

City Of Bulawayo Fire Brigade By-laws, 2020

These By-laws may be cited as City of Bulawayo Fire Brigade By-laws, 2020.

Application

1. These By-laws shall apply to:

- (a) the municipal area;
- (b) every local government area the administration, the control and management of which is vested or is deemed to have been vested in the Council in terms of section 3 of the Urban Councils Act Chapter 29:15.
- (c) Any other area the administration and control of which is vested in the Council.

2. Definitions

In these By-laws:

“Building” means any structure whatsoever for whatever purpose used.

“Certificate of Competence” issued under the hand of the Chief Fire Officer to persons who successfully demonstrate theory and practical knowledge or evidence in the servicing of passive and active fire protection systems.

“Council” shall mean the Council of the City of Bulawayo.

“Director” means the Head of the Chamber Secretary’s Department (Chamber Secretary) of the Municipality of Bulawayo and includes any person acting in that capacity and any person duly authorised by him/her to act on his/her behalf.

“Fire Brigade” shall mean the Council Fire Brigade established and maintained by the Council.

“Fire-fighter” shall mean any person or persons appointed as such under the rules and regulations of the Council’s Fire Brigade or any other person or persons, who may, at the discretion of the Officer-in-charge, assist at any fire in terms of the provisions of Section 3 of these By-laws.

“Fire Station” or “Fire Stations” shall mean any building, place or site where the machines, appliances, equipment or any appurtenances of the Fire Brigade are ordinarily kept and where a member or members of the Fire Brigade are in regular attendance for receiving or dealing with messages, communications or other matters relating to or concerning the prevention and extinguishing of fires.

“Members of the Fire Brigade” shall mean the Officer-in-Charge, Officers, Fire-Fighters or any other person or persons who may, at the discretion of the Officer-in-charge, assist at any fire in terms of the provisions of Section 3 of these By-laws.

“Officer” shall mean any person (except the Officer-in-Charge) appointed as such under the rules and regulations of the Council’s Fire Brigade.

“Officer-in-Charge” shall mean the Chief Officer of the Fire Brigade or any other person for the time being acting in his place, or any other Officer or Fire-Fighter duly authorised by the Council to perform any duty on behalf of, or in the place of the Officer-in-Charge.

“ He” shall mean she as well.

“Person” shall include a juristic person.

“Class 1”: flammable liquids with a flash point below 73°F or 23°C

“Class 11”: flammable liquids with a flash point between 73°F – 150°F or 23°C -65°C

“Class 111”: flammable liquids with a flash point above 150°F or 65°C

“Hazchem”: Hazardous chemicals

3. Powers of Officer-in-Charge

On the occasion of any fire, the Officer-in-Charge shall, from the time, he arrives at the fire, have full control over the property on fire and over such other property as may be considered by him to be in danger. He shall attend to the occasion of any fire with such Officers and Fire-Fighters and appliances as he deems necessary and may, in his discretion, avail himself of the assistance of any persons who may voluntarily place their services at his disposal and under his command. He may take any measures which may appear expedient for the protection or saving of life or property or the prevention or extinction of fire, and in particular he may, if necessary, by himself, his Officers or Fire-Fighters, enter upon, break into or through or take possession of, or pull down any buildings or other property, doing as little damage as possible under the circumstances. The Officer-in-Charge and any other member of the Fire Brigade shall, also, for the same purpose, have the free right of access to and liberty to draw water from all hydrants, tanks and cisterns, pipes and other supplies of water, whether on Council’s or any other property. The persons volunteering as aforesaid and any whose services may be temporarily requisitioned by the Officer-in-Charge shall be deemed to be members of the Fire Brigade and the Officer-in-Charge shall have power to dispense with the services of any of them at any time.

4. Preferent Right of Way.

Members of the Fire Brigade, while proceeding to a fire or an emergency on any of their machines and vehicles, shall have a preferent right of way over all classes of traffic in any street, thoroughfare or open space.

All classes of traffic shall obey all directions regulating traffic given by the Officer-in-Charge or any member of the Fire Brigade getting under his instructions, whenever the Fire Brigade is proceeding to the scene of a fire or an emergency incident, on the approach of any Fire Brigade machine or conveyance proceeding to a fire or an emergency, all traffic shall instantly give way to such machine or conveyance by drawing to the side of the thoroughfare, or shall stop at the intersection of streets to allow it to proceed on its way.

No driver of any vehicle shall follow a Fire Brigade machine or conveyance at a distance of less than 9metres.

5. Temporary Closing of streets and removal of Loiterers

Any street, passage or thoroughfare, in or near which a fire or an emergency incident exists, may be temporarily closed, and the police or any member of the Fire Brigade may, on their own motion or at the request of the Officer-in-Charge, remove any persons who, by their presence or otherwise, interfere or are calculated to interfere in any way with the operations of the Fire Brigade or police.

6. Reports

The Officer in charge of the Fire Brigade shall make a report to the Council in writing on calls of interest attended by the Fire Brigade.

7. Chimney Fires

If any chimney catches fire through neglect or improper cleaning, the person occupying the premises in which such chimney is situated, shall be guilty of an offence against these By-laws.

8. Fire Alarms and Hydrants

The Council may cause to be affixed to any building, wall, fence and other erection, or to any telephone, fire alarm, or other instrument for the transmission of calls of fire to any fire station, and any board or metal plate indicating the position of the nearest fire hydrant available in case of a fire. No unauthorised person shall remove, deface or damage any notice of any kind thereon.

