Act 36 of 1998), adopts the provisions in this Chapter.
2. The Municipality, taking cognizance of the provisions of the Water Services Act, 1977 (Act No. 108 of 1997) and of the Regulations relating to Compulsory National Standards and Measures to Conserve Water published under GN R509 dated 8 June 2001, adopts the provisions in this Chapter.
3. Within the powers conferred upon the municipality by the National Health Act, 2003 (Act No. 61 of 2003), the Municipality may act within any of the provisions of the Act and Regulations which may constitute a health nuisance.

## **14. Duties and prohibitions**

1. An owner, occupier or user of land or premises must –
  - (a) Keep every water passage open and free of obstruction from matter which may impede the flow of water or effluent to prevent the creation of a health nuisance.
  - (b) construct a bund wall around a tank, or group of tanks, that contain a substance that can create a health nuisance, of a size that contains the volume of the largest tank in the event of any unlawful or accidental discharge from the tank or group of tanks;
  - (c) Clean any industrial surface area to prevent the pollution of storm water which may result in adverse impacts on the quality of any surface and ground water; and
  - (d) Ensure that a dam, conduit or channel that is used for the containment of waste water has a free board of at least 0.5 meters above the highest level of precipitation which could be expected within a period of 24 hours with an average frequency of recurrence of once in 100 years.
2. An owner or occupier of land or premises may not –
  - (a) Locate any waste disposal site within the one-hundred-year flood line of any water resource; or
  - (b) Use coal, coal discard, carbonaceous material or any other material for the construction of any slurry, evaporation or catchments dam, or any embankment, road or railway in a way likely to create a health nuisance.
  - (c) A person who contravenes a provision of subsection (1) or (2) commits an offence.

**CHAPTER 5:****ENFORCEMENT:**

Section:

15. Notice of compliance and representations
16. Prohibition Notice
17. Withdrawal of prohibition notice
18. Municipal remedial work
19. Costs Recovery
20. Policies and Guidelines

**15. Notice of compliance and representations:**

1. Where an Environmental Health Practitioner has reasonable grounds to believe that a person fails to comply with a requirement relating to premises, he or she may serve a notice of compliance on the person, which notice must state –
  - (a) The name and residential or postal address of the person;
  - (b) The requirement which has not been complied with or the provision which has been contravened;
  - (c) That the person must within a specified period take measures to comply with the notice and to complete the measures before a specified date; and
  - (d) That the person may within 14 days make written representations in the form of a sworn statement or affirmation to the municipality at a specified place.
2. The Municipality, when considering any measure or period envisaged in subsection (1) (c) or (d), must have regard to the principles and objectives of this By-law, the nature of the non-compliance, and other relevant factors.
3. Where a person does not make representations in terms of subsection (1)(d), and the person fails to take the measures before the date contemplated in subsection (1)(c), he or she commits an offence, and the Municipality may, irrespective of any fines which may be imposed under Section 23, act in terms of subsection (5).
4. Representations not lodged within the time contemplated in subsection (1)(d) will not be considered, except where the person has shown good cause and the Municipality condones the late lodging of the representations.
5. The Municipality must consider the timely representations and any response there to by the Environmental Health Practitioner.
6. The Municipality may, on its own volition, conduct any further investigations to verify the facts if necessary, and the results of the investigation must be made available to the person making a submission, who must be given an opportunity of making a further response if he or she so wishes, and the Municipality must also consider the further response.
7. The Municipality must, after consideration of the representations and any response and further response make an order in writing and serve a copy of it on the person, which order must confirm, in whole or in part, alter, or set aside the notice of compliance, and where the

notice of compliance is confirmed, in whole or in part, or altered, the Municipality must inform the person that he or she must, within the period specified in the order, discharge the obligations set out in the order and that failure to do so constitutes an offence.

8. Where a person fails to discharge, the obligations contemplated in subsection (4) (d) the Municipality may, irrespective of any fines which may be imposed under Section 23, act in terms of subsection (5).

9. The Municipality may, if non-conformances still prevail, exercise any remedial measures to remove the nuisance and recover the costs thereof from the polluter, person in charge or owner of the premises.

#### **16. Prohibition notice:**

1. An Environmental Health Practitioner may, after inspecting premises, serve a prohibition notice prohibiting the premises from being used for specified purposes and require measures to be taken to ensure that the prohibition notice is complied with, on one or more of the following persons:

- (a) The owner or occupier of the premises if the Municipality reasonably believes that the premises are being used for a purpose or in a manner that is causing a health nuisance;
- (b) Any person who is carrying on an activity or using a premises for a purpose or in a manner that the Municipality reasonably believes is causing a health nuisance; or
- (c) A person on whom a compliance notice was served if the Municipality reasonably believes that that person has not complied with the compliance notice.

2. The Municipality must give the person, on whom he or she intends serving a prohibition notice, a reasonable opportunity to make representations before serving the notice, unless the Municipality reasonably believes that the delay in doing so would significantly compromise environmental health, in which case the person on whom a prohibition notice is served must be given reasonable opportunity to make representations why it should be withdrawn.

3. A prohibition notice must state –

- (a) The reasons for serving the notice;
- (b) Whether the Municipality will withdraw the notice if certain measures are taken, and if so, the measures that must be taken;
- (c) The possible consequences of failing to comply with the notice; and
- (d) How to appeal against the notice.

4. Unless a prohibition notice provides otherwise, it comes into effect when it is served under subsection (1) and remains in force until it is withdrawn.

5. The Environmental Health Practitioner must as soon as possible affix a copy of the notice in a conspicuous position on the premises.

6. It is in the defence of anyone charged with failing to comply with a prohibition notice if he or she can prove that –

- (a) He or she did not know of the existence of the prohibition notice and could not reasonably be expected to have known of its existence; and

- (b) He or she had complied with the prohibition notice within 48 hours of the time that the notice was affixed to the premises in terms of subsection (5).

**17. Withdrawal of prohibition notice:**

1. The Municipality must, within 48 hours of receiving a written request for the withdrawal of a prohibition contained in a prohibition notice, carry out an investigation of the land or premises.
2. After completing the investigation, the Municipality must inform, in writing, the person on whom the prohibition notice was served or that person's agent whether the prohibition has been removed or the prohibition order has been withdrawn.
3. The Municipality may charge the owner or occupier of the land or premises where an investigation is carried out in terms of subsection (1), a prescribed fee for undertaking the investigation.

**18. Municipal remedial work:**

1. The Municipality may enter and conduct inspections at any premises, in accordance with the National Health Act, 2003 (Act No. 61 of 2003) and do anything on the premises that the Municipality reasonably considers necessary –
  - (a) To ensure compliance with this By-law or with a compliance notice or prohibition notice;
  - (b) To eliminate or reduce a health nuisance.
2. The Municipality may conduct inspections of premises —
  - (a) On a routine basis where the Environmental Health Practitioner reasonably believes that the premises are being used for a purpose contemplated in this By-law, and the purpose of the inspection is to determine whether the use complies with the provisions of this By-law;
  - (b) Where a compliance notice, relating to the premises, has been issued in terms of Section 15 and the purpose of the inspection is to determine whether the notice has been complied with;
  - (c) where the owner or occupier of the premises fails to comply with a compliance notice that was issued in terms of Section 15, or a prohibition notice that was issued in terms of Section 15 directing that relevant measures be taken; or
  - (d) Where the Environmental Health Practitioner has reasonable grounds to believe that a health nuisance, which is likely to endanger health, exists on the premises.
3. Before inspecting any premises or commencing any work in terms of this section, persons undertaking the inspection or commencing the work must identify themselves and explain their authority to the person apparently in control of the premises or the person who gave them permission to enter.
4. Any inspection undertaken or work commenced in terms of this section must be carried out at a reasonable time, considering the circumstances of the specific situation.
5. Any inspection conducted or work undertaken in terms of this section must be conducted with strict regard to decency and order, including –
  - (a) A person's right to, respect for and protection of his or her dignity;

- (b) The right of a person to freedom and security; and
- (c) The right of a person to his or her personal privacy.

**19. Cost recovery:**

1. The Garden Route District Municipality may recover any costs reasonably incurred by it in taking measures contemplated in section 18 from any person who was under a legal Obligation to take those measures , including –
  - (a) a person on whom a compliance notice referred to in section 18 that required those steps to be taken , was served
  - (b) The owner or occupier of the premises concerned; or any person responsible for creation a public health hazard or a public health nuisance.
3. The Garden Route District Municipality may enter into a Memorandum of Agreement with the relevant Local Municipality in terms of cost recovery as mentioned in section 24 (1)(b)

**20. Policies and guidelines:**

1. The Municipality may determine and publish policies and guidelines which describe appropriate measures that can be taken to eliminate the risk of any health nuisance occurring, continuing or recurring, or to reduce that risk to an acceptable level.
2. The policies and guidelines contemplated in sub-section (1) may differentiate between communities, geographical areas and different kinds of premises.
3. Any person who fails to comply with any of the policies and guidelines contemplated in subsection (1) or any conditions imposed in terms thereof, commits an offence.

**CHAPTER 6:****GENERAL PROVISIONS****Section:**

20. Presumptions
21. Authentication and service of notices and other documents
22. Appeal
23. Offences and Penalties
24. Co-operation between municipalities and application
25. Exemption
26. Repeal of By-Laws
27. Short title and commencement

**21. Presumptions:**

1. When an employee of a person, during his or her employment, performs any act or is guilty of an omission which constitutes an offence under this By-law, the employer is deemed to have performed the act or to be guilty of the omission and the employer is liable on conviction to the penalties referred to in Section 23, unless the employer proves to the satisfaction of the Court that –
  - (a) In performing the act or being guilty of the omission, the employee was acting without the employer's knowledge or permission;
  - (b) All reasonable steps were taken by the employer to prevent the act or omission in question; and
  - (c) It was not within the scope of the authority or the course of the employment of the employee to perform an act of the kind in question.
2. The fact that an employer issued instructions forbidding any act or omission of the kind referred to in subsection (1) is not in itself sufficient proof that he or she took all steps referred to in subsection (1)(b).
3. When an employer is by the provisions of subsection (1) liable for any act or omission of his or her employee, an employee shall also be liable to prosecution for the offence.
4. In any prosecution for an offence under this By law, an allegation in the charge concerned that any place was situated in a street or public place or within a particular area or was a place of a specified kind, shall be presumed to be correct unless the contrary is proved.

**22. Authentication and serving of notices and other documents:**

1. A notice issued by the Municipality in terms of this By-law is deemed to be duly issued if it is signed by the Environmental Health Practitioner.



