

Sample: Draft Bye-laws for solid waste management

In exercise of the powers conferred by section (___) of the Municipal Act (___) and in order to implement the provisions made in the National Waste Management Strategy (___), the (___) Municipal Council, hereby makes the following bye-laws for management of solid waste, namely: -

1. Short title and commencement
 - i. These bye-laws may be called the (___) Municipal Solid Waste Management Byelaws, 2018.
 - ii. They shall come into force upon approval by the elected board or empowered standing committee and with effect from the date of its publication in the official gazette.
2. Every owner and occupiers of premises within the municipal council will have to abide by and to maintain the system of collection, segregation and storage of solid waste apart from having the duty to have the premises clean. Further the owners and occupiers of premises within the Municipal Council shall segregate waste under three categories:
 - (a) Organic or bio-degradable wastes (called wet waste)
 - (b) Recyclable or non-biodegradable wastes (called dry waste)
 - (c) Domestic hazardous wastes
3. The (___) municipal council shall provide one bin for wet waste and one bag for dry waste storage to every owners and occupiers of premises within the municipal council.
4. It is provided herein that each and every owner and occupier of commercial or residential area, apartment owner/societies, co-operatives, institutions, industry etc. shall maintain 'dustbins' and bags for storing wet wastes, dry waste and storing hazardous waste.
5. The domestic hazardous waste like discarded paint drums, pesticide cans, CFL bulbs, tube lights, expired medicines, broken mercury thermometers, used batteries, used needles and syringes and contaminated gauge, etc., generated at the household level shall be stored separately in a red bag and be given to waste collector once a week. Sanitary waste to be wrapped in paper and handed over to waste collector every day.
6. The (___) Municipal Council shall bear the responsibility of collection and disposal of sanitary and domestic biomedical waste like expired medicines, broken mercury thermometers, used needles and syringes etc. to the nearest common bio-medical waste treatment facility, if any.
7. It will be the responsibility of the municipal council to provide adequate number of litter bins at commercial areas and all important public places such as places of worship, parks, and bus-stands. At each location two types of litter bins shall be provided for disposing wet wastes and dry waste.
8. In commercial areas and important public places, litter bins shall be placed every 200 meters by the (___) municipal council. In other areas they shall be placed every 500 meters.
9. For one time, (___) Municipal Council shall provide one bin for wet waste and one bag for dry waste disposal to every street vendors and hawkers.

9. It shall be the responsibility of the street vendors and hawkers to segregate waste into wet and dry and transfer the waste every day to the nearest municipal litter bin or in a collection vehicle designated by the council.
10. Slaughter waste from meat, poultry and fish shops shall be stored separately in a bin and transferred every day to the nearest municipal litter bin or in a collection vehicle designated by the council.
11. In every designated commercial area, it shall be the responsibility of the market associations or group of shop-owners to ensure that there is no littering and throwing of garbage on the roads, drains and public spaces.
12. Horticultural waste (agricultural waste, garden waste) generated in residential and commercial areas should be segregated and stored separately within the premises. It should be composted within the premises or sent to the nearest compost facility of the council.
13. The (___) municipal council shall be responsible for collection and composting of horticulture wastes from public parks and gardens. Tree leaves from trees on the roads and other public spaces shall also be collected and composted by the council.
14. It shall be the responsibility of the owner or occupier of premises to store the construction material and construction and demolition (C&D) waste within the premises.
15. In case, the construction material or C&D waste has to be stored on the road and other public spaces due to unavoidable reasons like lack of space or requirements of construction or demolition works, the owner or occupier of the premises shall take permission from the municipal council to do so. The municipal council shall charge a fee to allow storage of construction material and construction and demolition (C&D) waste on the road and other public spaces.
16. It shall be the responsibility of the owner or occupier of premises to dispose C&D waste at a place designated by the municipal council. The C&D waste can be used for filling low-lying areas, provided it is done in an environmentally safe manner and with the permission and consent of the owner of the land.
17. The (___) municipal council shall bear the responsibility of collection and disposal of C&D waste generated from its own activities and activities of other government departments working in the municipal area.
18. The (___) municipal council shall earmark a specific area for the disposal of C&D waste and other inert wastes like road sweepings at a notified dumpsite.
19. The (___) municipal council shall also ensure that inert waste collected from road sweepings, desilting of drains, digging of roads and public spaces for various activities etc. is collected and disposed in a time-bound manner at a specific site as notified. It can also use these wastes, if it deems appropriate, for filling of low-lying areas.
20. The (___) municipal council shall explore all opportunities for the gainful utilization of the C&D waste.