9. False Alarm

No person shall knowingly or carelessly give or cause to be given a false alarm of fire or an emergency to the police or to a fire station or to the Fire Brigade or any member thereof or to any employee of the Council, whether by means of a street fire alarm, statement, message or otherwise, or wilfully, wantonly or maliciously break, ring or otherwise tamper or interfere with any fire alarm apparatus of any building.

10. Interference with Hydrants

No persons shall in any manner whatsoever tamper or interfere with any fire hydrant or other appliances used or intended to be used for the prevention or extinction of fire or in connection with the saving of life or property in the event of a fire.

11. Obstruction of or Interference with Fire/Emergency Escape, etc.

No person shall do or permit to be done any act whereby the free use of fire escapes, stairs, passageways or doors in any or upon any building or premises is or calculated to be, obstructed or interfered with, in case of a fire or an emergency.

12. Bonfires, Lighting of fires and Burning of Rubbish

No person shall make a bonfire or burn any rubbish or straw, shavings, standing grass or other vegetation or other flammable or combustible materials in any street, sanitary lane or thoroughfare or in any park or open space or within a distance of 15 metres of any building, whether private property or not, without first having obtained the written permission of the Council. The Council shall have the right to refuse permission in any case in which it considers the lighting of a fire for any of the purposes mentioned would endanger life or property.

13. Fireworks

No person shall discharge any fireworks in any street, sanitary lane, Public Square or any other open space under the management or control of the Council without the written permission of the Council. The Council shall have the right to refuse permission in any case in which it considers the discharging of fireworks would endanger life or property.

14. Storage of Inflammable and Combustible Material

14.1 No person shall make or keep or cause to be made or kept any stock of hay, corn, forage, Lucerne, hay, timber or any accumulation of waste paper, boxes, shavings or rubbish of any description, or any flammable liquids or other combustible materials in such quantities or in such situation or in any manner as may be likely to cause danger of fire in or to the building.

14.2 No person having control of any vacant piece of land shall allow grass or rubbish to accumulate in such a manner and in such quantities as may be likely to cause danger of fire to any building.

14.3 The Council may, by notice in writing, require any person referred to in subsection 14.1 and 14.2 above to remove such materials or such grass or rubbish or to take such reasonable precautions as the Council may deem necessary, within a period of time to be fixed in the notice which, however, shall not be less than seven days. If such person fails to comply with such notice the Council may confiscate/remove such materials or such grass or rubbish and may recover the cost of so doing from such person, in addition to which such person shall be liable to prosecution for a breach of these By-laws.

15. Fire Alarm Bells

15.1 The bells attached to sprinklers and other Fire Alarms or Fire Extinction Installations shall be rung for testing purposes, only at such times and on such dates as shall be fixed by the Council.

15.2 No person shall, without special permission first had and obtained from the Officer-in-Charge, ring or cause to allow to be rung any such bells and aforesaid for testing purposes except as prescribed above.

16. Unauthorised Persons Wearing Uniform

No person who is not an Officer or member of the Fire Brigade shall wear the recognised uniform of the Fire Brigade unauthorised, or in any way represent himself to be a member of the Fire Brigade.

17. Inspection of Premises and their Uses.

17.1 Any authorised member of the Fire Brigade may at all reasonable times on production of a written authority under the hand of the Town Clerk enter any premises or building to examine arrangements and precautions for the prevention and extinguishing of fire or for reducing the risk of fire.

17.2 The Council shall have the right to specify, in particular instances, the minimum requirements relating to precautions to be taken and the appliances to be installed and maintained by the occupiers and/or owners of the premises or building.

17.3 If, in the opinion of the Council, any building or its use is a source of danger to persons or property by reason of the risk of fire, the Council shall, by notice in writing, advise the owner and/or occupier of such building that the use of such building or premises is to be restricted in any one or more of the following ways:

17.3.1 by the total prohibition of its use until such time as it has been modified to meet the Council's requirements;

17.3.2 by the restriction of its use to such as may be approved by the Council;

17.3.3 by the imposition of conditions relating to the storage, handling and capacity of materials kept in such buildings or premises.

18. Servicing of Fire-Fighting Equipment and Fire Alarm System

18.1 The owner of –

18.1.1 Any fire-fighting equipment in or upon any building or premises; or

18.1.2 An automatic fire-alarm system installed in or upon any building or premises;
in terms of sub-section 18.2 to perform such work.

18.2 The work of inspecting, testing and maintaining fire-fighting equipment and automatic fire alarm systems shall be performed only by persons authorised, in writing, by the Council to do so, and such authority shall only be granted to such persons as per the acceptable written evidence to the Council of their ability, by training and experience, to perform such work efficiently.

18.3 The person inspecting, testing or maintaining such equipment or system shall securely affix a durable label to each item forming part of such equipment or system, stating the date on which such work was performed and certifying that such item was inspected, tested and maintained, and that it was, on such a date, in a satisfactory condition.

18.4 Any fire-fighting equipment which may have been used or accidentally discharged shall immediately be refilled, replaced and rendered serviceable in every respect by the owner of such equipment.

18.5 The Council may inspect any fire-fighting equipment (passive /active) in or upon any building or premises, and may order such equipment to be tested. Any such equipment or system found, after being tested, to be defective shall immediately be replaced by the owner or repaired by registered Fire Engineering Company. Where any such fire protection equipment is found to be defective on inspection, the Council may make such charges as it considers necessary to cover the cost to the Council of such inspection.

18.6 No person shall –

18.6.1 Remove any fire extinguisher installed in any building for the purpose of servicing or repair without temporarily replacing such fire-extinguisher with one which is in good order or,

18.6.2 Remove any of the fire-fighting equipment installed in any building without informing the Chief Fire Officer thereof in writing.

