

**City of Victoria Falls (Prohibition of use of commercial shops backroom and outbuildings for human habitation) by-laws, 2022**

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**ARRANGEMENTS OF SECTIONS**

**Sections**

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It is hereby notified that the Minister of Local Government and Public Works has, in terms of section 229 of the Urban Councils Act [*Chapter 29:15*], approved the following by-laws made by the Victoria Falls City Council.

**Title**

1. The proposed by-laws may be cited as the Victoria Falls City Council (Prohibition of use of commercial shops backroom and outbuildings for human habitation) by-laws, 2022.

**Application**

2. These by-laws shall apply within Victoria Falls City Council area of jurisdiction.

**Interpretation**

3. In this by-law;

“Business” means any trading activity carried out at commercial and industrial areas

“Council” mean Victoria Falls City Council in terms of the Urban Councils Act

Chapter 29: 15

“Derelict” means any structure or building which is inspected by authorized official and certified unfit for human habitation or for any use, dangerous to the public and or users.

“Unoccupied” means any structure or building which has not been used for trading or as residential dwelling for a period of more than 5 years continuous

“Dangerous” means any building or structure or part thereof which due to its parlous structural state is liable to cause harm to its users and passers-by, whether now or in the future, is regarded as dangerous inspected by an authorized official and certified.

“Outbuilding” means any structure erected within the same stand which is detached from the main building.

“Commercial Centres” means any area which is designated and approved by Victoria Falls City Council for concentrated high economic activity including commercial zone in a residential area.

#### **Prohibition of use of business shop, backrooms and outbuildings for human habitation**

4. (a) No structure or building or part of building on a commercial and or industrial stand shall be used for continuous human habitation or for residential purposes.
- (b) Subject to section (a), above, the local authority shall accept use of business shop backrooms or part of the buildings or outbuildings if:
  - i. There is a written request from the owner of the property to temporarily use the buildings for a fixed term not more than six months which is not renewable unless change of use has been granted by Council.

#### **Offences and Penalties**

5. Any persons who:
  - a) Contravenes any provisions of the by laws
  - b) Fails to comply with lawful requirement made by Council or authorized official in terms of these by laws
  - c) Obstructs an authorized official in the carrying out of duties in terms of these by laws

shall be guilty of an offence and liable to a fine prescribed in Council budget or to imprisonment for a period not exceeding three months or to both such a fine and such imprisonment.

## **Schedule of fines**

### 6. Fines

- a. Use of shop backrooms or building for human habitation without Council approval, penalty prescribed in the Council budget or fine not exceeding level 5.
- b. Obstruction of an authorized official in the carrying out of duties in terms of these by-laws, penalty prescribed in the Council budget or fine not exceeding level 4.