21. Manufacture, import, store, sell, transport, supply, possess or use any plastic bags in Zanzibar is prohibited.
22. Persons or establishments, if found to commit any of such offence shall be liable to give fine of or imprisonment of upto two years.
23. No person shall throw waste or litter at any public place. They shall use the dustbins and litter bins so provided for disposing the waste.
24. The (___) municipal council shall develop an effective collection system to collect and transfer segregated waste for processing.
25. The segregated wet waste from each house, shop, commercial areas, hotel, restaurants, street bins, educational institutes and all other generators of solid waste shall be collected by the council on a regular basis.
26. The (___) municipal council shall develop and execute a plan within three months to collect segregated wet waste and segregated sanitary waste and domestic hazardous waste every day; and segregated dry waste every alternate day.
27. Marriage/event halls shall take permission from the (___) municipal council minimum 7 working days prior to the date of event/function and shall make the arrangement for segregation and storage of waste at the place of event/function. The segregated waste shall be handed over to waste collector. The (___) municipal council can grant the permission for days, for weeks, for months or for one year. It shall charge a fee for holding the function/ event. In case of non-compliance, fine shall be levied.
28. The (___) municipal council shall levy the following user fees for waste management:

S.No.	User's Category	Monthly user charge
A.	Residential	
1	Residential House (per family/flat/house)	
2	Slums and Below Poverty Line Residence	
B.	Non-residential	
1.	Street Vendor	
	a) Without structure (roadside)	
	b) With structure	
2.	Eating joints, Restaurants, Cafes, Sweet Shop, Coffee House, etc.	
3.	Meat, Fish and Poultry Shops	
4.	Other shops	
5.	Restaurant (Non AC restaurant)	
6.	Restaurant (AC restaurant)	
7.	Guest Houses	
8.	Hostels	
9.	Star hotel or equivalent hotel	
10.	Commercial offices, Government offices, Educational Institutions per unit	
11.	Banks and insurance offices	
12.	Coaching classes	

C.	Health Services Institutes (except biomedical waste)	
1.	Clinics per unit	
	Dispensaries, Laboratories	
2.	Hospitals (upto 50 beds)	
3.	Hospitals (more than 50 beds)	
D.	Others	
1.	Religious Places	Religious centres can willingly contribute to cleanliness in and around their premises
2.	Small scale industries, cottage units, workshops, petrol pumps(only non-hazardous waste)	
3.	Cold storage, godowns and storage areas where large amount of waste is generated	
4.	Marriage halls, Event halls, Exhibition and Fairs	
5.	Others	
E.	User charges for bulk collection	
1.	C&D waste	-----/ tractor truck
2.	C&D waste	-----/ tipper truck

29. The user fees as listed in section 28 shall be revised after every two years.

30. The user fee shall be collected one month after the passing of the byelaws in the official gazette.

31. The user fee shall be collected on a monthly basis by the council and a printed slip will be issued by the council for payment of fee by the user listed in section 28.

32. The (___) municipal council shall make every effort to increase the awareness of people on waste management and the user fees. Proper announcement through advertisement in media, hoardings, public announcements, distribution of leaflets etc. shall be undertaken.

33. The (___) municipal council shall constitute a “waste management task force” for overseeing the successful implementation of the (___) municipal council Solid Waste Management Byelaws, (year). The Task Force shall constitute of the following:

- (a) Chairman
- (b) Mayor
- (c) Deputy Mayor
- (d) Director
- (e) Two respected residents of the wards nominated, by a two-third majority vote, by the elected members from the wards

34. The waste management task force shall meet every two weeks to take stock of the implementation of the byelaws and resolve issues.

