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THE LOCAL GOVERNMENT ORDINANCE
 (CAP. 333)

AMENDING INSTRUMENT

AMENDING THE INSTRUMENT ESTABLISHING THE LINDI
 TOWN COUNCIL

Under section 10 (1)

THE LOCAL GOVERNMENT (LINDI TOWN COUNCIL) AMENDING
 INSTRUMENT, 1963

WHEREAS the Member for Local Government, in exercise of the powers conferred upon him by section 4 of the Local Government Ordinance (hereinafter called the Ordinance) and with the prior approval of the Legislative Council signified by resolution, on the second day of December, 1954, made an Instrument establishing the Lindi Town Council, called the Local Government (Lindi Town Council) Instrument: Cap. 333
R.L.
Cap. 333
p. 88

AND WHEREAS it is considered desirable to amend the Local Government (Lindi Town Council) Instrument in the manner hereinafter appearing:

NOW, THEREFORE, I, JOB MARECELA LUSINDE, Minister for Local Government, in exercise of the powers conferred upon me by subsection (1) of section 10 of the Ordinance, after consultation with the Lindi Town Council, do hereby make the following Amending Instrument: —

1. This Instrument may be cited as the Local Government (Lindi Town Council) Amending Instrument, 1963, and shall be read as one with the Local Government (Lindi Town Council) Instrument as amended from time to time (hereinafter called the principal Instrument). Short title
construction
R.L.
Cap. 333
p. 88

2. Clause 7A of the principal Instrument is hereby amended by deleting paragraph (3) thereof substituting therefor the following new paragraph to be numbered (3): — Clause 7A of
principal
Instrument
amended

“(3) An ordinary election of members of the Council shall take place on the second day of October, 1963, and on the first Wednesday in October in every year thereafter.”

3. Clause 8 of the principal Instrument is hereby amended by inserting immediately after paragraph (3) thereof the following new paragraph to be numbered (4): — Clause 8 of
principal
Instrument
amended

“(4) The provisions of paragraphs (2) and (3) of this clause shall cease to have effect as from the date on which this paragraph comes into operation, and with effect from that date the following provisions shall apply: —

G.N. No. 39 (contd.)

- (a) the members of the Council shall hold office for three years from the date of their election or appointment, as the case may be, and shall then retire:

Provided that of the twelve members elected on the third day of October, 1962, four members, to be determined by lot drawn by the Town Clerk at a meeting of the Council, shall retire on the second day of October, 1963, and of the remaining eight members elected on the third day of October, 1962, four further members, to be determined by lot drawn by the Town Clerk at a meeting of the Council, shall retire on the seventh day of October, 1964;

- (b) the places of retiring elected members shall be filled by members elected to take their places;
- (c) the places of retiring appointed members may be filled by members appointed by the Minister to take their places;
- (d) every member on retirement shall be eligible for re-election or re-appointment.”.

Clause 11 of
principal
Instrument
replaced

4. Clause 11 of the principal Instrument is hereby deleted and the following new clause, to be numbered 11, is substituted therefor: —

“Functions

11. In addition to those functions conferred upon the Council by the Ordinance or by any other law for the time being in force the Council—

- (i) shall perform all the functions specified in paragraphs (18, (21), (22), (47), (48), (61), (64), (69), (77), (85), (103), (124) of section 52 (1) of the Ordinance;
- (ii) shall convey and bury all unclaimed corpses;
- (iii) may prohibit and shall restrict and regulate the construction, alteration, alignment and elevation of all buildings and other structures and of parts thereof, and compel the demolition, removal, repair or rendering safe of any building, structure or part thereof which, in the opinion of the Council, is dangerous or unfit for occupation for structural or sanitary reasons or which otherwise constitutes a nuisance and may provide for the doing of any such work as aforesaid at the cost of the owner or occupier and for recovering such costs;
- (iv) shall maintain and supervise any highway which the Council is under a duty to maintain and supervise under the provisions of the Highways Ordinance, and all drains, ditches, embankments and bridges belonging or appertaining thereto;
- (v) may maintain, supervise, or grant sums of money towards the maintenance or supervision of any road, street footpath, bridge, square, sewer, drain or culvert which has usually been maintained in whole or in part out of public funds prior to the date hereof;