18.7 No person shall cause or permit fire fighting equipment on any premises to be dismantled, recharged, disconnected, serviced or repaired or sold or any new,

serviced or repaired equipment to be installed, housed or placed on any premises except by or under the control and supervision of a holder of a Certificate of Competence issued or recognized in terms of this by-law.

18.8 Mode of Application for Certificate of Competence:

Every application for a **Certificate of Competence** shall be submitted to the **Chief Fire Officer** on the form prescribed in the Fifth Schedule.

18.9 Applicants to be examined:

When so required by the **Chief Fire Officer**, an applicant for a **Certificate of Competence** shall submit himself for test at the Fire Brigade headquarters.

18.10 Identity document:

Upon the issue of a Certificate of Competence there shall be issued to the holder thereof an additional identity document approved by the Chief Fire Officer which shall bear a photograph of the Holder of which the Holder shall produce on demand to any Fire Official and to any person in authority on the Premises on which the holder is to carry out any examination or other function in terms of these By- laws.

18.11 Recognition of certificates issued by other authorities:

Upon production to him by the holder thereof of a Certificate of Competence issued by another fire authority in terms of bylaws applying to the area of jurisdiction of such authority and having the same or similar provisions as this By- Law, which authority has been approved by the **Chief Fire Officer** for the purpose, the **Chief Fire Officer** may recognize such certificate as being acceptable for the purpose of this By-Law and if he does so he shall endorse such certificate accordingly and enter the particulars of the holder and the certificate in the register kept in terms of section 18.15 as if the certificate had been issued in terms of section 18. 8 and thereupon the holder of the certificate shall for all purposes of this by-Law be deemed to be the holder of a certificate issued in terms thereof.

18.12 Recognition of a certificate:

in terms of section 18.11 may at any time be withdrawn by the Chief **Fire Officer** upon production of proof to his satisfaction that the holder of the certificate has been guilty of any act referred to in section 18.17, whereupon Subsections 18.17.1, 18.17.2 and 18.17.3 of that section shall *mutatis mutandis* apply and the **Chief Fire Officer** shall cancel his endorsement on the certificate and notify the issuing authority in writing of the action taken by him and the reasons thereof.

18.13 Replacement of certificates of competence:

A person whose Certificate of Competence is lost, destroyed or damaged shall forthwith apply to the Chief Fire Officer on the prescribed form for the replacement of such certificate subject to payment of a fee.

18.14 An application in terms of subsection 18.13 shall be accompanied by an affidavit, as to the circumstances in which the certificate was lost or destroyed, or the damaged certificate, as the case may be, and the prescribed fee.

18.15 Register of Holders of certificates of competence and Fire Engineering Companies.

The Chief Fire Officer shall maintain a register of holders of Certificates of Competence issued in terms of section 18.8 or recognized in terms of section 18.11 setting forth full particulars of such holders and the certificates issued to them or recognized.

18.15.1 The Fire engineering Company intending to register shall submit its profile to the Fire Brigade.

18.15.2 On registering the company should have at least 2 qualified and competent maintenance personnel.

18.15.3 All fire engineering companies shall be graded in accordance with their company profile, based on workshop equipment and number of qualified personnel.

18.15.4 Fire safety training shall be performed by holders of Sub. Officers' certificate or equivalent recognised qualification by the Fire Brigade. Fire Safety training programmes for the Public, Commerce, Industry and mines will only be

done by certified Fire Engineers approved to do such work as per Fire Brigade set standards.

18.16 The register shall be available for inspection at the Fire Brigade Headquarters at any time during normal working hours.

18.17 Cancellation of Certificate of Competence

If any registered company or holder of a **Certificate of Competence** –

18.17.1 Has given false information on an application form submitted in terms of section 18.8

18.17.2 Has wilfully or negligently made an incorrect or false statement in a label affixed by him or her in terms of section 18. 3;

18.17.3 Has committed a breach of or failed to comply with any provision of this Code performs any act or duty under this Code in a negligent manner, the Chief Fire Officer may cancel his Registration Certificate or Certificate of Competence.

18.17.4 A holder shall, within 7 days of being notified in writing of the cancellation of his Certificate surrender it to the Chief Fire Officer.

18.17.5 If the Chief Fire Officer cancels a Certificate shall not consider an application for a new certificate from the holder of such certificate until a period of 12 months has elapsed since such cancellation.

18.18 Restrictions on removal, alteration and installation of fire-fighting equipment: No fire fighting equipment shall be installed, changed or added to without authority of the **Chief Fire Officer**.

18. 19 Portable fire extinguishers to be periodically pressure tested:

In addition to the examination of fire fighting equipment referred to in section 18.1 hereof, every portable fire extinguisher shall be subject to servicing and pressure testing in accordance with S.A.Z Code of Practice. The production of reconditioned fire fighting equipment, Part I: Portable Rechargeable Fire Extinguishers.

18.20 Second-hand fire fighting equipment to be approved by Chief Fire Officer: No second-hand fire fighting equipment shall be placed or installed in any premises

where such is required in terms of this By-Law unless and until such equipment has been examined, pressure tested and serviced in accordance with the Code of Practice referred to in section 18.19 above.

18.21 Monthly returns

Every person who repairs or services fire-fighting equipment shall render before the 10th of every month to the Chief Fire Officer a return giving particulars of any fire-fighting equipment which he has repaired or serviced during the preceding month. Such information must be detailed on a structured Fire Protection Service Return Form obtainable from the local Fire Brigade. Failure to submit the return forms shall result in the suspension of business activity or the cancellation of the operating licence.