35. The (___) municipal council shall constitute a ward waste management task force in all wards of the council. This taskforce shall supervise collection, transfer and proper processing of segregated wastes. The task force shall constitute of the following:

- a) Elected members from the ward
- b) Ward Supervisor

c) Two respected residents of the ward nominated on consensus by the mayor

36. The ward waste management task force shall have responsibility to spread awareness for segregation at source in every ward and sensitise people through IEC.
37. The ward waste management task force shall undertake sensitization programs to inform people about the byelaws and fines or penalty for non-compliance and littering.
38. The ward waste management task force shall monitor the implementation the (___) municipal council solid waste management bye-laws, 2018 and recommend the actions that need to be taken for successful implementation of the byelaws.
39. The (___) municipal council shall be empowered to levy fine from the households, owners or occupiers of the premises for non-abidance of the byelaws and for littering in public areas. The amount of fine shall be as follows:

S.No.	Category	Amount of fine/penalty
(i)	Guest Houses, Hostel, Star hotel or equivalent hotel, Commercial offices, Government offices, Banks, Insurance offices, Educational Institutions, Clinics, Dispensaries, Laboratories, Hospitals, Cold storage, godowns and storage areas where large amount of waste is generated, Marriage halls, Event halls, Exhibition and Fairs and any other establishment where large amount of waste is generated.	1 st offence – Warning 2 nd offence – (----Tsh) Every subsequent offence – (----Tsh)
(ii)	Eating joints, Restaurants, Cafes, Sweet Shop, Coffee House, Meat, Fish and Poultry Shops, Paan shops, Coaching Classes, Petrol pumps, Small scale industries, cottage units, workshops (only non-hazardous waste) etc.	1 st offence – Warning 2 nd offence – (----Tsh) Every subsequent offence – (----Tsh)
(iii)	Street Vendor, with or without structure	1 st offence – Warning 2 nd offence – (----Tsh) Every subsequent offence – (----Tsh)
(iv)	Any other commercial establishments other than those mentioned in serial no. (i), (ii) and (iii)	1 st offence – Warning 2 nd offence – (----Tsh) Every subsequent offence – (----Tsh)
(v)	Households and individuals	1 st offence – warning 2 nd offence – (----Tsh) Every subsequent offence – (----Tsh)
(vi)	Open burning of the waste	1 st offence – warning 2 nd offence – (----Tsh) Every subsequent offence – (----Tsh)
(vi)	Penalty for dumping C&D waste	
A	Penalty for dumping of C&D waste on road or on public spaces by individual without prior permission	(----Tsh)/day + amount for sending municipal vehicle to lift and dispose the C&D

		waste
B	Penalty for dumping of C&D waste by commercial premises, industry or any other bulk generator	(----Tsh)/tonne/day + amount for sending municipal vehicle to lift and dispose the C&D waste
(vii)	Mixing of bio-medical waste in to municipal waste by hospitals, nursing homes, clinic, pathology lab etc.	1 st offence – Warning 2 nd offence – (----Tsh) Every subsequent offence – (----Tsh)
(viii)	Non-compliance in approval from corporation for event by Marriage halls, Event halls, Exhibition and Fairs etc.	(----Tsh)/day

40. Every violation shall be recorded and the council shall provide a slip to the violators to deposit the fine, within seven days of the violation, at an office(s) designated by the (___) municipal council for the purpose.
41. If a violator, who is the owner or occupier of a premise, fails to deposit the fine within the stipulated timeframe, then the fine plus 12 per cent annual interest rate shall be added to the property tax and recovered.
42. If an individual or street vendor is found littering on the road or other public places, a spot fine can be imposed and recovered.
43. The ward waste management taskforce shall submit a fortnightly report to the waste management task force about the violation so found and action taken.
44. The (___) municipal council shall publish a status report on the number of violations and violators, the amount of fines imposed and recovered etc. on its website every month.
45. The (___) municipal council to do information, education and communication (IEC) and awareness raising in residential and commercial areas of the island for spreading the message of segregation at source.
46. The (___) municipal council shall circulate information on the byelaws through use of newspapers, radio, hoardings and local TV channels for one month after the date of publication of the byelaws in the Official Gazette. After that, a summary of the byelaws shall be displayed at prominent public places through hoardings.