2. Any notice or other document that is served on a person in terms of this By-law is regarded as having been duly served –
  - (a) When it has been delivered to that person personally;
  - (b) When it has been left at that person's place of residence or business in the Republic with a person apparently over the age of sixteen years;
  - (c) When it has been posted by registered or certified mail to that person's last known residential or business address in the Republic and an acknowledgement of the posting thereof from the postal service is obtained;
  - (d) if that person's address in the Republic is unknown, when it has been served on that person's agent or representative in the Republic in the manner specified by subsection (a), (b) or (c);
  - (e) If that person's address and agent or representative in the Republic is unknown, when it has been posted in a conspicuous place on the land or business premises to which it relates;
  - (f) In the event of a body corporate, when it has been delivered at the registered office of the business premises of the body corporate; or
  - (g) When it has been delivered, at the request of that person, to his or her e-mail address.
3. Serving of a copy is deemed to be serving of the original.
4. When any notice or other document is served on the owner, occupier, or holder of any property, or right in any property, it is sufficient if that person is described in the notice or other document as the owner, occupier, or holder of the property or right in question, and it is not necessary to name that person.

### **23. Appeal**

1. A person whose rights are affected by a decision of the Municipality in terms of this By law may appeal against that decision by giving written notice of the appeal and reasons, in terms of Section 62 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), within 21 days of the date of the notification of the decision to the Municipal Manager.

### **24. Offences and Penalties**

1. Any person who contravenes or fails to comply with a provision of this By-law, a notice issued in terms of this By law or a condition imposed under this By law, irrespective of whether such contravention or failure has been declared as an offence elsewhere in this By law, is guilty of an offence and liable upon conviction to –
  - (a) A fine or imprisonment, or both such fine and such imprisonment;
  - (b) In the case of a continuing offence, an additional fine or an additional period of imprisonment or both such additional fine and imprisonment for each day on which such offence is continued; and
  - (c) A further amount equal to any costs and expenses found by a court to have been incurred by the Municipality as result of such contravention.

2. All fees and fines recovered under this By law shall accrue to the Council and shall be used expressly for the implementation and application of this By law.

## **25. Co-operation between municipalities and application**

1. To achieve optimal service delivery in terms of this By law, the Municipality may enter into Memorandums of Agreement with local municipalities within its area of jurisdiction in respect of the following –
  - (a) The practical arrangements regarding the execution of the provisions of this By-law;
  - (b) Recovery of costs and expenses related to any action in terms of this By-law;
  - (c) Subject to the provisions of Section 86 of the Municipal Structures Act, 1998 (Act No. 117 of 1998), mechanisms for the settlement of disputes regarding the execution of powers or the matters on which there have been agreements;
  - (d) Any other matter regarded necessary by the district and local municipalities to achieve optimal service delivery in terms of this By-law.

## **26. Exemptions**

1. Any person may by means of a written application, in which the reasons are given in full, apply to the municipality for exemption from any provision of this By-law.
2. The Municipality may —
  - (a) Grant an exemption in writing and the conditions in terms of which, if any, and the period for which such exemption is granted must be stipulated therein;
  - (b) Alter or cancel any exemption or condition in an exemption; or
  - (c) Refuse to grant an exemption.
3. To consider an application in terms of subsection (1), the Municipality may obtain the input or comments of the owners or occupants of surrounding premises.
4. An exemption does not take effect before the applicant has undertaken in writing to comply with all conditions imposed by the Municipality under subsection (2), however, if an activity is commenced before such undertaking has been submitted to the municipality, the exemption lapses.
5. If any condition of an exemption is not complied with, the exemption lapses immediately.
6. The Environmental Health Practitioners in the service of the Municipality, who is generally authorized by the Municipality to perform any function in terms of these By-laws, shall not be liable for anything done in good faith under these By-laws.
7. The provisions and / or requirements contained in this By-law may be amended and / or relaxed with a written notice from the Municipality if the relevant authority considers such relaxation and / or amendment not to or give rise to the emergence of a health nuisance
8. Such authorization and / or exemption may or can immediately be revoked with a written notice from the authority concerned, or within a period as determined by the authority, should circumstances deemed it necessary.

9. This Regulation places the responsibility for the compliance of the stipulated requirements on the person and institution applicable and thus exempts the Municipality from any condition, conduct or negligence that may give rise to any claims regarding the application of this By-law by the Municipality.

## **27. Repeal of By-laws**

1. This By law repeals any By-law previously promulgated by the Municipality or any of the disestablished municipalities now incorporated into the Municipality, in so far as it relates to any matter provided for in this By-law.
2. Any By-law previously promulgated by the local municipalities within the jurisdictional area of Garden Route District Municipality, or any of the dis-established municipalities now incorporated into the said municipalities, in so far as it has been made applicable to Garden Route District Municipality by the authorization for the execution of powers and functions in terms of Section 84(3) of the Municipal Structures Act, 1998 (Act No. 117 of 1998).

## **28. Short title and commencement**

1. This By law may be cited as the Garden Route Municipal Health By law and shall come into operation on the date of publication thereof in the Provincial Gazette.

## **29. STANDARDS APPLICABLE TO PREMISES:**

### **29.1. Premises must comply with the following standards:**

#### **29.1.1 Structural facilities**

(a) The building structure of the premises must comply with the requirements of the National Building Regulations and the Building Standards Act, 1977 (Act No. 103 of 1977) with regards to lighting and ventilation.

#### **29.2. Water supply:**

- a) Adequate supply of potable water must be available on the premises for all uses.
- b) The quality of water supply supplied on the premises complies with the specifications of the SANS 241 for drinking water, with regards to microbiological, chemical and physical quality.
- c) Stored drinking water must always be protected from contamination and cold water is stored at temperatures below 20oC.
- d) No cross-connection between a system providing potable water and a system providing non-potable water is allowed.
- e) For premises without running water available, drinking water must be adequately stored and protected against contamination. Water storage containers must always be kept clean.
- f) If temporary water storage tanks must be provided for drinking water, the water must be from an approved source.

#### **29.3. Drainage systems:**

- a) Suitable and effective means of drainage and sewage disposal shall be provided on all premises, in compliance to the relevant By Laws of a specific local authority.
- b) Drainage systems must be kept clean and maintained to prevent any blockages or any health nuisance.

**29.4. Waste Management:**

- a) Approved methods of solid waste collection, storage, and disposal shall be adopted, and in compliance with the relevant By laws of the Local Authority concerned.
- b) Refuse bins and/or a designated refuse storage area must be available on the premises for the storage of all refuse.

**29.5 Health care risk waste management**

1. Where health care risk waste is generated:
  - a) An approved method of waste collection, storage, transportation and disposal must be adopted on the premises.
  - b) A designated waste storage area must be provided for the storage of health care risk waste pending removal by an approved service provider.
  - c) The health care risk waste storage area must be separate from any food preparation area or any area where patients are cared for.
  - d) An adequate number of purpose-manufactured, leak-proof, sealable containers must be available for the storage of health care risk waste. Containers used for the storage of health care risk waste must be clearly labelled in large, legible lettering.
  - e) Accurate and up to date records must be kept of all health care risk waste generated by the facility.
  - f) Laundry must be done at approved facilities or with a registered service provider.

**29.6 Food preparation facilities**

1. If meals are served on the premises:
  - a) All facilities used in connection with the handling, preparation, storage and serving of foodstuffs must comply with the relevant Regulations, published in terms of the Foodstuffs, Cosmetic and Disinfectants Act 1972, (Act No. 54 of 1972), as amended.

**29.7 Pest and rodent control:**

- a) A rodent/pest control programme must be in place to minimize the risk of rodents and pests on the premises.
- b) Rodent proofing must be maintained in good order or repair to be impervious to rodents.
- c) To prevent the spreading of rodents or pests, rodents must be eliminated before demolition of any building or structure likely to be infested with rodents.
- d) The premises yard must be kept clean from any condition that may result in the breeding of flies or mosquitoes, and other vermin.

**PREMISES THAT MUST BE IN POSSESSION OF A HEALTH CERTIFICATE:****Annexure A: 1****30.1.1. STANDARDS FOR CHILD CARE CENTRES / ECDS**

1. Child care centres must comply with the following standards:
  - a) Location and design
    - i. The premises used for or in connection with child-care services should be located, designed, constructed, finished, and equipped and in such a condition that children.
      - (aa) Can be cared for hygienically;
      - (bb) and can be adequately protected against any possible public health hazard, health risk and/or public health nuisance.

**30.1.2 Issue of a Health Certificate for operation of a child care centre**

1. The premises must be operated under a valid Health Certificate issued by an Environmental Health Practitioner, to the effect that the premises comply with Environmental Health standards.
2. A health certificate shall indicate the following information:
  - a) The details of the health certificate holder, owner/person in charge of the child care centre;
  - b) The physical address of the premises;
  - c) The number of children and the minimum age groups permitted on the premises;
  - d) Prohibitions placed on the premises;
  - e) A certificate number;
  - f) Date of issue; and
  - g) The validity period (one calendar year from the date of issue).
3. The health certificate is displayed in a conspicuous manner on the premises, to be clearly visible to everyone entering the premises.
4. A health certificate shall not be transferable from one owner to another, or from one premises to another.
5. Health certificates must be renewed by an Environmental Health Practitioner of the Municipality:
  - a. Annually
    - i. In case of change of ownership;
    - ii. In the case of renovations/additions to the existing premises; and
    - iii. If the services move from one premises to another.

**30.1.3 Indoor play area**

- a) An indoor play area for playing, eating and for sleeping purposes is provided.
- b) An indoor play area with a minimum of 1.5m<sup>2</sup> free unobstructed floor space must be available for each child.

- c) If no outdoor play area is provided on the premises, an indoor play area with a free unobstructed floor space of 3m<sup>2</sup> per child must be provided.
- d) The play area should not pose a health nuisance as defined.
- e) Linen used for sleeping purposes must be laundered frequently to the satisfaction of the Environmental Health Practitioner, especially for children under the age of 3 (three) years.
- f) The area must be kept clean.

**30.1.4. Outdoor play area**

- a) An outdoor play area of a minimum of at least 2m<sup>2</sup> must be provided for each child.
- b) Separate outdoor play areas should be provided for different age groups.
- c) The play equipment should be kept clean.
- d) The outdoor play area must be kept clean.

**30.1.5. The use of artificial/synthetic grass surfaces**

- 1. Where artificial grass surfaces are used in indoor and outdoor play areas, the following measures must be put in place:
  - a) The surfaces should be cleaned regularly with suitable cleaning material to prevent the offensive odours and the occurrence of other health nuisances.

