

# **LEKWA LOCAL MUNICIPALITY**



## **DRAFT DISPOSAL OF CONTAMINATED AND OR INFECTIOUS WASTE BY-LAW**

The Council of Lekwa Local Municipality has in terms of section 156 of the Constitution, 1996, read in conjunction with Section 11 and 98 of the Local Government: Municipal Systems Act, 2000, (Act No. 32 of 2000, as amended), made the following By-law:

**DISPOSAL OF CONTAMINATED AND OR INFECTIOUS WASTE BY-LAW**

**TABLE OF CONTENTS**

1. Definitions
2. Storage of infectious waste
3. Transport of infectious waste
4. Removal and disposal of infectious waste
5. Infectious waste
6. Offences and Penalties
7. Repeal
8. Short title

## 1. DEFINITIONS

(1) For the purpose of this by-law unless the context indicates otherwise:

**"Contaminated animal carcasses, body parts and bedding"**

means contaminated carcasses, body parts and bedding of animals that were intentionally exposed to pathogens in research, in the production of biologicals, or the in vivo testing of pharmaceuticals.

**"Contaminated sharps"**

means discarded sharps (e.g. hypodermic needles, syringes, pasteur pipettes, broken glass, scalpel blades) which have come into contact with infectious agents during use in patient care or in medical, research or industrial laboratories.

**"Cultures and stocks of infectious agents and associated biologicals"**

Means specimen cultures from medical and pathological laboratories, cultures and stocks of infectious agents from research and industrial laboratories, wastes from the production of biologicals and live or attenuated vaccines and culture dishes and devices used to transfer, inoculate and mix cultures.

**"Human blood and blood products"**

means waste such as serum, plasma and other blood components

**"Infectious waste"**

means waste capable of producing an infectious disease.

**"Isolation waste"**

means waste generated by hospitalised patients isolated to protect others from communicable diseases.

**"Miscellaneous contaminated wastes"**

means wastes from surgery and autopsy (e.g. soiled dressings, sponges, drapes, lavage tubes, drainage sets, underpads and gloves), contaminated laboratory wastes (e.g. specimen containers, slides and cover slips, disposal gloves, laboratory coats and aprons), dialysis unit waste (e.g. tubing filters, disposable sheets, towels, gloves, aprons and laboratory coats), and contaminated equipment (e.g. equipment used in patient care, medical and industrial laboratories, research and in the production and testing of certain pharmaceuticals).

**"Municipality"**

means Lekwa Local Municipality

**"Municipal council"**

means the municipal council as referred to in section 157(1) of the Constitution, 1996

**"Municipal manager"**

means a person appointed by the Municipal Council as the Municipal Manager of the Municipality in terms of section 54A of the Local Government; Municipal Systems Act, 32 of 2000, and includes any person –

- a) acting in such a position
- b) to whom the municipal manager has delegated the power, function or duty in

respect of such delegated power,  
function or duty;

**"Pathological waste"**

means waste consisting of tissues, organs, body parts and body fluids that are removed during surgery and autopsy.

- (2) Words applying to any individual shall include persons, companies and corporations, and the masculine gender shall include females as well as males, and the singular number shall include the plural and *vice versa*.

**2. STORAGE OF INFECTIOUS WASTE**

- (1) All infectious waste must be placed at the point of generation into a container approved by the Municipality.
- (2) The container used for the storage of sharp objects must be constructed of such a material that the object cannot pierce the container. The container must also be fitted with a safe and hygienic lid which must be sealed after use.
- (3) The container used for the disposal of other infectious waste must be constructed of a suitable material preventing the leakage of the contents. The container must also be fitted with a safe and hygienic lid which must be sealed after use.
- (4) All containers must be adequately labelled and marked with the universal Bio-hazardous waste symbol.

**3. TRANSPORT OF INFECTIOUS WASTE**

- (1) All containers of infectious waste must be sealed intact at the point of generation.
- (2) The vehicle transporting infectious waste must be clearly marked indicating infectious waste in transit.
- (3) The vehicle used for the transport of infectious waste must be so designed that the driver's cab is separated from the load area. The load area must be enclosed with suitable sealable, lockable doors.
- (4) All infectious loads being carried or conveyed for disposal must be invoiced by the person or institution from which such waste is generated and the invoice must contain details of the premises from which the infectious waste was generated and the premises where the waste will be disposed of.

**4. REMOVAL AND DISPOSAL OF INFECTIOUS WASTE**

- (1) The Municipality may remove infectious waste from the premises of generation and dispose thereof in a safe, sanitary and supervised manner, and the owner of such premises or the owner of the waste as determined by the Municipality shall be liable to the Municipality for payment of the tariff charges in respect of the aforesaid removal services.
- (2) Private contractors may, with the written consent of the Municipality and subject to such terms and conditions as it may determine, remove and dispose of infectious waste.
- (3) Infectious waste may, with the written consent of the Municipality and subject to compliance with such terms and conditions as it may determine, be disposed of in an approved high temperature pollution free incinerator on the premises of origin of such waste.
- (4) Unless otherwise determined by the Municipality, the burning temperatures in the primary and secondary chambers of the incinerator shall, at all times, exceed 800 degrees C and 1000

degrees C respectively and also have rapid cooling to prevent carcinogenic chemicals from entering the atmosphere.

- (5) The Municipality may by resolution determine additional conditions pertaining to the storage, placement, removal and conveyance of contaminated and or infectious waste including conditions pertaining to vehicles used for the removal and transportation of such waste and such additional conditions shall apply in addition to the conditions contained in this by-laws.

## **5. INFECTIOUS WASTE**

- (1) For the purpose of this by-law, infectious waste shall include all the wastes referred to in section 1 hereof as well as contaminated animal carcasses, body parts, bedding, sharps, cultures and stocks of infectious agents and associated biologicals, human blood and blood products.

## **6. OFFENCES AND PENALTIES**

- (1) Any person who contravenes or fails to comply with any provision of these by-laws or any instruction or permit issued thereunder shall be guilty of an offence and be liable on conviction to a fine not exceeding R1000 or such higher amount as is determined from time to time by the Minister of Justice as contemplated in section 1(1)(a) of the Adjustment of Fines Act 1991 (Act No. 101 of 1991) or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

## **7. REPEAL OF THIS BY-LAW**

- (1) Any by-law relating to the disposal of contaminated and or infectious waste adopted by the Municipality or any Municipality now comprising an administrative unit of the Municipality is repealed from the date of promulgation of this by-law.

## **8. SHORT TITLE**

- (1) This by-law shall be called the Disposal of Contaminated and or Infectious Waste By-law 2015.