19. Fire Brigade Services outside the Areas Referred to in Section 1

The Council shall have the right to allow the Fire Brigade to proceed to a fire outside the Council area of Bulawayo on receipt of a call for such assistance and the tariff of charges for services rendered by the Fire Brigade in terms of this clause shall be as fixed by resolution of the Council from time to time in terms of section 219 of the Urban Councils Act (Chapter 29:15).

20. Interference and Penalty for

Any person who shall interfere with, molest or obstruct any Officer or member of the Fire Brigade in the execution of his duty, or any police constable or other person acting under the orders of any such Officer, or who shall interfere with, drive over or in any way damage the hose or any engine, or any other appliance in use by the Fire Brigade, whilst engaged in preventing or extinguishing a fire or at training drill may, at the instance of any Officer or Fire-Fighter of the Fire Brigade, be arrested summarily by the police.

21. Reports of Fire

21.1 The owner and/or Occupier of any building, erection or land in or upon which a fire has occurred, or in or upon any vehicle, goods or other thing or place where an outbreak of the fire has occurred even if such a fire has been extinguished by the occupiers themselves, shall immediately report such outbreak of fire to the Officer-in-Charge.

21.2 Any cost incurred or charges prescribed by the **Council**, in respect of any action taken as contemplated in sub-section 21.1 above may be recovered from the owner or occupier of any such premises or other property regardless of where the fire originated.

22. Penalty

Any person who shall contravene any of these By-laws of which no penalty is specifically provided, shall be liable on conviction to a fine not exceeding Level 3 and in default of payment to imprisonment with or without hard labour. Any person who shall contravene any section of these By-laws shall, in addition to the penalty, pay any expenses incurred by the Council in consequences of such contravention.

23. The storage, conveyance and use of explosives and the storage of petroleum and other flammable oils

23.1 Routes for the Conveyance of Explosives-

No person shall convey explosives in the area under control of the Bulawayo City Council except along designated routes outlined in the Zimbabwean Government Gazette, 18th February, 1994. (Ref. Schedule Part II of General Notice 104 Of 1994)

23.2 Times during which Conveyance of Explosives is prohibited-

The conveyance of explosives along the routes set forth in section 23.1 is between the hours 9.00 am to 4.30 pm. Restricted to week-days Mondays to Fridays (Ref. General Notice 20 of 1985)

23.3 Storage of explosives-

No person shall keep or cause or suffer to be kept within the town and commonage area any explosives except in water proof receptacle properly secured and all detonators must be kept in a separate receptacle from those containing explosives.

23.4 Storage of Gunpowder and Dynamite-

No person shall store gunpowder and dynamite in one building, or store any material or other thing in a building used for the aforesaid purpose.

23.5 Precautions in connection with Blasting Operations-

Every person authorised to use explosives for any blasting purpose whatsoever within the Municipality shall take due care and precaution in the use of the same, and shall take and use all proper means to prevent injury or damage to persons or property through such blasting operations.

23.6 Restriction of Blasting Operations-

No person shall explode or cause or suffer to be exploded within the town and commonage area any blasting charge other than that connected with mining operations during the hours between 6pm and 6am.

24. Governing the use of kerb-side petroleum pump installations and flammable liquids/ substance stores

24.1 For the purposes of these By-laws, "petroleum" includes any of the following liquids, liquid petroleum, oil or spirit obtained wholly or part from any liquid petroleum, or any shale, schist, coal, peat or bitumen or from any similar substance.

24.2 The installation shall be in accordance with the Building By-laws (Section 275 of Bulawayo- Buildings, Roads and Streets By-laws) governing kerb-side pumps and ZWS 913: Parts 2-4 taking into consideration subsequent amendments thereof.

24.3 The owner and the licensee of the petroleum pump installation shall be jointly and severally responsible for any accident or damage that may arise owing to the existence of such pump

24.4 A Fire Safety Clearance Certificate fee in line with the Council approved budget for the particular year,; subject to review by Council from time to time for each year expiring on the 31st December of the year in which the fee paid shall be paid proportionally to the number of dispensing pumps shall be paid to Council in advance in respect of each and every petroleum pump installation by the owner thereof, provided that where the petroleum pump installation is constructed or erected after the 30th June in any year, the fee of such year to the 31st December shall not exceed the amount approved by Council in its budget for that year and no petroleum pump installation shall be used until such fee has been paid for the current year or half-year, as the case may be.

24.5 The petroleum pump installation shall remain during the Council's pleasure, and shall be removed upon receipt of one month's notice being given to that effect.

24.6 The inlet to the petroleum storage tank of any petroleum pump installation shall be sealed, and such seal shall only be broken by an authorised employee of the

firm supplying the petroleum in bulk, who shall re-fix the seal when the tank has been replenished.

24.7 The storage tank shall be filled in such manner that no fumes, liquid, or gas, from the petroleum can escape except through the proper pipe provided for the purpose. Any rubbish, packing cases, nails and such like shall be immediately removed from the street or side-walk.

24.8 Any official of the Council, duly authorised by the Council, may at any time during business hours enter the premises to which a petroleum pump is installed for the purpose of examining such petroleum pump installation and of ascertaining whether these regulations are being properly carried out.

24.9 Any contravention of these regulations shall render the person causing such contravention liable to a penalty not exceeding level 3

24.10 The person responsible for the installation or erection of any pump, storage tank, filling device, or other equipment or premises intended for the storage, use or handling of flammable liquid or substance, shall notify the Chief Fire Officer in writing upon completion of installation or erection.