**30.1.6. Toilets / ablution and nappy changing facilities**

- 1. For centres catering for toddler's junior type toilets and washbasins should be provided where appropriate. Toilet and hand washing facilities must be accessible to the children.
- 2. For children 0-2 years:
  - a) At least 1 (one) toilet is provided for every 20 children;  
Where there are no sewerage systems in place, potties are provided;
  - b) At least 1 (one) potty is provided for every 5 (five) toddlers;  
Human excreta from potties to be disposed of hygienically in a toilet as not to create a municipal health nuisance;
  - c) Potties are cleaned after every use and disinfected in a properly demarcated area;
  - d) A clearly demarcated nappy changing area equipped with an easily cleanable surface and water-proof mattress is provided, and this area is located away from any food preparation area;
  - e) Proper hygiene practices are employed during diaper changing, to prevent the faecal contamination of the immediate environment in the changing area, as well as to prevent transmission of faecal oral infections, these hygiene practices include the following:
    - f) Disposal of faeces or urine in a toilet;
    - g) Safe disposal of the nappy and placing it in the allocated refuse bin with a closed lid;
    - h) Disinfection of the changing area;
    - i) Wiping of babies' hands; and the caregivers should wash their hands with soap and water.

3. For children 3-6 years:

- a) At least 1 (one) toilet and at least 1 (one) hand wash basin must be provided for every 20 children on the premises.
- b) A supply of cold and hot running potable water must be available at every hand wash basin.
- c) Where none waterborne toilets are available, an approved sanitation facility must be provided.
- d) The toilet facility must be available.
- e) All toilets must be maintained in good order and cleaned regularly.
- f) Toilet facilities must be properly illuminated and ventilated.
- g) Separate toilets and hand wash facilities should be provided for staff members on the premises.
- h) An adequate amount of toilet paper, soap and hand drying material should always be available in the toilet facilities.

**30.1.7. Water supply requirements:**

1. Where no running water is available, a minimum of 10-25 litres per person per day must be made available and stored hygienically on the premises for all uses.

**30.1.8. Designated milk preparation areas for children under 2(two) years**

- a) An adequate supply of potable cold and hot water is available for washing of bottles and teats.
- b) Cooling facilities are provided for the hygienic storage of prepared milk bottles.
- c) Proper storage facilities are available for storage of milk and other foods.
- d) All bottles used for feeding of children must be sterilized before use.
- e) Before sterilizing, used bottles, teats and caps must be thoroughly washed and cleaned.
- f) Refrigeration/Cooling facilities are provided for the hygienic storage of milk bottles that are prepared and stored before use. The temperature of the refrigerator is not higher than 5°C and is monitored daily.

**30.1.9 . Storage facilities**

1. To minimize infections from viruses, bacteria and parasites and the risk of disease transmission, the following measures must be applied:
  - a) Provide adequate storage space and separate storage space for food and none food to be provided:
  - b) Store cleaning material which may be toxic, dangerous or hazardous to children in an inaccessible area

**30.1.10 Sick bay facilities**

1. A sickbay area for the treatment and care of a child who falls ill, who is injured during day care or who may be suffering from an illness that is suspected to be infectious must be provided on the premises
  - a) General hygiene requirements
    - i. Play rooms are regularly cleaned to minimize dust and moulds.
    - ii. Solid waste is removed from playrooms daily.
    - iii. Waste water is disposed of safely.
    - iv. Appropriate vector control measures must be in place
    - v. Personal Cleansing material must be available and used hygienically.



- vi. The floor must be free from dirt, dampness or any liquid substances.
- vii. Individual sheets and covers are provided for each child.
- viii. Contact toys, for children under the age of 2 years, must be kept clean.
- ix. Waste is always kept out of reach of children.

### **30 . 1 .11 Sand Pits**

- 1) The sand pit must be kept in a hygienic and clean state; and –
  - a) Covered at night to prevent contamination by animals, and other pests;
  - b) Covered when not in use;
  - c) Disinfected when obviously dirty and contaminated;
  - d) Disinfected by raking salt through the sand;
  - e) The sand must be changed at least annually.
  - f) If the sand is contaminated by animal or human faeces, blood or other body fluids, children must be removed from the sand pit and:
    - g) Use a watering can filled with mild detergent or household disinfectant diluted in water, over the sand to kill germs; or,
    - h) Disinfect by raking salt through the sand; or,The sand must be completely replaced if contaminated extensively.

#### **30.1.11. After school facilities**

- 1. If after-school care services are provided for children of school-going age on the same premises as the child-care services, the following must be provided:
  - a) An indoor care area of at least 1.5m<sup>2</sup> for each child;
  - b) At least 1 (one) toilet facility and 1 (one) hand-wash basin must be provided for every twenty (20) children or part thereof.

### **Annexure: A 2**

#### **30.2.1. REQUIREMENTS FOR NURSING HOMES**

(a) Nursing home must comply with the following Standards:

- i) Registration and Issue of Health Certificate for operation of a nursing home
  - ii) The premises are operated under a valid Health Certificate issued by an Environmental Health Practitioner, A health certificate issued by an Environmental Health Practitioner to the effect that the premises comply with Environmental Health requirements shall indicate the following:
    - (aa) The details of the health certificate holder, owner/person in charge of the child care centre;
    - (bb) The physical address of the premises;
    - (cc) A certificate number;
    - (dd) Number of beds/patients that can be accommodated on the premises;
    - (ee) Services offered on the premises;
    - (ff) Prohibitions applicable;



(gg) Date of issue; and

(hh) The validity period (one calendar year from the date of issue).

- i. The health certificate is to be displayed in a conspicuous manner on the premises, to be clearly visible to everyone entering the premises.
- ii. A health certificate shall not be transferable from one owner to another, or from one premises to another.
- iii. Health certificates to be renewed by an Environmental Health Practitioner of the relevant local authority, on the following conditions:

(aa). Annually;

(bb). In case of change of ownership;

(cc) In the case of renovations/additions to the existing premises; and

(dd) If the services move from one premises to another.

- iv. A health certificate may be withdrawn by an Environmental Health Practitioner where conditions of the premises are such that they pose a hazard or risk to the service users.

#### **30.2.2 Ablution and wash up facilities**

- (a) Adequate and accessible toilet, bathing and washing facilities must be provided to meet the needs of patients.
- (b) At least one toilet and at least 1 (one) bath must be provided for at least every 12 (twelve) patients (ratio 1:12) on the premises.
- (c) Every toilet facility should be equipped with an adequate flushing system and must be maintained in proper working condition.
- (d) Adequate and sufficient sluice-rooms are available in each ward.
- (e) Approved storage shelves should be provided in the sluice-room for the storage of bed-pans or other sanitary utensils.
- (f) At least 1 (One) toilet, bath/shower should be available for every 20 members of staff, (ratio 1:20)
- (g) And designated by gender;

#### **30.2.3. Storage facilities**

- (a) Separate storage facilities must be provided for storage of hazardous chemicals.
- (b) All storerooms and store facilities must always be kept clean.

#### **30.2.4. General requirements**

- (a) A rodent/pest control programme must be place on the premises to prevent any infestations of rodents/pests, and is in line with the requirements as set out in Chapter 3 of this document.

**Annexure A: 3****30.3.1 REQUIREMENTS FOR MATERNITY HOMES**

- 1) Maternity homes must comply with the following Standards:
  - a) Registration and issue of Health Certificate for maternity home
    - i. The premises must promote the health and safety of patients;
    - ii. The premises must be operated under a valid Health Certificate issued by an Environmental Health Practitioner, A health certificate issued by an Environmental Health Practitioner to the effect that the premises comply with Environmental Health requirements. Shall be issued and must indicate the following:
      - (aa) The details of the health certificate holder, owner/person in charge of the child care centre;
      - (bb) The physical address of the premises;
      - (cc) The identity number of the certificate holder;
      - (dd) A certificate number;
      - (ee) Number of beds/patients that can be accommodated on the premises;
      - (ff) Services offered on the premises;
      - (gg) Applicable prohibitions;
      - (hh) Date of issue; and
      - (ii) The validity period (one calendar year from the date of issue).
    - (iii). The health certificate must be displayed in a conspicuous manner on the premises, to be clearly visible to everyone entering the premises;
    - (iv) A health certificate shall not be transferable from one owner to another, or from one premises to another;
  - v. Health certificates must be renewed by an Environmental Health Practitioner:
    - (aa). Annually;
    - (bb). In case of change of ownership;
    - (cc). In the case of renovations/additions to the existing premises; and
    - (dd). If the services move from one premises to another.
  - vi) A health certificate may be withdrawn by an Environmental Health Practitioner where conditions of the premises are such that they pose an environmental health nuisance to the service users.

**Structural requirements**

- (a) Must comply to the National Building regulations
- (b) Walls should be constructed of easy-washable, non-penetrable surfaces
- (c) Except where glazed or glass bricks, glazed tiles or other similar material with a hard and smooth surface have been used, the internal walls of operating theatres, sterilizing rooms, wards, labour wards, wash up rooms, dressing rooms, duty-rooms, kitchens, sculleries, food store rooms, bathrooms, toilets and mortuaries must be:
  - (i) Plastered and brought to a smooth finish; and
  - (ii) Covered with a light coloured paint, adequate plastic finish or other approved material.
- (aa) Floors must be constructed of concrete, hardwood or other durable material and brought to a smooth finish.
- (bb) The angles formed between each floor and wall, and between two walls, in operating units, wards, labour wards, sluice rooms, milk rooms, bathrooms, toilets and kitchens should be rounded angles.
- (cc) Floors of operating theatres, sterilizing rooms, wards, labour wards, wash up rooms, dressing rooms, duty-rooms, kitchens, sculleries, food store rooms, bathrooms, toilets and mortuaries should be made of cement, concrete or other impervious material and brought to a smooth finish.
- (dd) Ceilings should be constructed so as not to attract dust and in the case of operating theatres, labour wards, sterilizing rooms and wash up rooms, the ceiling must have a hard, smooth and washable surface. Wards/ rooms should be individually and naturally ventilated with windows.
- (ee) All windows in the rooms must be adequately protected or guarded to ensure the safety of service users.
- (ff) Rooms should be adequately lighted and emergency lighting must be provided throughout the premises.
- (gg) Heating facilities that are likely to emit offensive and harmful gases, fumes and odours are not allowed.

**30.3.4. Ward requirements**

- (a) Adequate and suitable ward facilities must be provided on the premises.
- (b) Separate areas must be provided for:
  - (i) A nursery;
  - (ii) A labour ward;
  - (iii) A delivery ward; and
  - (iv) A milk room.
- (c) Every delivery room must be equipped with a scrubbing-up basin, provided with a constant supply of cold and hot running potable water,
- (d) A minimum of not less than 2m<sup>2</sup> floor space must be provided in every nursery for the accommodation of baby's cribs. One (1) separate crib must be provided for each baby.

