

BEIRA CITY COUNCIL

CITY COUNCIL LEGISLATION No. 121

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CHAPTER I
PUBLIC WAYS

SECTION I
OCCUPATION OF THE PUBLIC WAY

ARTICLE 1

- 1) Without a licence from the Executive Council it is not permitted to occupy the public way (road) on the surface, in the space above or underground with
 - a) temporary construction
 - b) trolleys or any other method of facilitating movement or transport
 - c) announcements, posters or any other type of advertisement
 - d) pipes or tubes for carrying fluids
 - e) telegraph or telephone wires or cables
 - f) posts for attaching the aforementioned wires
 - g) sand in front of shops
 - h) containers, skips etc. for placing debris and rubbish
 - i) coverings, scaffolding, drums for heating asphalt and tubes for the disposal of rubble
 - j) exhibition of goods hung up outside shops
 - k) display cases or similar
 - l) chairs, tables and umbrellas
- 2) Transgression of the above is punishable by a fine of 200,000mzm.
- 3) The concession of licenses referred to in number 1 also includes licenses for street theatre, circus and other forms of ambulatory entertainment
- 4) The licenses must be requested by official request letter and on concession require the payment of a tax as outlined in the table annexed to this code.
- 5) The council may exempt temporary buildings which are in the public interest from the payment of these taxes
- 6) Companies, societies and businesses who have contracts with the state or municipal council are exempt from taxes if in these contracts.....(incomplete)

ARTICLE 2

It is prohibited to have or hold in the public way, or any other public place for more than four hours loads, furniture or construction materials which are not in the process of being moved, loaded or unloaded on penalty of a fine of 200,000mzm

- 1) During the allotted period there must be a guard present with the load, furniture or materials, on penalty of a fine of 100,000mzm
- 2) When night fall prevents the loading or unloading of goods as mentioned in this article within the allotted 4 hours red lights must be placed to mark the location of the load or objects, on penalty of a fine of 50,000 to 1 million mzm.

ARTICLE 3

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It is prohibited to put marks, plant trees or shrubs in the public way even if they are next to walls or ditches without permission. Penalty of 1 million mzm

Any tree or shrub which has been planted in the public way without permission becomes the property of the council

SECTION II

ARTICLE 4

The following objects are those which are classified as those to be removed during cleaning

- 1) items which constitute house cleanings such as dirt, paper, cloth, fragments of glass and crockery, dead birds, small dishes or barrels and other small objects.
- 2) Debris-this is constituted of all the things not listed above such as rock, soil, mud, cases, bottles, factory and workshop rubbish, branches, rotting food and others
- 3) Detrius-comprising dirty water and solid or liquid waste from animals

ARTICLE 5

In the yards, patios, gardens or land around the house it is prohibited to bury or keep rubbish, debris or detrius on penalty of a fine of 200,000mzm

ARTICLE 6

The rubbish resulting from cleaning of houses establishments and their dependent buildings are removed to be burned in the vehicles and by the people who are to do this job.

ARTICLE 7

All those who would like the cleaning services to remove their rubbish are obliged to have as many litter bins as necessary

- 1) In the case where one of the bins is in bad condition its owner will be advised and required to do whatever is necessary to repair in within 5 days
- 2) If this time elapses and no repair has been made a fine of 200,000mzm per day from the time of issuing of the notice until the repair is made will be issued.

ARTICLE 8

Individuals who put out rubbish in bins different to the approved model will be fined 200,000mzm for each time this happens.

The same fine will be levied if the inhabitants throw their rubbish into the public way.

ARTICLE 9

The residents are obliged to fulfil the following in order for their rubbish to be collected

- 1) The bins, properly covered or closed must be placed near to the door of the establishment in such a way as to not impede the way
- 2) Each time the rubbish must be put out in accordance with the timetable and itinerary published, which will outline the collection times. Fine 600,000mzm
- 3) The bins must be taken back in within one hour of the collection if it is during the day and between six and eight if the collection is at night. Fine of 60,000mzm

ARTICLE 10

It is prohibited to put anything into the rubbish bins that does not constitute rubbish. Fine of 50,000mzm.

ARTICLE 11

When it is necessary to have the drains and septic tanks cleaned the council cleaning service will undertake the work on payment of the fee listed in the annex.

ARTICLE 12

The movement of straw, earth, lime, rubble etc. may only be done in such a way as to not dirty the public way. Fine 200,000mzm.

ARTICLE 13

Grass, straw and other items resulting from cleaning gardens, yards or any land must be removed to the public tip or buried in holes at least 60cm deep in an area approved by the council. Penalty 200,000mzm

ARTICLE 14

It is compulsory that roofs and their drains are always clean in such a way that water can flow freely without stagnating. Penalty 200,000mzm

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ARTICLE 15

Rain water caught on the roof must be channelled along the walls and collected in a cistern of one of the road gutters under the roadway.

ARTICLE 16

It is prohibited to have drains leading from any property straight onto the public road, except for cases listed in this code, subject to a penalty of

- a) 1million mzm except for residents/tenants
- b) 100,000 for residents/tenants

This legislation does not cover holes made in walls for their conservation.