24.10.1 All flammable liquid stores shall be sited as separate buildings except where this is impracticable a non- isolated store for small containers of flammable liquids shall be stored in accordance with section 285 of Bulawayo (Buildings, Roads and Streets) By-Laws or section 44 Chapter 11 of the Model Building by Laws, 1977. For such storage not more than 900 litres of flammable liquids or more than 1, 5 cubic metres, in case of other flammable substances not being flammable liquids, shall be stored in such room.

24.11 Except as otherwise provided in this By-Law, no person shall store, use or handle or permit or cause to be stored, used or handled any flammable liquid or substance on any registered premises;

24.11.1 In circumstances that such flammable liquid or substance, or its vapour comes or is likely to come into contact with any fire, flame, naked light or other agency likely to ignite such flammable liquid or substance or its vapour

24.11.2 unless such premises are situated or constructed or so protected by surrounding walls or bunds so as adequately to protect adjoining premises or part thereof from the risk of danger from fire

24.11.3 As to prevent, or impede the escape of any person.

24.11.4 Unless all equipment used in such premises for the storage, use and handling of flammable liquid or substance is maintained in good and proper order and free from leakage of flammable liquid or substance;

24.11.5 Unless such person has taken all due precautions for the prevention of accidents by fire or explosion on such premises and for the prevention of unauthorized persons obtaining access to the flammable liquid or substance kept thereon.

24.12 The occupier of any premises upon which flammable liquids or substances are stored, used or handled shall post and keep posted in a conspicuous position or positions in such premises or part thereof, a sign or signs conforming to signs described in SANS Specification No. 1186 - 1978: Symbolic Safety Signs prohibiting smoking or the use or causing of fire or an open flame on such premises or part thereof.

24.13 Any person who, upon premises on which flammable liquids or substances are stored, used or handled who does, or causes or permits to be done, any act which tends or is likely to cause a fire or explosion or who smokes or uses an open flame in contravention of a notice posted in terms of subsection 24.12 and any occupier of premises who fails to post or keep posted any notice in terms of a direction given under subsection 24.12 shall be guilty of an offence.

24.14 Where on inspection of any premises it appears that any degree, manner or method of storage, use, transport or handling of flammable liquids or substances which is in conflict with the provisions of this By-Law or any act or omission which constitutes a contravention of the fire safety requirements is calculated to endanger the safety of persons or property, any fire official may require the immediate discontinuance, of such degree, manner or method or the removal of the flammable liquid or substance to a place of safekeeping.

24.15 A person who fails to comply with an instruction given in terms of subsection 24.14 shall be guilty of an offence.

24.16 No person shall cause, permit or allow a flammable liquid or substance to enter any waste or foul water or storm water sewer or drain whether underground or on the surface.

24.17 Any person having charge or control of any premises or vehicle and any person who is in the person's employ who becomes aware of any escape, whether accidental or otherwise, of any quantity of flammable liquid or substance likely to constitute a fire hazard from such premises or vehicle into any sewer or drain or any inlet or drain communicating with any sewer or drain, shall report such escape to the Chief Fire Officer forthwith.

24.18 No person shall transfer any flammable liquid from or to any road tank wagon at a place other than a bulk depot unless such transfer is carried out under seal and the engine of such wagon is not running. During filling operations the two 9kg dry chemical powder fire extinguishers fitted on such vehicle shall be removed from the vehicle and kept ready for use in an easily accessible place, and prohibitory notice conforming to signs described in the SANS 1186 Specification referred to in section 24.12 shall be conspicuously displayed at access points to the premises concerned.

24.19 No person shall: take on or across any public sidewalk or cause or permit to be so taken the hose of a pump for the purpose of replenishing any vehicle or container with flammable liquid or cause, allow or permit to be so replenished any vehicle or container which is standing on any public sidewalk.

24.20 No person shall:-upon any registered premises strike a match or smoke a pipe, cigar, or cigarette or have in his possession a lighted pipe, cigar or cigarette or ignite a petrol lighter or other similar device or approach which any fire, flame, naked light or other agency likely to ignite flammable liquid or substance or its vapour within a distance of 15 m of any fuel tank of any motor vehicle whilst such fuel tank is being replenished or is unsealed, replenish or cause or permit to be replenished any such fuel tank while the engine or such motor vehicle is in motion.

24.21 No person shall replenish or cause or permit to be replenished the fuel tank of any public transport or carry or cause or permit to be carried any flammable liquid in or on any public transport except in the fuel tank thereof whilst any person other than the

driver or person responsible therefore is within or upon such public transport. Such transport shall be provided with 1- 9kg dry chemical powder extinguisher.

24.22 Except where otherwise provided in this By-Law, the holder of a certificate of registration shall install or cause to be installed in all premises to which such certificate refers, approved fire extinguishers in an easily accessible and visible position in accordance with the following scale and provisions: for each dispensing pump on the premises to which the certificate of registration refers, two (2) fire extinguishers.

24.23 The owner or occupier of premises or in their absence, any other person employed thereon, shall upon demand, disclose to a fire official the presence of any flammable liquid or substance in or upon such premises and shall answer all enquiries relating either to the observance of this By-Law or to any condition in connection with the certificate of registration in respect of the premises.

24.24 Pumps or other devices used or intended to be used for the issue of flammable liquid to motor vehicles or containers shall not be erected on any ramp or within 6m of the beginning or top of the ramp and shall in all cases be erected on level ground.

24.25 Every filling pipe inlet and every pump, except where used for manufacturing purposes, shall be -

24.25.1 At surface level;

24.25.2 Installed in such a position that it will not impede the escape of any person or animal from the premises in the case of fire;

24.25.3 So situated or protected by surrounding walls as not to expose adjoining property to the risk of danger from fire during filling operations or otherwise.