- (e) Every milk room must be equipped with:
  - (i) A sink and a hand wash basin with a supply of cold and hot running potable water for washing of milk bottles;
  - (ii) A refrigerator for the storage of milk and milk bottles;
  - (iii) Tables with impervious and easily cleanable surfaces;
  - (iv) Adequate equipment for sterilizing utensils used in the handling of milk; and
  - (v) In case of maternity home, the sluice-rooms must have adequate apparatus for sterilizing bed-pans by steam or boiling water and in the case of a nursing home carrying on a general practice, adequate apparatus for cleaning of bed-pans

#### **30.3.5. Operating theatres**

- (a) All procedures undertaken within this facility must adhere to strict hygienic protocols.
- (b) All surfaces and equipment must be subjected to a strict cleaning programme.

#### **30.3.6. Toilet and ablution facilities**

- (a) Adequate toilet and shower/bath facilities that meet the needs of patients and staff members must be provided.
- (b) All bathrooms must be fitted with baths with a constant supply of cold and hot running potable water.
- (c) At least 1 (one) bath should be provided for at least every 12 (twelve) patients on the premises (ratio 1:12).
- (d) At least 1 (one) toilet should be provided for at least every 12 (twelve) patients on the premises (ratio 1:12);
- (e) At least 1 (one) toilet and bath/shower must be provided for at least every 20 (twenty) nursing staff, domestic staff and other employees on the premises (ratio 1:20).
- (f) Every toilet facility must be equipped with an adequate flushing system and all toilets, bathrooms or showers are maintained in good working order and have running water provided.
- (g) All toilets and ablution facilities must always be kept clean; floors scrubbed and bowls cleaned and disinfected daily.
- (h) Separate bathrooms and toilets must be provided for domestic and residential staff. The bathrooms should be fitted with porcelain enamel or cast-iron enamel baths with a supply of hot and cold running water.
- (i) At least 1 (one) toilet must be provided for every 20 members of staff (ratio 1:20)
- (j) At least 1 (one) bathroom or shower must be provided for every 12 members of staff, (ratio 1:12).
- (k) Every toilet facility must be equipped with an adequate flushing system maintained in proper working condition.
- (l) The bathrooms and toilets must be designated for each gender.

**30.3.7 Water Supply**

- a) Water storage facilities, the reservoirs, borehole and tanks must be adequately protected from contamination.
- b) Water in reservoirs and storage tanks must be regularly tested for suitability for consumption.
- c) Hot water temperatures must be kept above 50°C and cold water below 20°C.
- d) The water supply system that includes the sources (if applicable), pumps, purification plant, storage facilities and the distribution network linked to health facilities must be maintained in good working order.

**30.3.8 Sluice-rooms**

- a) Sluice-rooms must be provided in every ward.
- b) Adequate apparatus must be provided for the cleaning and sterilizing of bed-pans.
- c) Receptacles equipped with a tight-fitting lid should be available for the storage of soiled dressings.
- d) All sluice rooms must always be kept clean.

**30.3.9 Storage facilities**

- a) Adequate storage facilities must be available for storage on the premises.
- b) Additional storage facilities should be provided for the storage of poisons, habit-forming drugs and potentially dangerous drugs.
- c) All storerooms and store facilities must always be kept clean and cleaned routinely at least once every week.
- d) Adequate storage facilities for any other articles that are reasonable necessary to store on the premises for the day to day running of the nursing home must be provided.

**30.3.10 General Requirements**

- a) Adequate facilities must be provided for the sterilization of instruments where required.
- b) Laundry facilities must be provided on the premises, for laundering of soiled linen and other items requiring laundering.
- c) A separate linen room, containing adequate cupboards or shelves for the storage of linen must be provided.
- d) A pest/vector control program must be in place on the premises in line with specifications set out in Chapter 3.

Annexure A: 4

**30.3.7 STANDARDS FOR OLD AGE HOMES**

1. Old aged homes must comply with the following Standards:
  - a) Registration and Issue of Health Certificate for Old Age Homes
  - b) The premises must be operated under a valid Health Certificate issued by an Environmental Health Practitioner.
  - c) The premises must promote the health of residents or older persons;
2. A health certificate issued by an EHP to the effect that the premises comply with Environmental Health requirements shall be issued and indicate the following:

- a) The details of the health certificate holder, owner/person in charge of the child care centre;
  - b) The physical address of the premises;
  - c) A certificate number;
  - d) Number of beds/patients that can be accommodated on the premises;
  - e) Services offered on the premises;
  - f) Prohibitions applicable:
  - g) Date of issue; and the validity period (one calendar year from the date of issue).
3. The health certificate must be displayed in a conspicuous manner on the premises, to be clearly visible to everyone entering the premises.
  4. A health certificate shall not be transferable from one owner to another, or from one premises to another.
  5. Health certificates must be renewed by an Environmental Health Practitioner:
    - a) Annually;
    - b) In case of change of ownership;
    - c) In the case of renovations/additions to the existing premises; and
    - d) If the services move from one premises to another.

#### **30.3.8 Structural and physical facilities**

- a. Floors and walls should be constructed of a non-penetrable, easy washable material.
- b. Ceilings must be constructed so as not to attract dust and in the case of operating theatres, labour wards, sterilizing rooms and wash up rooms, the ceiling must have a hard, smooth and washable surface.
- c. Rooms should be adequately and individually ventilated and illuminated.
- d. All windows in the rooms should be adequately protected or guarded to ensure the safety of service users.

#### **30.3.9 Accommodation requirements**

- a) The rooms and/wards must be cleaned daily and kept hygienic and free from offensive odours.
- b) Toilet and ablution facilities
- c) Adequate and accessible toilet, bathing and washing facilities must be provided to
- d) At least 1 (one) toilet and one bath should be provided for at least every 8 (eight) service users on the premises (ratio 1:8). Where suitably adapted en-suite toilet and bathing/shower are provided in the user's rooms, these rooms can be excluded from the calculation. The toilet facilities should be designed for use by one person at a time.
- e) Each service user must have access to toilet facility within proximity of his/her private accommodation or where they are cared for.
- f) Additional toilet facilities must be provided, accessible and clearly marked next to the lounge and dining areas for use by service users.
- g) Every toilet should be equipped with an adequate flushing system and all toilets, bathrooms or showers should be maintained in good working order.
- h) All toilets must always be kept clean; floors scrubbed and bowl cleaned and disinfected daily.
- i) Adequate and accessible toilet, wash-up and bath facilities should be provided for staff members employed on the premises.

- j) All bathrooms must be fitted with porcelain, enamel or cast iron enamel baths with a constant supply of cold and hot running potable water.
- k) Walls of the toilet facilities should be constructed of a smooth surface and be light coloured.
- l) Toilet facilities must be adequately illuminated and ventilated.
- m) Every toilet facility must be equipped with an adequate flushing system and should be maintained in proper working condition.
- n) Bathrooms and toilets must all be designated for each gender.
- o) The toilet areas should be adequately illuminated and ventilated.
- p) The bathroom complex must be painted with a light coloured durable, washable paint.
- q) Floors should be covered with a non-penetrable, easy washable surface.

#### **30.3.10 Examination rooms**

- a) A hand wash basin with a supply of cold and hot running water should be available in all examination rooms.
- b) Floors and walls must be constructed of a non-penetrable, easy washable surface
- c) Walls must be painted with a washable paint.

#### **30.3.11 Sluice rooms**

- a) The sluice room must be well ventilated and illuminated.
- b) The rooms must be equipped with impervious shelves.
- c) The rooms must be equipped with hand wash basin for washing of hands by staff and hot and cold running water
- d) Floors must be constructed of an easy cleanable surface

#### **30.3.11 Storage facilities**

- a) Adequate storage facilities must be provided

#### **30.3.12 General Requirements**

- a) Measures should be taken for infection control and to prevent spread of infection and communicable diseases.
- b) A vector control program must be in place on the premises
- c) Laundry area should be available for laundering of linen or other soiled articles on the premises and
- d) A separate linen room, containing adequate cupboards or shelves for the storage of linen must be provided on the premises.
- e) If an outside contractor is utilized for laundry purposes, it must be done in an approved laundry

Annexure A: 5

#### **30.5.1 STANDARDS FOR SCHOOL PREMISES**

- a) School premises must comply with the following:
  - i. Issue of a Health Certificate
  - ii. The premises must be operated under a valid Health Certificate issued by an Environmental Health Practitioner.
  - iii. The premises should promote the health and safety of students/children.

- b) A valid health certificate must be issued by an Environmental Health Practitioner certifying that the premises comply with Environmental Health requirements. The certificate must indicate the following information:
  - i. The name of the school;
  - ii. The physical address of the premises;
  - iii. Number of children to be accommodated at the school;
  - iv. Date of issue; and
  - v. The validity period (one calendar year from the date of issue).
- c) The health certificate must be displayed in a conspicuous manner on the premises, to be clearly visible to everyone entering the school premise.
- d) A health certificate is not transferable from one owner to another, or from one school premises to another;
- e) Health certificates must be renewed by an Environmental Health Practitioner:
  - i. Every one year
  - ii. In case of change of ownership;
  - iii. In the case of renovations/additions to the existing premises; and
  - iv. If the school moves from one premises to another.

### **30.5.2 Structural facilities**

- a) Must comply to the National Building regulations
- b) Floors and walls must be constructed of a non-penetrable, easy-washable surface
- c) The ceiling must have a hard, smooth and washable surface.
- d) Classrooms must be adequately ventilated and illuminated in compliance to the National Building Regulations and the Building Standards Act, 1977 (Act No. 103 of 1977).
- e) The school premises should be enclosed with an approved means of enclosure.
- f) Adequate floor space of at least 1,5 – 2 m<sup>2</sup> per child should be available per classroom .
- g) An outdoor play area/yard should be available for outdoor activities on the school premises.

### **30.5.3 Toilet and ablution facilities**

- a) Adequate toilet and wash up facilities that meet the needs of pupils and staff members on should be available on the school the premises.
- b) At least 1 (one) toilet facility should be available for every 25 children (ratio 1:25), and in addition at least 1 (one) urinal is available for every 50 boys' ratio 1:50.
- c) The school toilet facilities should be equipped with an adequate flushing system and running water.
- d) At least 1 (one) hand wash basin should be available for every 25 (twenty) children (ratio 1:25) on the school premises, equipped with a constant supply of running water.
- e) Hand wash basins should be in or immediately adjacent to the toilets.
- f) If non-waterborne toilets are utilized, Ventilated Improved Toilets are recommended.
- g) If pit toilets are used, the design of the pit toilets should be constructed in such a manner as not to cause an environmental health nuisance.
- h) Pit toilets should be so structured as to be able to be used by small children (reduced pots size and height), and doors should be open-able on the outside.
- i) The pit toilets should be maintained in good order and cleaned regularly to prevent smells and flies going in and out of the toilet facilities.
- j) Children must be educated on hand washing after visiting the toilet.



