GOVERNMENT NOTICE No. 457 published on 27/9/63 LG. 12/25/02/5

THE LOCAL GOVERNMENT ORDINANCE

(CAP. 333)

BY-LAWS

Made under section 59

THE DODOMA DISTRICT COUNCIL (PRODUCE MARKETS) BY-LAWS, 1963

Title

1. These By-laws may be cited as the Dodoma District Council (Produce Markets) By-laws, 1963.

Definitions

2. In these By-laws—

"Council" means the Dodoma District Council;

"market" means a produce market established under the provisions of these By-laws and specified in the Second Schedule hereto;

"stall" includes any building, room, stand, space or other place in a market used or intended to be used for the purchase of produce;

"stall-holder" means a person to whom a stall in a market has been allotted for the purchase of produce under the provisions of these By-laws.

Establishment of markets

3. The places specified in the first column and described in the second column of the Second Schedule hereto are hereby established as markets.

Restrictions on dealings with produce markets

4. No person shall purchase, sell or barter any produce within the jurisdiction of the Council except at a market:

Provided that this by-law shall apply only to the first sale and purchase of any produce:

And provided further that sales and purchases may be made outside a market where prior permission in writing therefor has been obtained from the Council or where such sales and purchases are made for purely personal or domestic requirements.

Appointment of Market-master

5. Every market shall be under the supervision of an officer, appointed by the Council for the purpose of regulating and controlling such market in accordance with the provisions of these By-laws, who shall be styled the Marketmaster and who shall act under the directions of the Council.

osgtanzania osg_tanzania e-mail: info@osg.go.tz www.osg.go.tz

G.N. No. 457 (contd.)

Directions of Market-master to be obeyed

6. Any person using a market shall obey all reasonable directions given by the Marketmaster acting under the directions of the Council for the purpose of preserving cleanliness, order and regularity in the market and of facilitating the dispatch of business therein and in the case of any person failing to obey any such directions the Market-master may cause such person to be removed from the market. Such directions may include directions prohibiting the sale in, or directing the removal from, the market of any produce which is unsound, contaminated, broken or infested with insects.

Market day and hours

7. A market shall be open to the public during such hours and on such days as the Council may from time to time direct.

Business prohibited at market when not open to public

8. No person shall buy, sell or barter any produce in a market except on a day and between the hours appointed by the Council during which the market shall be open to the public.

Allocation of stalls

9.—(1) Stalls in a market shall be provided by the Council in such numbers for the purchase of such produce in such manner as the Council may from time to time decide and any application for the allotment of such a stall shall be made to the Marketmaster.

(2) The Marketmaster shall, upon payment to him of the prescribed fee, allot such stalls to the persons applying therefor in the order in which their applications were made.

(3) The fees payable for a stall shall be such as the Council may from time to time by notice published in a conspicuous place in the market direct, but shall not be less than the minimum or greater than the maximum set forth in the Third Schedule hereto.

Restrictions on purchasers in markets

10. No person shall purchase or offer to purchase any produce in a market unless he has been allotted a stall under the provisions of paragraph (1) of by-law 9 for the purchase of such produce and no purchase of, or offer to purchase, such produce shall be made except at a stall duly allotted for that purpose.

Stall-holders to display the purchase price of produce

11.—(1) Every stall-holder conducting his business in a market shall, at the commencement of every day of business, put in a conspicuous position in or about his stall a notice board on which shall be written clearly in Roman letters and figures not less than one inch high particulars of the price in shillings, cents and fractions of a cent per pound or per kilogram, or per *kibaba*, as the practice of the market may require, which he is prepared to pay for each type of produce which may be offered to him for sale. Where any price is so displayed on any day for the purchase of any produce no lower price for the purchase of such produce shall be displayed during that day.

(2) No stall-holder shall purchase or offer to purchase any produce at a price lower than that displayed therefor in accordance with the provisions of paragraph (1) of this by-law:

Provided that the provisions of this paragraph shall not apply to any purchase of produce sold under by-law 12 of these By-laws.

osgtanzania osg_tanzania e-mail: info@osg.go.tz www.osg.go.tz

G.N. No. 457 (contd.)