24.26 No person shall install any electrical switch, fuse, motor or other device or cause, allow or permit the same to be installed within a distance of 3 metres of any pump unless such switch, fuse, motor or device is of flame and vapour proof construction.

24.27 The electrical wiring between the distribution board or junction box and the pumps shall where possible, be in one continuous length of wire, provided, however, that where this is not possible, flame and vapour proof junction boxes shall be used.

24.28 The holder shall ensure that in respect of the premises for which a certificate of registration has been issued to him all storage tanks, pipelines, pumps, machinery and other equipment and fittings for the storage, use or handling of flammable liquid or substance are -

24.28.1 Of sound and proper construction;

24.28.2 So installed and fixed as not to be unnecessarily exposed to damage;

24.28.3 Effectively electrically earthed

24.28.4 free from leakage of flammable liquids and, as far as is reasonably possible, free from leakage of flammable liquid vapour, except by means of a vent pipe;

24.28.5 maintained in good and proper order and is at all times in accordance with the provisions of this By-Law.

24.29 All pipelines between a storage tank and a pump shall be below ground level.

24.30 All electrical Earth connections required under this By-Law, shall be examined once every twelve months by a qualified person, who shall enter in a suitable log book, supplied by the occupier of the premises and kept solely for that purpose, the effectiveness and conditions of such earth, his name and address and the date of examination. All such entries shall be signed by such qualified person.

24.31 All work on flammable liquid installations is to be carried out by a qualified person as defined in the applicable relevant code of practise.

24.32 No person shall store or convey or cause or permit to be stored or conveyed Class I flammable liquid in a container constructed of metal having a thickness of at least 1,25mm. Plastic containers are prohibited to be refilled at a fuelling pump.

24.33 No person shall fill a container with Class O or Class I or II flammable liquid other than in a room or building constructed of non-combustible materials and used solely for such purpose, which room or building shall be adequately ventilated or in the

open air at a distance of not less than 15m from any fire, flame, naked light, or other agency likely to ignite flammable liquid or its vapour.

24.34 A person who fills a container with Class O, I or II flammable liquid shall ensure that both it and the container from which it is filled are properly earthed.

24.35 No container shall be filled with flammable liquid to more than ninety seven and a half per cent (97, 5%) of its capacity.

24.36 Any disused petroleum tank whether above or underground shall be decommissioned accordingly by competent persons and a report submitted to the Local Fire Brigade. Any services rendered by the Fire Brigade during the decommissioning process, shall be paid for by the owner/ occupier of such tank or premises.

24.37 Application to existing premises

The provisions of this By-Law shall not apply to storage tanks which were lawfully installed prior to the date of coming into effect of this By-Law, so as to require such tanks to be altered or added to, but where such tanks are altered or added to, such work shall be carried out in conformity with the provisions of this By-Law; provided, however, that within six months of a change of Ownership of the Premises the Storage Tanks in question shall be brought into full compliance with the said sections and if at the end of that period they do not comply with the provision, the Fire Clearance Certificate issued in respect of the Premises concerned shall be deemed to be suspended and none of the acts referred to in section 29 may be performed on such premises until the non-compliance has been remedied to the satisfaction of the Chief Fire Officer.

24.38 The owner or person in charge of the installation or erection of any pump, storage tank, filling device, or other equipment ancillary to handling of flammable liquid or substance, shall in addition to any other requirement of this By- Law ensure-

(a) That the tank is erected or installed not less than 9 metres from any building or stand boundary

(b) The tank/tanks must be surrounded by an approved bund wall;

(c) Adequate provision is made for rainwater run-off from retaining walls or embankments; discharging through an interceptor.

(d) No source of ignition or potential source of ignition exists within 5 metres of a storage tank;

(e) A symbolic sign of SANS 1186-1 prohibiting smoking and open flames is displayed on every side of a storage tank; including a Hazchem Symbol and

(f) At least two 9 kilogram dry chemical fire extinguishers are installed and kept in good working condition, within 10 metres from the storage tank; and

(g) Where necessary, the provision for fire protection shall be prescribed as assessment by the Fire Authority

24.40. Storage Limitations for private companies

No person shall store in such above ground fuel tanks:

- (a) **No more than** 900 litres of Class 1 (petrol, paraffin) for flammable liquids or substances in such tanks.
- (b) No more than 15000 litres of Class 11 (diesel, kerosene) or Class 111 (heavy oils) for flammable liquids or substances in such tanks.
- (c) **In** respect of requirements for quantities above the limitations for specific purposes, the authorisation may be at the discretion of the Chief Fire Officer.

25. Hot work permit

25.1 Hot work processes such as burning, welding, cutting, grinding and similar operations capable of initiating fires or explosions in undesignated places shall only be performed after a hot work permit has been authorised by the Local Fire Brigade. If such activity compromises public safety or is of danger to other structures, hot work permit may be denied.

25.2 Before welding or cutting operations are carried out in locations not designed for such purposes, fire safety inspections and approval shall have to be sought in the first instance.

26 Fire safety training

The Public, Commercial and industrial building owner, occupier or employer shall ensure that his employees, if any, are familiar with the location of fire equipment and its use and shall upon request provide proof of such information/records of training by a competent and qualified authority.

27 Liquefied petroleum gas

27.1 Such operations will commence only when an operating certificate has been obtained from the Local Authority Fire and Ambulance Services and are in conformity with all other Council, Environmental Management Agency, Zimbabwe Energy Regulatory Authority and Standards Association of Zimbabwe (ZWS 960) regulations.