- k) Separate toilets and hand wash facilities must be provided for staff members on the premises. Toilet and washing facilities for staff may also open for use by visitors. At least 1 (one) toilet facility and at least 1 (one) hand wash basin should be provided for every twenty staff members on the premises (ratio 1:20).
- l) Staff toilets should be separated by gender.
- m) Toilet facilities must be properly illuminated and ventilated in compliance with the National Building Regulations and the Building Standards Act, 1977 (Act No. 103 of 1977).
- n) Toilets should be easily accessible to all.
- o) Toilets must be cleaned daily.
- p) A cleaning and maintenance plan should be in place for cleaning and maintenance of all toilets.
- q) An adequate supply of soap and toilet paper should always be maintained in the toilet facilities.

#### **30.5.4 Water supply**

- a) Safe potable water, with soap or a suitable alternative, must be available at all the critical points within the school, particularly in toilets and kitchens.
- b) Safe potable water access points should always be accessible.
- c) If no piped potable water is available on the premises, a minimum of 5 litres per person per day for non-residential children and staff must be kept and stored hygienically on the premises for all purposes (drinking, personal hygiene/hand washing and cleaning). For boarding schools, a minimum of 20 litres per person per day for all residential school children and staff must be available on the premises for drinking, washing up, cleaning and food preparation purposes.;

#### **30.5.5 Accommodation for pupils and staff members at boarding schools**

- (a) Adequate sleeping, living and accommodation facilities must be provided for boarders and should comply with the requirements of the National Building Regulations and the Building Standards Act, 1977 (Act No. 103 of 1977), with regards to ventilation and lighting.
- (b) Separate sleeping accommodation must be provided for residential male and female pupils.
- (c) Separate sleeping and living accommodation should be provided for staff on the premises.
- (d) For dormitories, a floor space of not less than 4.2 m<sup>2</sup> must be provided for each pupil with a distance of at least 0.9 m maintained between each bed.
- (e) For cubicles, a cubicle for a single pupil with its own window and a minimum floor area of 5.0 m<sup>2</sup>; must be provided.
- (f) Single bed bedroom for a single pupil must have a minimum floor area of 6.0 m<sup>2</sup>.
- (g) Sleeping accommodation must be kept clean. A floor space of not less than 2.3 m<sup>2</sup> should be available in all living accommodation for each pupil and staff on the premises.

#### **30.5.6 Sick Bay facilities**

- a) A sick room must be provided for isolation of sick pupils on the premises
- b) The area must be provided/ equipped with a hand wash basin with a supply of running water.
- c) An approved, lockable and adequately equipped first aid kit should be made available in the sick bay area for treatment of minor injuries or illnesses.

### **30.5.7 Medical care for pupils and students**

- a) Immediately notify relevant health practitioner in an event of the illness being suspected of being a communicable disease.
- b) Pupils suspected of suffering from a communicable disease must be excluded from attending preschool if in the opinion of relevant health professional; the person poses a health risk to other pupils and can transmit the disease.
- c) Adequate provision should be made for disposable gloves and disinfectants to protect staff and children and to disinfect contaminated areas and surfaces when dealing with blood related illnesses and injuries; all health care risk waste must be handled and disposed of safely.
- d) All areas and surfaces where treatment of a child or caregiver for an illness of injury has taken place must be disinfected immediately;

### **30.5.8 General requirements**

- a) Medicines, detergents, pesticides and other harmful substances should be stored in lockable places and access be given to employees responsible for utilizing such materials only.
- b) The school premises must always be kept clean.
- c) Waste water disposal systems should be in place on the premises, in compliance to the relevant By-Laws of the Local Authority concerned.

## **Annexure A: 6**

### **30.6.1 STANDARDS FOR ACCOMMODATION ESTABLISHMENTS**

- 1) Accommodation establishments must comply with the following:

### **30.6.2 Issue of a Health Certificate**

- a) The premises operated under a valid Health Certificate issued by an Environmental Health Practitioner.
- b) The certificate must indicate the following:
  - i. The business name of the accommodation establishment;
  - ii. The physical address of the premises;
  - iii. Name of the owner or person in charge;
  - iv. No of beds that the premises can accommodate;
  - v. Date of issue; and the validity period (one calendar year from the date of issue).
- c) The health certificate must be displayed in a conspicuous manner on the premises, to be clearly visible to everyone entering the premises.
- d) A health certificate is not transferable from one owner to another, or from one premises to another.
- e) Health certificates must be renewed by an Environmental Health Practitioner:
  - i) Annually;
  - ii) In case of change of ownership;
  - iii) In the case of renovations/additions to the existing premises; and
  - iv) If the services move from one premises to another.

### **30.6.3 Structural facilities and accommodation requirements**

- a) Ceilings and walls of rooms must be constructed of a dust-free material.
- b) Walls must be brought to a smooth finish.
- c) Floors surfaces of kitchens, scullery, laundry, bathrooms, showers, ablution rooms, and toilets, should be constructed of non-penetrable easy washable material.
- d) All rooms, passages, staircases, bathrooms, kitchen and other areas should be adequately ventilated and illuminated as per the provisions of the National Building regulations and the Building Standards Act.
- e) Each room must have artificial or natural ventilation
- f) Disabled facilities must be provided on the premises, such as ramps to enable people with disabilities to move in and around the premises with ease.
- g) Accommodation rooms must be kept clean
- h) Residential employees must be provided with separate sleeping facilities on the premises.

### **30.6.4 Toilet and ablution facilities**

- a) Toilet facilities and hand wash basins should be equipped with a flushing system and an adequate supply of running potable water.
- b) Bath and or showers should be provided
- c) Suitable and effective means of drainage and sewage disposal connected to an approved disposal system must be in place and approved by the Local Authority concerned.
- d) A waterborne sewage system connected to the municipal sewer, a septic tank or other approved disposal system must be utilized for sewage disposal, in compliant with the local authority's relevant By-Laws.
- e) Drainages and sewage disposal systems or private sewage disposal systems should be maintained in proper operating condition
- f) Sufficient toilet paper, soap and towels must be supplied in the ablution facilities
- g) All sanitary, ablution and water supply fittings must be kept clean
- h) Staff on the premises should be provided with separate and adequate toilet and wash-up facilities. At least 1 (one) toilet and hand wash basin, bath/shower is provided for every 12 (twelve) employees on the premises (ratio 1:12).

### **30.6.5 Swimming pools and hot tubs**

- a) If hot tubs/swimming pool facilities are provided on the premises for use by the guests:
  - i. Management must ensure the sampling of bath tub/pool is conducted regularly and provide sample results at request of the Environmental Health Practitioner
  - ii. The facilities must be kept clean and maintained in good working order.

### **30.6.6 General hygiene requirements**

- a. The premises and all equipment used during the operation of the facility must always be maintained in a clean and sanitary good condition.
- b. A rodent/pest control program must be in place on the premises so that it does not constitute a health nuisance

## **Annexure A: 7**

### **30.7.1 STANDARDS FOR BEAUTY SALONS**

- a. Beauty salons must comply with the following requirements:

### **30.7.2 Issue of a Health Certificate**

- a) The premises must be operated under a health certificate issued by an Environmental Health Practitioner. A valid health certificate must be issued by an Environmental Health Practitioner certifying that the premises comply with environmental health requirements. The certificate must indicate the following:
  - i. The business name of the beauty salons;
  - ii. The physical address of the premises;
  - iii. Name of the owner or person in charge;
  - iv. Service provided on the premises and services prohibited;
  - v. Date of issue; and

### **30.7.3 The validity period**

- (a) The health certificate must be displayed in a conspicuous manner on the premises, to be clearly visible to everyone entering the premises.
- (b) A health certificate is not transferable from one owner to another, or from one premises to another;
- (c) Health certificates must be renewed by an Environmental Health Practitioner:
  - i. Bi-annually;
  - ii. In case of change of ownership;
  - iii. In the case of renovations/additions to the existing premises; and
  - iv. If the services move from one premises to another.

### **30.7.4 Structural facilities**

- (a) Internal walls must be constructed of an easily cleanable material and painted with a light coloured paint.
- (b) Floors should be constructed of an easily cleanable material brought to a smooth finish.
- (c) The ceiling must be constructed of a dust proof material.
- (d) The premises should be adequately ventilated and illuminated.
- (e) The clients and employees should be provided with toilet and ablution facilities on the premises. At least 1 (one) toilet and hand wash basin should be provided for every twenty employees ratio 1:20 and at least one toilet and hand wash basin should be provided for every twenty clients on the premises (ratio 1:20), and should be equipped with a constant supply of running water. The toilet facilities must be equipped with a flushing system.
- (f) All toilet facilities
- (g) Adequate wash up facilities with a constant supply of hot and cold running potable water must be available on the premises for washing of hair.
- (h) An approved system for the disposal of waste water should be in place on the premises.
- (i) The change rooms provided should contain an individual locker for every employee and a hand wash basin provided with a supply of hot and cold running potable water and an adequate supply of soap and disposable towel.

- (j) All refuse must be disposed of in an environmentally acceptable manner and in line with relevant By-laws of the local authority concerned.
- (k) A central refuse storage area must be provided on the premises for the storage of waste pending removal for disposal.
- (l) Adequate number of refuse bags and/ or bins should be provided for the collection of waste the premises. The refuse bags must therefore be transferred to the central storage area.
- (m) The salon premises may not be used for food preparation or for sleeping, unless separate food preparation area is provided for such different purpose.
- (n) The premises and all equipment used in connection should always be maintained in good conditions and clean and sanitary.
- (o) Animals are not permitted on the premises, unless in the case of a guide dog.
- (p) Instruments used in the salon should be kept clean and disinfected after each use.
- (q) All instruments that come into contact with blood must be sterilized after each use.
- (r) Adequate numbers of towels should be provided for various uses associated with the running of the business and must be kept clean.
- (s) Laundry facilities for the washing of all linen and towels should be provided.
- (t) If beverages are provided on the premises, a separate area should be provided equipped with a facility for cleaning crockery and utensils for that purpose.

#### **30.7.5 Waste management**

- (a) All sharp instruments, bloodied instruments are regarded as infectious waste and must be disposed of accordingly, including razors, blades, needles and other sharp instruments. Approved methods of waste collection, storage, transportation and disposal should be adopted for the management of health care risk waste and must be in line with applicable health legislation
- (b) Containers used for the storage of health care risk waste should be clearly labelled in large, legible lettering.
- (c) Employees should be adequately trained in the identification, separation, handling and storing of health care risk waste.
- (d) Health care risk waste may only be removed/collected, transported, treated and disposed by a registered service provider from the premises.
- (e) Accurate and up to date records of all health care risk waste generated by the facility must be kept.