Sale to be by auction when directed

12. Any produce or class of produce offered for sale in a market shall be sold by public auction if the Council so directs and when any produce is to be so auctioned it shall be sold in such manner or in such lots or parcels as may be directed by the Marketmaster acting under the directions of the Council.

Purchase to be paid for in legal currency

13. All purchases made in the market shall be paid for in legal currency and the purchase price shall be paid in the market at the time of purchase.

Restrictions on sale of graded produce

14.—(1) The Council may prescribe the grades by which any class of produce, the grading of which is not otherwise regulated by any Act, By-law, Rule or Regulation, shall be sold in a market and when grades have been so prescribed no person shall sell or offer for sale any such produce except by grade, and the Marketmaster may prohibit the offer for sale of any produce in breach of the provisions of this by-law.

(2) Where the grades by which any class of produce shall be sold in a market have been prescribed under paragraph (1) of this by-law, it shall be lawful for the Marketmaster, in accordance with the grades prescribed by the Council, to assign to any produce brought into the market for sale the grade by which it shall be sold and where the Marketmaster has so assigned the grade to any such produce no person shall sell or offer to sell the same except by such grades as shall have been assigned thereto by the Marketmaster.

Purchase of produce to be by specified weights or measures

15. No person shall purchase any produce in a market except by such measure of weight as may be determined by the Marketmaster.

Preventing the contamination of produce after purchase

16. The purchaser of any produce purchased in a market shall immediately after the purchase prevent the contamination of such produce by sand, dirt, earth or other impurities by placing such produce in bags or other containers.

Loitering, obstruction and nuisance prohibited

17. No person shall loiter, or cause an obstruction or commit any nuisance whatsoever in a market.

Penalties

18. Any person who contravenes any of the provisions of these By-laws shall be guilty of an offence and shall be liable on conviction to a fine not exceeding five hundred shillings or to imprisonment for six months or to both such fine and such imprisonment.

FIRST SCHEDULE

(By-law 2)

Paddy
Hand-hulled rice
Mtama
Mtama flour
Maize
Maize flour
Beans
Onions
Millet
Groundnuts
Cassava
Cassava flour
Simsim
Gum arabic
Beeswax
Honey
Castor seed
Sisal
Sisal twine
Cowpea
Gram
Chickpea
Pigeonpea
Bambura nuts
Sunflower seed
Tobacco

osgtanzania osg_tanzania e-mail: info@osg.go.tz www.osg.go.tz

G.N. No. 457 (contd.)

SECOND SCHEDULE

(By-law 3)

Name of market	*Description of place*
1. Mayamaya	Situated in the Hombolo Sub-Division.
2. Msanga	Situated in the Chilonwa Sub-Division.
3. Kikombo	Situated in the Kikombo Sub-Division.
4. Handali	Situated in the Mvumi Sub-Division.
5. Iringa Mvumi	Situated in the Makang'wa Sub-Division.
6. Mwitikira	Situated in the Mwitikira Sub-Division.
7. Nkulabi	Situated in the Matumbulu Sub-Division.
8. Kigwe	Situated in the Bahi Sub-Division.
9. Bahi	Situated in the Bahi Sub-Division.
10. Manchali	Situated in the Kikombo Sub-Division.
11. Chilonwa	Situated in the Chilonwa Sub-Division.
12. Mbabara	Situated in the Kinyambwa Sub-Division.
13. Matangizi	Situated in the Dodoma–Nala Sub-Division.
14. Chipanga	Situated in the Chipanga Sub-Division.
15. Iiindi	Situated in the Bahi Sub-Division.
16. Sigara	Situated in the Itiso Sub-Division.
17. Hombolo	Situated in the Hombolo Sub-Division.

THIRD SCHEDULE

(By-law 17)

	Minimum	*Maximum*
Stallage	Shs. 100/-	Shs. 1,000/-

The Common Seal of the Dodoma District Council was hereto affixed in pursuance of a resolution passed at a meeting of the said Council, duly convened and held on the ninth day of July, 1963, and the same was so affixed in the presence of:

L. S.

B. M. S. KINGAMKONO,
Chairman

A. D. MDACHI,
Clerk

I APPROVE

Dar es Salaam,
18th September, 1963

A. K. E. SHABA,
Minister for Local Government