27.2 Proof of hydrostatic test of pressurised containers to be submitted to the local Fire Brigade prior to commencement of gas filling. Failure will result in the confiscation of such pressurised vessels.

27.3 Filling authorisation-

No person other than an authorised filling agent by the Local Fire Brigade by proof of certificate shall perform the duty to fill a cylinder at any given time.

27.4 Fire safety inspection fee to be paid to the Local Fire Brigade before site inspection and thereafter annually for certification.

27.5 Submit detailed site view plan to the Local Authority for the establishment approval.

27.6 Guidance on the type, installation and operation of filling equipment must be obtained from suppliers and should be in accordance with SWZ 960.

27.7 Filling area shall not be inside any building or near any combustible materials and any possible source of ignition.

27.8 The storage of gas shall be limited to 500kg within the filling area.

27.9 No window shall be within 1 metre horizontally and 3 metres vertically of the filling point and manifold.

27.10 Windows within 3 metres of the boundary of the filling area shall be non-open-able and wired glass type; the sill height shall be at least 1.2 metres above ground.

27.11 The boundary of the filling area shall be 3 metres away from the premises, any roadway, parking area, customer collection points, any drain or depression, any pit, any opening to a basement, any door that could be opened except when a firewall is provided.

27.12 The filling area shall be fenced to prevent unauthorised persons unwittingly entering the section of the premises.

27.13 The filling area may have a roof to provide a weather protection but must be non-combustible and be 2, 4 m above floor level.

27.14 Should the boundary wall be required to be a 2hours firewall, it shall be 230mm with no openings and be 1,8m high.

27.15A maximum of 2 fire walls joined perpendicularly may be allowed.

27.16 The filling area may be at ground level, flat, firm and not contain pits or under floor openings.

27.17 Common sources of ignition are naked lights, fires, exposed incandescent material, electric welding arcs, gas welding, cutting flames, unprotected motors, fuses, plugs or switches, lamps, etc. Provide symbolic safety signs; e.g. smoking prohibited, fire or naked lights prohibited, thoroughfare prohibited and cellular phones prohibited (Signs to be 190mmx190mm).

27.18 The ratio of fire equipment to be 1x9 kg dry powder extinguisher per 50kg – 500kg LPG containers; to be sited 1.5m above ground level and outside the boundary of the filling enclosure.

27.19 Water supply incorporating a fire hose reel and a spray-type nozzle that comply with Standards Association of Zimbabwe EN 671-1 to be provided for bulk storage.

27.20The filling area shall not be less than 15m².

27.21No person shall cause or allow more than 19 kg of liquefied petroleum gas to be kept or stored in any building and for the purpose of this provision any container for liquefied petroleum gas found in any building shall be deemed to be full until the contrary is proved.

27.22No person shall place or keep any used empty container or cause or permit any used empty container to be placed or kept in any part of any premises other than a store; provided, however, that-

27.22.1such a container may be stored in the open air at a distance of not less than 6m from any fire, flame, naked light or other agency likely to ignite flammable liquid or its vapour;

27.22.2No person shall cause or allow any used empty container to remain in or on any public street or public place.

27.23 The person who stores used empty containers in terms of subsection 27.22 shall at all times ensure that they are securely closed with a bung or other suitable stopper.

28. Requirements for numbering of houses and buildings

28.1. For purposes of easy identification by any member of the Service in an emergency, every owner or occupier of premises must ensure that the correct street number of the premises–

(a) Is displayed clearly on the street boundary of the premises in numbers at least 75 millimetres high; and

(b) is visible from the street; and

(c) Is maintained in a legible condition at all times.

30. Bulk Fuel Depot

The development of bulk fuel depot installation shall comply with the requirements of the building regulations or bylaws applicable to the City of Bulawayo.

Application for bulk fuel depot development should be submitted through the normal Council procedures and processes.

30.1. The siting of the bulk depot shall be of importance from a fire risk and security point of view and consistent with Council 's special zoning for high fire risk industries as was originally localised at municipal magazine oil sites.

30.2. The bulk fuel depot shall always be situated in locations which have the following critical considerations;

30.2.1. Population densities around the premises.

30.2.2. Availability of water supplies.

30.2.3. The fall of the ground in relation to residential areas and other risk areas that could be exposed in the event of accidental large scale spillages.

30.2.4. The distance from the main road/highway.

30.2.5. Access facilities to and around the site.

30.2.6. Fire protection, security and general service facilities in the area including the fire services response time.

30.2.7. The drainage systems especially where these link up with the drainage system of the local authority.

30.2.8. Future expansion.

30.2.9. Contingency plans.

31. Repeal of Regulations

The By-laws relating to the prevention and extinguishing of fires published in Government Notice No. 433 of 1977 are here by repealed.