#### **30.7.6 The use of dyes, pigments and stencils and tattoo procedures**

- (a) In preparing dyes or pigments, non-toxic materials should be used.
- (b) Single-use, sterile, individual containers for dyes or pigments must be used for each patron.
- (c) The stencil, unless composed of acetate, should be used for a single tattoo procedure only. Acetate stencils may be disinfected and re-used.
- (d) Tattooing must be conducted in such a manner to prevent the transmission of communicable diseases from client to client and from artist to client. The following minimum standards are maintained:
  - i. A tattoo artist must always wear water proof and clean aprons during tattooing. Tattoo artists must always wash hands with soap and running water before working on each client.
  - ii. Equipment used for tattooing, body piercing, clippers etc. must be sterilised accordingly utilising approved sterilizers; and
  - iii. Good sanitary and hygiene practices must always be adopted.

## **Annexure A: 8**

### **30.8.1 STANDARDS FOR FUNERAL UNDERTAKERS', MORTUARIES, CREMATORIUM PREMISES**

- (a) Mortuaries, funeral undertaker's premises and crematorium premises must comply with requirements of the Regulations relating to the Management of Human Remains, R363 of 22 May 2013 published in terms of the National Health Act, 2003 (Act No. 61 of 2003).

## **Annexure A: 9**

### **30.8.2 STANDARDS FOR OFFENSIVE TRADES**

1. For the purpose of this document, Offensive Trades refers to any trade in which the substances dealt with are, or are likely to be hazardous or dangerous to health and likely to pose a human health hazard and or risk. These include but are not limited to the following trades:
- a) Panel beating and spray painting
  - b) Operating of a hazardous waste recycling plant;
  - c) Oil and petroleum product recycling;
  - d) Scrap yard or scrap metal dealing; blood boiling, bone boiling, tallow, melting or fat extracting, soap boiling, tripe boiling or cleaning, skin storing, hide boiling, sin curing, blood drying, leather dressing, tanning or glue making;
  - e) Brick burning, lime burning; manure making and storing or compost making;
  - f) Cement works, coke-ovens or slat glazing works; Viscose works; Ore or mineral smelting, tempering, hardening;
  - g) Slaughtering of animals;
  - h) Fish mongering and fish frying;
  - i) Animal bristle, hair or storing and sterilising;
  - j) Storage of raga;
  - k) Wood saw-dust;
  - l) Works to produce carbon bisulphite, cellulose lacquer, cyan or its compounds, hot pitch or bitumen, pulverized fuel, pyridine, liquid or gaseous sulphur dioxide or sulphur chlorides;
  - m) Works to produce amyl acetate, aromatic ethers, butyric acid, caramel, enamelled wire, glass, hexamine, lampblack, B-naphthol, resin products, salicylic acid, sulphated organic compounds, sulphurous paints, ultramarine, zinc chloride or zinc oxide;
  - n) Food-processing factories; bacon factories and meat-processing factories; chemical works; Dye works; Breweries and distilleries;
  - o) Malt and yeast manufacturing works; Sugar mills and sugar refineries;
  - p) Works or premises used for the storing or mixing of manure, super phosphate or fertilizers;
  - q) Fat-melting or tallow-melting works and any similar works or establishments for dealing with meat, bones, blood or offal, or with other organic matter derived from animals or poultry;
  - r) Works or premises used for the manufacture, storage or mixing of meal derived from fish, crustacean, poultry, meat offal from animals or poultry, or other organic matter derived from animals or poultry;
  - s) works or premises used for storing, drying, preserving, or otherwise processing bones, horns, hoofs or other waste matter or excretions from animals or poultry;
  - t) Premises used for storing, sorting or dealing with hides and skins, or for fellmongery; and
  - u) Tanning and leather-dressing works; and any other activity deemed to be an offensive trade by a specific Local Authority.

**30.8.3 Premises used for offensive trades must comply with the following**

- a) The premises must be operated under a valid Health Certificate issued by an Environmental Health Practitioner, to the effect that the premises comply with Environmental Health requirements.
- b) Premises must comply with the requirements of the National Water Act, 1998 (Act No. 36 of 1998), with regards to prevention of pollution of water resources.
- c) The release of any effluent into a water course must comply with Section 7 of the Water Services Act, 1997 (Act No. 108 of 1997).

**30.8.4 General requirements**

- a) The premises must always be maintained in a clean, hygienic and good condition.
- b) All machinery, plant, apparatus, furniture, fittings, tools, implements, vessels, containers, receptacles and vehicles should always be maintained in a clean, hygienic and good condition.
- c) Waste accumulating should be prevented on the premises.

**PREMISES THAT DO NOT NEED A HEALTH CERTIFICATE:****Annexure: B 1****31.1.1 REQUIREMENTS FOR CHILDREN'S HOMES**

1. Children's homes must comply with the following standards:

**a) Enclosure of the premises:**

- i. The building structure used complies with the requirements of the National Building Regulations and the Building Standards Act, 1977 (Act No. 103 of 1977) and any activity on the premises should not constitute a health nuisance.

**31.1.2 Indoor living areas:**

- a) An indoor play space with sleeping accommodation of at least 2m<sup>2</sup> per child for children aged between 2-6 years, and 4m<sup>2</sup> for children between 7-13 years and children above 13 years is provided on the premises;
- b) For children under the age of 2 (two) years, separate indoor activity area of 1.5m<sup>2</sup> per child should be provided;
- c) Linen used for sleeping purposes must be provided for children and laundered at least weekly if possible, especially for children under the age of 2 years.
- d) For children on nappies, a nappy changing area, equipped with a nappy changing table, with a water-proof mattress must be provided.
- e) Proper diaper changing procedures should be followed to prevent the transmission of faecal-oral infections.

**31.1.3 Outdoor areas:**

- a) An outdoor play area with a minimum of 2m<sup>2</sup> per child should be provided for use by the children on the premises.



**31.1.4 Toilets and bathing facilities:**

- a) An adequate toilet and wash up facilities should be provided on the premises for use by the children.
- b) 1 (one) toilet facility should be provided for at least every 20 (twenty) children on the premises (ratio 1:20) and an adequate supply of toilet paper must always be supplied in the toilet facilities.
- c) 1 (one) hand wash basin should be provided for at least every 20 (twenty) children on the premises (ratio 1:20).
- d) The hand wash basin should be in or immediately adjacent to the toilets.
- e) A supply of cold and hot running potable water should be made available at every wash-hand basin, or if no running water is available, a minimum of 25 litres of potable water per child per day, stored hygienically in a closed container must always be available on the premises for drinking, cooking, personal hygiene and laundry.
- f) An adequate supply of soap and a clean towel should always be maintained;
- g) For children under the age of 2 (two) years on potty training, 1(one) chamber pot should be provided for at least every 5 children (ratio 1:5).
- h) The pots must be emptied properly after passing of every stool and urine, and always properly cleaned to prevent any other environmental health nuisance.
- i) Pit toilets used by children should be designed for use by children (reduced pots size and height), doors open-able on the outside.
- j) The pit toilets must be maintained in good order and cleaned regularly.
- k) For children under the age of 2 (two) years, still on nappies, a separate changing area must be provided on the premises, equipped with adequate storage facilities for soiled nappies and hand wash facilities to clean the children.
- l) Separate toilets and hand wash facilities should be provided for staff members on the premises, and an adequate amount of toilet paper, soap and towel must always be available in the staff toilet and hand wash facilities.
- m) All toilet facilities on the premises should always be properly illuminated, ventilated, maintained in good repair, and kept clean.
- n) Individual face cloths should be provided for each child and marked as such.

**30.1.5 Cleaning, sterilization of feeding equipment and preparation of infant formula**

- a) All equipment used to feed and prepare feeds for infants (cups, bottles, teats, lids, spoons) should be thoroughly cleaned and sterilized before use to remove harmful bacteria that could grow in the feed and make children ill.
- b) Before sterilizing, used bottles, teats and caps must be thoroughly washed with clean soapy water to remove all traces of milk, and rinsed in safe water.
- c) Hands must be washed with soap and water, and dry well before handling sterilized equipment.
- d) The use of sterilized forceps for handling sterilized equipment is recommended.

**30.1.6 Storage facilities**

- a) Adequate storage space and facilities must be provided on the premises for storage of Unsafe, toxic, dangerous or hazardous materials or substances must be separated from other materials and equipment.



## **Annexure B : 2**

### **31.2.1 STANDARDS FOR DRY CLEANING AND LAUNDRY ESTABLISHMENTS**

- 1) Dry cleaning and laundry establishments must comply with the following Environmental Health standards:

#### **31.2.2 Structural facilities**

- a) The layout of the laundry and plant in health facilities for controlling of infection; and avoiding contamination.
- b) Drainage for laundry from health facilities should be and not connected to storm water drainage.

#### **31.2.3 Water supply and sanitation facilities**

- a) Toilet facilities should be equipped with a flushing system and a constant supply of toilet running water, and provided with toilet paper, soap and disposable paper towel.
- b) A supply of soap and disposable towels at every hand wash basin.
- c) Drainage and sewage disposal should be in place on the premises, approved by the local authority concerned.

## **Annexure B: 3**

### **31.3.1 STANDARDS FOR HEALTH ESTABLISHMENTS**

- 1) **Health establishments must comply with the following:**

#### **a) Drinking water quality**

- i. Water must be continuously tested for fitness of consumption. Where on-site water storage facilities are utilized, the storage capacity should be sufficient for 24 hours.
- ii. Water storage facilities e.g. reservoirs and tanks should be adequately protected from contamination.
- iii. The water in the storage facilities must be tested for compliance and fitness for consumption.
- iv. Water source e.g. borehole, should be effectively protected from contamination.
- v. If non-compliance is identified when testing of the water, the possible source of contamination must be traced. The possible source of contamination must then be monitored as part of a risk management approach to ensure effectiveness of interventions.
- vi. To prevent organisms that grow in temperatures between 25°C and 50°C (e.g. Legionella species), hot water temperatures especially must be kept above 50°C and cold water below 20°C.
- vii. Taps and pipes containing water not fit for human consumption are clearly marked as such.
- viii. Designated staff must be available for regular monitoring of the water system in the health facility. Water quality monitoring records must be kept and made available to an Environmental Health Practitioner on request.
- ix. If water is stored in a temporary water storage tank on the premises, must comply with SANS 241

**b) Toilet and ablution facilities:**

- i. Adequate toilet and wash up facilities should be provided for patients and staff on the premises. At least 1 (one) toilet is provided for every 12 (twelve) in-patients, and 1 (one) hand wash basin, and 1 (one) bath or shower is provided for every 12 (twelve) in-patients.
- ii. Separate toilet and hand washing facilities must be provided for staff on the premises.
- iii. Floors of walls of the toilet facilities must be constructed of a non-penetrable, easy washable surface.
- iv. All toilet facilities on the premises must always be kept clean and in good repair.
- v. All hand wash facilities should be supplied with a constant supply of potable running water.
- vi. An adequate and constant supply of soap, toilet paper and towel must always be maintained in all toilet and hand wash facilities.