Cap. 167

- (vi) may make and maintain new roads, streets, foot-paths, bridges, squares, sewers, drains, culverts and open spaces;
- (vii) may close any road, street or footpath which it is empowered to maintain for such period as may be necessary to enable the maintenance or repair thereof to be executed;
- (viii) may close, divert or alter any road, street, or foot-path, and may close or alter any square or other open public place and any garden, park or enclosed space under its control, subject to the condition that the Council shall, in the exercise of such powers, be subject to any conditions and restraints which may be prescribed by regulations made under section 148 of the Ordinance;
- (ix) may prohibit temporarily and regulate the use of streets;
- (x) may perform all or any of the functions specified in paragraphs (4), (5), (7), (9), (11), (13), (14), (15), (19), (23), (25), (26), (27), (28), (29), (30), (31), (33), (34), (35), (36), (37), (38), (39), (40), (41), (42), (43), (44), (45), (49), (50), (51), (52), (53), (54), (56), (57), (59), (62), (63), (65), (66), (67), (68), (70), (72), (73), (75), (79), (80), (81), (82), (83), (84), (86), (87), (88), (90), (91), (93), (94), (96), (100), (101), (102), (109), (110), (113), (114), (115), (116), (117), (122), (125), (126), (127), (128), (129), (131), (132), (133), (134), (135), (136), (137), (138), (139), (140), (142), (145), (146), (147), (148), (149), (151), (153) of section 52 (1) of the Ordinance;
- (xi) may prohibit, regulate and control the cultivation or possession of poisonous or noxious plants;
- (xii) may regulate and control the keeping, movement and grazing of any livestock;
- (xiii) may regulate the amount of open space in the front, at the rear and at the side of any dwelling house, or of any residential or public building;
- (xiv) may establish, erect, equip and maintain social or welfare centres and public libraries;
- (xv) may arrange or conduct funerals, burials or cremations and otherwise provide undertaking facilities;
- (xvi) may provide services and prescribe steps to be taken for the prevention, control or relief of famine, including relief works and the provision of seed;
- (xvii) may prohibit, regulate and control the discharge of firearms;

G.N. No. 39 (contd.)

- (xviii) may provide for the control, regulation, inspection, supervision, licensing, suspension and closing of--
 - (a) social halls, dance halls and places of entertainment;
 - (b) lodging and eating houses;
- (xix) may establish and maintain plant nurseries;
- (xx) may regulate and control laundries;
- (xxi) may execute work directed by any by-law of the Council to be executed by any person and not executed by him, and may recover from such person any expense incurred by the Council in the execution of such work;
- (xxii) may control, regulate or restrict the exhumation of corpses;
- (xxiii) may operate for hire any machinery, vehicle or appliance;
- (xxiv) may carry out any work on any land at the request of the owner or occupier thereof;
- (xxv) may take measures for the promotion of tourism;
- (xxvi) may establish, erect, equip, maintain, regulate and control hostels for travellers;
- (xxvii) may make payments in accordance with the Local Government (Expenses) Regulations, to the chairman, vice-chairman, or any member of the Council in respect of expenses incurred by them in the performance of their duties as chairman, vice-chairman or members as the case may be;
- (xxviii) may perform any function conferred by any notice, order, rule or by-law made under the Townships Ordinance or the Markets Ordinance upon any Township Authority having jurisdiction in the area of the Council at the time when the township for which such Township Authority was constituted became the area or part of the area of the Council."

Made by the Minister for Local Government at Dar es Salaam this nineteenth day of January, 1963.

J. M. LUSINDE,
Minister for Local Government