SCHEDULE 1

OFFENCES

LEVEL

- | | |
|--|---------|
| 1.1. Violation on gas storage and retailing without licence | Level 3 |
| 1.2. Violations on gas operation/retailing without a competence qualification | Level 3 |
| 1.3. Cost to Council of removal of such material – to be determined in accordance with the relevant Department/Sections' costing | |

2. Violations on storage, conveyance and use of explosives and storage of petroleum and other flammable fuels.

- | | |
|---|---------|
| 2.1. On storage of fuels, gases and other inflammable substances | Level 3 |
| 2.2 On conveyance and use of explosives and fuel of explosives | Level 3 |
| 2.3 Clause 23 use of undesignated routes for the conveyance of explosives | Level 1 |
| 2.4 Conveyance of explosives during prohibited times | Level 1 |
| 2.5 Blasting operations | Level 2 |

3. Violations on the Bulawayo Fire Brigade By laws

- | | |
|--|---------|
| 3.1. Clause 8 vandalising fire alarm or other instrument for the transmission of calls of fire to any fire station or deface any board or metal plate indicating the position of the nearest fire hydrant. | Level 2 |
| 3.2. Clause 9 (service charge for attending to false alarm call of fire) | |
| 3.3. Clause 10 on interference with fire hydrants | Level 2 |
| 3.4. Clause 11 on obstruction of or interference with fire escapes | Level 3 |
| 3.5. Clause 12 on bonfires, lighting of fires and burning of rubbish | Level 3 |
| 3.6. Clause 13 on fireworks | Level 2 |
| 3.7. Clause 14 storage of flammable and combustible material | Level 2 |

3.8 Clause 15 on fire alarm bells	Level 1
3.9 Clause 17 on inspection of premises (obstructing a fire Officer)	Level 3
3.10 Clause 18 failure to provide or service Fire-fighting equipment and alarm system	Level 3

SCHEDULE 2

FIRE SAFETY CLEARANCE CERTIFICATE FEES IN TERMS OF THE CURRENT TARIFF.

- 13.1 Fee per fuel dispenser (nozzle) per annum
- 13.2 Fee per bulk fuel depot per annum
- 13.3 Fee per bulk LPG storage facility per annum
- 13.4 Fee for LPG production storage tank facility per annum
- 13.5 Fee for a Service Station of 5 or more pumps per annum
- 13.6 Fee for a Service Station of 1 to 4 pumps per annum

SCHEDULE 3

HAZARDOUS MATERIAL CARRIERS ROUTE (S) AND TEMPORARY PARKING SITES

14.1 ROUTE A

PLUMTREE ROAD RIGHT INTO 23RD AVENUE, STRAIGHT INTO BURNS DRIVE INTO PHILIPS DRIVE INTO ASCOT WAY INTO GEORGE AVENUE AND INTO HARARE ROAD.

14.2 ROUTE B

HARARE ROAD INTO 1ST AVENUE RIGHT INTO ROBERT MUGABE WAY, LEFT INTO MASOTSHA NDLOVU AVENUE RIGHT INTO LADY STANLEY AVENUE STRAIGHT INTO VICTORIRA FALLS ROAD.

14.3 ROUTE C

VICTORIA FALLS ROAD RIGHT MASIYEPHAMBILI DRIVE AND RIGHT INTO PLUMTREE ROAD

TEMPORARY PARKING SITE

ACCESS TO PARKING SITE IS VIA ROUTE B. IT IS THE AREA SUROUNDED BY MASOTSHA NDLOVU AVENUE, ATHLONE AVENUE, LADY STANLEY AVENUE AND BEIT AVENUE

4th SCHEDULE

BULAWAYO CITY COUNCIL

For office use only:

No:.....

Date and time of test:

.....

To the Chief Fire Officer

APPLICATION FOR CERTIFICATE OF COMPETENCE

Full name of applicant (in block letters).....

.....

Postal address

Age

Length of residence in Bulawayo

Name of Employer

Period of service with present employer

Address of Employer

Brief details of experience in the use and construction of fire extinguishing appliances

.....

Date.....

5th Schedule

Fire engineering Companies levels

GRADE	CLASSIFIED SERVICES PROVIDED	MINIMUM REQUIRED QUALIFICATION/S
LEVEL 1	Supplier of fire protection equipment only.	<ul style="list-style-type: none"> • 3 Years experience in fire equipment sales or related field. • Competency certificate (level 1) from the Local Authority.
LEVEL 2	Servicing and repairing of portable fire extinguishers only.	<ul style="list-style-type: none"> • 3 Years experience in fire engineering and equipment sales or related field. • Competency certificate (level 2) from the Local Authority.
LEVEL 3	Servicing of portable extinguishers and fire hose reels.	<ul style="list-style-type: none"> • 5 Years experience in fire engineering and equipment sales or related field. • Competency certificate (level 3) from the Local Authority.
LEVEL 4	Installation/servicing of portable extinguishers, fire hose reels and dry risers.	<ul style="list-style-type: none"> • 6 Years experience in fire engineering and equipment sales or related field. • Competency certificate (level 4) from the Local Authority.
LEVEL 5	Servicing, repairing and installation of fire alarms	<ul style="list-style-type: none"> • 3 Years experience in fire engineering and equipment sales or related field. • Installation of alarms certificate from a recognised institution. • Competency certificate (level 5) from the Local Authority.
LEVEL 6	Specialised in installation of sprinkler system, hose reels, dry/wet risers servicing/repairing portable fire extinguishers	<ul style="list-style-type: none"> • 5 Years experience in fire engineering and equipment sales or related field. • Certificate of sprinkler system installation from a recognised institution. • Competency certificate (level 6) from the Local Authority.
LEVEL 7	Installation/ servicing of portable and advanced Fire detection and suppression systems.	<ul style="list-style-type: none"> • 5 Years experience in fire engineering and equipment sales or related field. • Certificate of sprinkler system installation from a recognised institution. • Installation of fire detection systems certificate from a recognised institution.

		<ul style="list-style-type: none">• Competency certificate (level 7) from the Local Authority.
LEVEL 8	Fire safety training/ Fire Risk assessments and consultancy.	<ul style="list-style-type: none">• 7 years experience in fire safety and fire fighting or related field.• Qualified rank of Sub Officer or equivalent qualification.• Competency certificate (level 8) from the Local Authority.