**c) Storage facilities:**

- i. Additional storage facilities should be provided for the storage of cleaning equipment, pesticides and other potentially dangerous hazardous substances.
- ii. All storerooms and store facilities must always be kept clean and cleaned routinely at least once every week.
- iii. Hazardous substances must be stored and disposed of in a safe manner, separate from other non-hazardous materials.
- iv. Food and non-food items should be stored separately from any other items; refrigerators used for storage of medicines are not at any time used for storage of any foodstuffs.
- v. Separate storage facilities for dirty and clean linen and equipment, including sluice facilities for cleaning of soiled linen and equipment should be provided.
- vi. Refrigeration facilities used for storage of hazardous waste or infectious material must be marked as such, and should be used to store any other item except for the designed purpose.

**d) Reception of dead bodies on the premises:**

- i. All facilities used about the handling, preparation, storage and transportation of dead bodies on the premises and the requirements with regards to the operation of premises for the management of Human Remains must comply with the requirements of the Regulations relating to the Management of Human Remains, R363 of 22 May 2013 published in terms of the National Health Act, 2003 (Act No. 61 of 2003), as amended.
- ii. Suitable trained staff should be available and responsible for duties in the mortuary and ensure that the Hygiene Standards are adhered to.
- iii. A cleaning program for the mortuary should be in place. A register and records must be kept and maintained of the information regarding the handling of corpses; including the record of refrigeration facilities and temperatures must be taken daily. The infection control staff member should regularly monitor whether the policy regarding the handling of corpses is followed and whether the mortuary is operated in an acceptable manner and in consideration of the Norms and Standards document.
- iv. Adequate protective clothing (comprising of waterproof aprons, light coloured overalls and protective gloves) should be provided and utilized for employees working in the mortuary.

- v. Approved methods of waste collection, storage, transportation and disposal should be adopted for the handling of infectious waste in the mortuary, in compliance to the SANS 10248.

**e) Laundry facilities:**

- i. The health establishment facility must have access to a well manage laundry facilities for the effective laundering of linen, for controlling of infection; and avoiding contamination on the premises.
- ii. Internal walls, floors and ceiling must be constructed of a non- penetrable, easy washable surface
- iii. The laundry facility must be properly ventilated by cross ventilation and adequately illuminated.
- iv. Drainage systems should be available and not connected to storm water drainage.
- v. Areas receiving soiled linen must be separated from areas handling clean linen.
- vi. Adequate ablution and toilet facilities must be provided.
- vii. Suitable and hazard-free storage facilities for storage of chemicals should be provided.
- viii. Vehicles, containers, trolleys or other manually operated equipment for the transporting of linen must conform to requirements to ensure contamination free conditions.
- ix. All dirty linen and hospital clothes regarded as infectious waste and must be stored only in the designated storage area and removed from wards, passages or any other place where patients are treated.

**31.3.2 Operational requirements:**

- a) A policy for the management of linen in a facility must be in place.
  - i. Work instructions and procedures;
  - ii. Process control procedures;
  - iii. Quality control procedures; and
  - iv. Control of linen (clean/soiled) procedures.
- b) A procedure specifically for infection/contamination control must be made available to staff handling linen. The procedure should include control measures through differentiation between categories of soiled linen, i.e. of high-risk to normal soiled linen: containers must be colour coded in accordance with SANS 1024-1 (as amended):
  - i. Category A (red bag) = high risk infection for immediate incineration;
  - ii. Category B (yellow bag) = sealed alginate bags of high-risk (blood/body fluids contaminated or sluiced) for direct loading into washing machines;
  - iii. Category C (yellow bag/hazard label) = sealed hazardous material (chemical, anti-neoplastic drugs or radio-isotopes) for direct loading into washing machines; and
  - iv. Category D (white bag) = normal linen of no risk during handling.
- c) A person designated as the laundry controller must ensure that the requirements regarding pollution, occupational and environmental hygiene are complied with, including appropriate action in respect of any risks associated with infection or other hazards.
- d) Procedures for the use of protective clothing and personal hygiene where staff is in contact with high-risk areas or linen should be documented to include precautionary measures.

- i. carrying out their functions effectively;
- ii. handling hazardous goods in the laundry service;
- iii. following procedures (including first aid) about the prevention and control of infection;
- iv. using protective clothing and follow procedures for decontamination; and Operating laundry machines to ensure optimum results including general safety procedures.

### **31.3.3 General hygiene requirements:**

- a) The premises must always be maintained clean, free from offensive odours, unsightly accumulation of debris, litter and miscellaneous waste.
- b) Cleaning staff should be trained and competent on cleaning techniques and processes to be utilized for various areas in the health facility.
- c) Cleaning material and detergent required to ensure a hygienic environment in the health facility must always be available and properly stored.
- d) A cleaning schedule should be kept and maintained for cleaning of all areas in the facility.
- e) Appropriate cleaning material and equipment should be available on the premises.

## **Annexure B : 4**

### **31.4.1 STANDARDS FOR CONSTRUCTION SITES AND INDUSTRIAL PREMISES**

- 1) Construction sites must comply with the following standards:

#### **31.4.2 Water supply and sanitation facilities:**

- a) Adequate toilet facilities should be provided for use by construction workers. At least 1 (one) toilet and one hand wash basin is provided for every 20 employees on the premises (ratio 1:20). In addition at least one urinal should be provided for every 40 males on site (ratio 1:40). If more than 200 employees are employed on the site, at least 1 (one) toilet and 1 (one) urinal must be provided for at least every 50 workers (ratio 1:50);
- b) Wash-up facilities equipped with potable water should be provided for employees, especially employees engaged in the application of paints, coating, pesticides etc.
- c) Toilet and washing facilities should always be maintained in a sanitary condition.

#### **31.4.3 Physical facilities:**

- a) Whenever food is prepared and served on the premises, the facilities used for the preparation, handling, storage and serving of foodstuffs must comply with the requirements of the Regulations Governing General Hygiene Requirements and the Transport of Food, R 638 of 22 June 2018.

#### **31.4.4 Waste management and waste water:**

- (a) Private sewage disposal works or refuse (landfill) disposal sites managed must be operated effectively in accordance with prescribed legislation and permit conditions for operation of landfills and sewage works.
- (b) Evaluations/monitoring must be included in the waste/pollution management plans and must be implemented per plans.
- (c) Final effluent or sludge emanating from the sewage disposal works should be utilized in accordance with prescribed national guidelines to prevent soil and water pollution.
- (d) The sewage drainage system must be maintained effectively to prevent blockages and spills that could give rise to environmental pollution.

- (e) Staff responsible for the operation of boilers and waste disposal works or facilities should be well trained to operate the facilities effectively and pollution free.
- (f) All necessary information concerning boiler and incinerator operations, as required by permit conditions and legislation should be recorded.
- (g) Results of final sewage effluent of a sewage disposal sites should be recorded.
- (h) Waste material and debris should be removed to a disposal area and re -usable material should be sorted and moved to a storage area at least once daily to prevent a hazardous condition arising.
- (i) Waste generated should be disposed of at an approved landfill site and in accordance with the relevant by-laws of a Local Authority concerned.
- (j) Rubbish, debris and other waste material from the demolition or construction of projects should be temporarily disposed of in a designated area on site and access to the area should be strictly controlled and disposed of at an approved waste facility
- (k) **Annexure B : 5**

### **31.5.1 STANDARDS FOR PUBLIC GATHERING PLACES**

- 1) Public gathering places must comply with the following Environmental Health Standards:

**a) Waste management:**

- i. The management of waste on the premises should comply with the relevant by-laws of a specific Local Authority. and regulated by the local authority
- ii. Refuse bins should be provided at strategic points throughout the premises for collection of litter.
- iii. On-site management of waste should be available on the premises during events, for management of spillages and littering, to prevent a nuisance from occurring.
- iv. Arrangements should be in place between the event manager and the Local Authority, with regards to waste management during and after an event.

**b) Drinking water supply:**

- i. In the case of events, water points should be available at strategic points throughout the premises.
- ii. If water tankers are used during events, must comply with SANS 241

**c) Sanitation facilities:**

- a) Adequate toilet and hand washing facilities should be provided for staff and for the public at the ratios depicted in Table 1 below:

**(b) Table of sanitary facilities to be provided for a population of up to:**

	Males			Females	
	WC Pans	Urinals	Washbasins	W C pans	Washbasins
50	1	1	1	2	1
100	1	2	1	3	2
150	1	3	1	5	3
250	2	4	2	7	4
500	3	7	3	12	6
1000	3	12	4	16	7
1500	4	15	5	20	8

- i. For a population, more than 1500 add 2 WC pans for every 500 persons or portion thereof
  - ii. For a population, more than 1500 add 1 Urinal for every 500 persons or portion thereof
  - iii. For a population, more than 1500 add 1 washbasin for every 500 persons or portion thereof
  - iv. For a population, more than 1500 add 1 WC pans for every 150 persons or portion thereof
  - v. For a population, more than 1500 add 1 washbasin for every 500 persons or portion thereof
  - vi. National Building Regulations and the Building Standards Act, 1977 (Act No. 103 of 1977)
  - vii. Suitable, effective drainage and sewage disposal system should be in place on the premises
- a) **For short term events:**
- i. If chemical closet toilets are used, an on-site maintenance team should be available on the premises for the duration of the event to ensure the prevention of blockages and leakages from creating a nuisance and health hazard from occurring; and
  - ii. A site plan detailing the location and type of sanitary facilities to be used during events should be submitted to the Environmental Health Practitioner

## **Annexure B: 6**

### **31.6.1 STANDARDS FOR KEEPING OF ANIMALS ON PREMISES**

- 1) Premises used for the keeping of animals must comply with the following:

(a) The premises must not constitute a health nuisance.

## **Annexure B : 7**

### **31.7.1 Keeping of and slaughtering of animals for religious, ceremonial and own consumption purposes**

- a) **No person may:**

- i. Slaughter any animal at any place other than at an abattoir;
  - ii. Permit the slaughter of any animal at any place under his or her control unless the place is an abattoir: or
  - iii. Sell-or provide meat for human and animal consumption unless it has been slaughtered at an abattoir.
- b) Paragraph (a) does not apply to a slaughter for own consumption or for cultural or religious purposes.
- c) No meat or animal product obtained from an animal slaughtered as contemplated in paragraph (a) may be sold to any person.
- d) In the case of religious or traditional slaughtering, the local authority must be notified
- e) The meat from the slaughtered animal may only be used for the religious or ceremonial feast and may not be sold to any person.

- f) The meat must always be handled in a hygienic manner.
- g) Blood and other waste products from the carcass must be disposed of in a manner which will not become a public health hazard or public health nuisance.
- h) Measures should be taken to ensure that no health nuisance is created or exist on the premises because of the slaughtering.
- i) The services of person deemed as a meat inspector, in terms of the Meat Safety Act may be requested for conducting a post-mortem examination of the slaughtered animal

## **Annexure B: 8**

### **31.8.1 Pet shops and pet parlours**

- a) The following are the structural and physical facilities requirements of pet shops and pet parlours:
  - i. The premises may not have a direct internal access with any room or place used for human habitation, where clothing is stored or sold, or where food is prepared, stored or sold for human consumption.
  - ii. The cages should be movable for the cleaning of the shop.
  - iii. The distance from any cage to the nearest wall should be a minimum of 150 mm.
  - iv. The cages must be kept at a minimum of 450 mm above floor level, and the space below every cage must be unobstructed.
  - v. Rodent-proof receptacles, of an impervious material and with close fitting lids, for the storage of all loose pet food in the storage facilities should be provided.
  - vi. Adequate refrigeration facilities to store all perishable pet food should be provided on the premises.
  - vii. In any room in which the pets are kept 50% of the floor space should be unobstructed, and the cages should be placed at a minimum distance of 800 mm from one another.
  - viii. Suitable means should be provided for the removal of animal faeces from the premises.
  - ix. An approved trapped waste pipe system discharging via a hair trap to an outside gully must be provided to receive waste water from animal washing facilities.
  - x. Adequate measures and precautions should be taken to prevent the discharge of animal hair into the atmosphere

### **31.8.2 General hygiene standards for pet shops or pet parlours:**

- a) The cages must be cleaned on a regular basis to prevent accumulation of manure.
- b) The premises and every cage, tray, container, receptacle, basket and all apparatus, equipment or appliances used at the pet shop or pet parlour should be maintained in a clean and sanitary condition, free from pests and in good repair.
- c) An adequate supply of potable water should be maintained for drinking and cleaning purposes.

### **31.8.3 Removal of dead animals on all premises where animals are being kept:**

- a) All dead animals must be removed from the premises within 24 hours of its death, or determined by the health authority
- b) Disposal of dead animals should be conducted in an acceptable manner and in compliance to the relevant by-laws of the Local Authority concerned.



## **Annexure B: 9**

### **31.9.1 STANDARDS FOR PRISONS, INCLUDING POLICE STATION HOLDING CELLS**

1) Prisons, including police station holding cells must comply with the following standards:

**a) Structural facilities**

- i. Holding cells should always be kept clean, free from debris, litter and other miscellaneous rubbish and be maintained in good repair.

**b) Toilet and ablution facilities**

- i. Adequate toilet, hand washing and shower facilities should be provided on the premises for use by service users/inmates.
- ii. Toilet facilities must always be kept clean.

## **Annexure B: 10**

### **31.10.1 STANDARDS FOR VACANT LAND**

1) Vacant land must comply with the following standards:

**a) Physical environment:**

- i. Vacant land must comply with the relevant by-laws of a specific Local Authority.
- ii. The Environmental Health Practitioner of the Garden Route District Municipality must address any environmental health nuisance that might occur on any property within its jurisdiction.

## **Annexure B: 11**

### **31.11 STANDARDS FOR OFFICE ACCOMMODATION**

1) Office building and accommodation should not constitute a health nuisance.

**a) Toilet and ablution facilities:**

- i. Adequate toilet and hand washing facilities must be available on the premises for use by employees, in line with the National Building Regulations and the Building Standards Act, 1977 (Act No. 103 of 1977).
- ii. At least 1 (one) toilet facility and 1 (one) hand wash basin should be provided for every 20 employees on the premises. 1(one) urinal should be provided for every 20 employees on the premises (ratio 1:20).
- iii. Potable running water should be provided at every hand wash basin.
- iv. Toilets facilities should be designated by gender.
- v. Floors of the toilet facilities should be constructed of a smooth and easily cleanable surface.
- vi. Walls must be constructed of a smooth finish and painted with a light coloured washable paint.
- vii. Toilet facilities must be properly illuminated and ventilated and kept clean always.
- viii. An adequate supply of toilet paper, soap and drying towels should be maintained in all toilet facilities.
- ix. Toilet facilities must always be cleaned daily and maintained in good working order and in good repair.



**ANNEXURE B:**

**32) All Health Certificates must comply with APPENDIX 3 – THE GUIDELINE TEMPLATES FOR HEALTH CERTIFICATES FOR PREMISES, as defined in the Norms and Standards.**

**APPENDIX 3**

**GUIDELINE TEMPLATE FOR APPLICATION FORMS FOR A HEALTH CERTIFICATES FOR A PREMISES**

**GUIDELINE TEMPLATE FOR HEALTH CERTIFICATES PREMISES**

Issuing authority.....

**HEALTH  
CERTIFICATE  
SCHOOL**

CERTIFICATE NUMBER.....

VALIDITY PERIOD:

.....

**NAME OF SCHOOL**.....

**PHYSICAL ADDRESS** .....

.....

**NAME OF OWNER/PERSON IN**

**CHARGE**..... **ID**

**NUMBER**.....

..... **RESIDENTIAL**

**ADDRESS**.....

.....

It is hereby certified that the above-mentioned premises adhere to the prescribed environmental health standards for school premises.

**INDOOR SPACE / CLASSES FOR LEARNERS**

Number of learners permitted per class.....

Maximum number of learners to be accommodated on the premises.....

Total number of girls: ..... Total number of boys.....

Total staff..... Total number of learners residing on the premises/boarders.....

**SANITATION AND ABLUTION FACILITIES**

**GIRLS**

**BOYS**

**STAFF**

No. water closets..... No. water closets.....

No. water

closets..... No. wash hand basins.....

No. Wash

hand basins..... No. hash hand basins.....

No. Urinals.....

No. showers/baths... No. showers/baths...

No.

showers/baths.....

**WATER SUPPLY**

Piped running potable water available: Yes/No

Storage tank supply: Yes/No

**FOOD HANDLING FACILITIES**

Certificate of acceptance issued: Yes/No/ Not applicable

This certificate is not transferable from one premises to another

Name of issuing person (manager for MHS) \_\_\_\_\_

Signature: \_\_\_\_\_

Date of issue: \_\_\_\_\_

**GUIDELINE TEMPLATE FOR HEALTH  
CERTIFICATES CHILD CARE  
CENTRE (B)**

CERTIFICATE NUMBER..... VALIDITY  
PERIOD.....

NAME OF INSTITUTION.....  
PHYSICAL ADDRESS .....  
.....  
.....

NAME OF OWNER/PERSON IN  
CHARGE..... ID  
NUMBER.....  
..... RESIDENTIAL  
ADDRESS.....  
.....

---

It is hereby certified that the above-mentioned premises adhere to the prescribed environmental health standards for child care centre premises.

**INDOOR PLAY AREA**

Total number of children to be accommodated on the premises in terms of floor space..... Age groups of children permitted.....

Operation hours: Full day care/half day care

No of care givers.....

**SANITATION AND ABLUTION FACILITIES**

**GIRLS**

No. water closets.....  
No. wash hand  
basins.....

**BOYS**

No. water  
closets..... No.  
Wash hand basins.....

**STAFF**

No. water closets.....  
No. wash hand  
basins..... No.

**WATER SUPPLY**

Piped running potable water available: Yes/No      Storage tank supply: Yes/No  
Other: Specify.....

**FOOD HANDLING FACILITIES**

Certificate of acceptance issued: Yes/No/ Not applicable

This certificate is not transferable from one premise to another

Name of issuing ENVIRONMENTAL  
HEALTH PRACTITIONER \_\_\_\_\_ Signature: \_\_\_\_\_  
Date of issue: \_\_\_\_\_

**HOME/HEALTH ESTABLISHMENTS/OLD AGE HOME (C)**

CERTIFICATE NUMBER.....

VALIDITY PERIOD.....

**NAME OF INSTITUTION**.....

**PHYSICAL ADDRESS** .....

.....

.....

**NAME OF OWNER/PERSON IN CHARGE**.....

**NUMBER**..... **ID**

... **RESIDENTIAL**

**ADDRESS**.....

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It is hereby certified that the above-mentioned premises adhere to the prescribed environmental health standards for premises.

**NUMBER OF BEDS PERMITTED ON THE FACILITY**

Total number of beds permitted on the facility.....

**SERVICES RENDERED ON THE PREMISES:**

List services permitted to conduct on the premises

.....

.....

**FOOD HANDLING FACILITIES**

Certificate of Acceptability issued: Yes/Not applicable

COA number.....

**MORTUARY FACILITIES**

Certificate of competence issued to the premises. COC number:

This certificate is not transferable from one premise to another

**Name of issuing ENVIRONMENTAL HEALTH PRACTITIONER**

**Signature:** \_\_\_\_\_

**Date of issue:** \_\_\_\_\_

**GUIDELINE TEMPLATE FOR  
HEALTH CERTIFICATES  
PREMISES**

**OTHER PREMISES (E)**

CERTIFICATE NUMBER..... VALIDITY  
PERIOD.....

**NAME OF INSTITUTION**.....  
**TYPE OF BUSINESS** (Salon/offensive trade/tattoo parlour/accommodation establishment).....  
**PHYSICAL ADDRESS** .....

**NAME OF OWNER/PERSON IN CHARGE**..... **ID NUMBER**.....  
..... **RESIDENTIAL ADDRESS**.....

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It is hereby certified that the above-mentioned premises adhere to the prescribed environmental health standards for premises.

**THE PREMISES IS SUITABLE FOR THE FOLLOWING SERVICE**  
Name service..... e.g. hairdresser/tattoo parlour etc.

**FOOD HANDLING FACILITIES**  
Certificate of Acceptability issued: Yes/Not applicable COA  
number.....

This certificate is not transferable from one premise to another

**Name of issuing ENVIRONMENTAL HEALTH PRACTITIONER** \_\_\_\_\_ **Signature:** \_\_\_\_\_  
**Date of issue:** \_\_\_\_\_