ARTICLE 17

It is prohibited to make ditches or to cut or to put debris on the public way in such a way as to inconvenience the residents. Penalty 200,000mzm

ARTICLE 18

Dirtying or marking the walls or writing any obscene words on the same is prohibited. Fine 40,000mzm

ARTICLE 20

The public way, squares, open areas, gardens and other public places may not be occupied in any way temporary or permanent without a license from the council. Penalty 1 million mzm. The following applies:

- 1) Fireworks may not be used without prior presentation to the council of a fire license passed by the administrative authority which can allow the council to supply a land occupation license for this purpose.
- 2) Public auction of objects or articles may not be held without a license
- 3) Hanging of clothes or objects in places not designated for that end
- 4) Hiring of cars, trucks, hand carts or other vehicles in places not marked for such activity
- 5) Occupation in any form, temporary or permanent of any of the places indicated without a license from the council

Any transgression of the above is punished by a fine of 1 million mzm

ARTICLE 21

The following are prohibited and punishable by a fine of 200,000mzm on the public way, in public places or open land

- 1) Cleaning dishes and barrels
- 2) Cultivation or preparation of seeds
- 3) Keep, groom, or brand animals
- 4) Bleed or carry out any veterinary practice to animals except in case of emergency
- 5) Break or cut firewood
- 6) Cut or saw wood either by hand or by machine
- 7) Cook
- 8) Roast coffee
- 9) Make bonfires
- 10) Urinate outside public conveniences
- 11) Light bonfires
- 12) Practice acts which should only be done in the public convenience
- 13) Shake carpets, rugs, mats or cloths after seven and before twenty two hours each day
- 14) Play any kind of ball games which involve kicking or throwing a ball
- 15) Leave debris or rubbish or any other solid product which causes dirt or inconvenience
- 16) Put up tents or temporary housing outside the area designated for this end by the council
- 17) Leave unguarded any ox drawn or animal drawn vehicle with the animal in harness
- 18) Wash or clean any vehicle or carry out repairs except in the case of an emergency

ARTICLE 22

On pain of a fine of 200,000mzm it is prohibited to carry out any of the following from a house or dependent property

- 1) Without the correct protection to undertake any form of transport or operations too close to transport routes which could put at risk passers by
- 2) To have on walls, windowsills, balconies or anywhere else vases and the like which could fall onto the public way and could injure those passing

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- 3) Throw over the balcony, onto the road or in any public place dirt, residue, rubbish, litter or glass
- 4) Water flowers on verandas or stairs or in any place where the water could pass onto the street between seven and twenty two hundred hours.
- 5) To have cloths and clothes hanging out in such a way as to obstruct the passage of passers by.
- 6) To have sewing machines working on the veranda

The head of the family or the lease holder of the property is considered as being the person responsible for ensuring that his subordinates, relations and tenants conform with this legislation

ARTICLE 23

Any object which is left in the public way in such a way as to impede passage will be taken to the police station and then kept in a place designated by the council

- 1) Should the owner appear to collect the item he will be allowed to remove it on payment of the cost of it having been moved and an independent fine of 200,000mzm per object as related to the circumstances, gravity and number of times that this has occurred
- 2) If the owner does not appear the item will be auctioned ten days after its apprehension should the council judge this to be convenient. The amount to be fined and paid for expenses should be deducted from the total obtained and the remainder left for the owner to claim within 6 months, failing which it becomes the property of the council.
- 3) If the owner of the object is found to be with the item in the street at the time of the offence he should be warned to remove it within six hours and if he does not do so then the points above apply.
- 4) In the case of animals the owner is obliged to pay for their treatment in accordance with what has been expended by the council

ARTICLE 24

It is prohibited on penalty of a fine of 200,000mzm on the sides of buildings fronting onto the public way to have the following:

- 1) Pipes, holes, drains etc for any type of liquid
- 2) Knockers, pillars or overhangs except where these are an integral part of the building
- 3) Paintings or letters which are not the names indicating the streets, which are those affixed by the council
- 4) Overhangs above windows of such a size as to act as a sunshade.

SECTION III

DECORATION AND CONSERVATION OF PUBLIC PLACES

ARTICLE 25

In squares, places, gardens and areas occupied by plants or reserved for pedestrians it is prohibited to misuse the benches or to sit on objects not designed for that purpose. Penalty of 100,000mzm

ARTICLE 26

It is prohibited to rest bundles or loads against railings or ornamental fences of buildings or to leave them against the walls in other places in such a way as to block public access. Fine 100-500,000mzm

ARTICLE 27

It is prohibited to walk across gardens and public places with grass when carrying heavy loads and bundles. Fine 100,000mzm

ARTICLE 28

Anyone dropping a heavy load or allowing it to fall onto the pavement incurs a fine of 100,000mzm independent of the payment made to repair damage caused

ARTICLE 29

Any resident or tenant who resides in or uses a property within a public place is responsible for any damage caused by passers by if the damage is not reported to the council and the person responsible indicated, or the reason for an accident explained. The fine is 400,000mzm which will rise to the point of the payment of the repair if it is not carried out within 30 days of the fine being issued.

ARTICLE 30

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Whomsoever has yards or gardens with trees overhanging the public way is obliged to maintain them in such a way as to not create difficulties for the passers by, not impede the light from the public lamp posts, or interfere with overhead cables. Penalty of 200,000mzm

If the resident or tenant, having been fined does not comply with the fine within the allotted time period the council shall undertake the work and add the charge for the work to the fine.

ARTICLE 31

It is prohibited by a fine of 100,000mzm to

- 1) Dig or make holes or dig out any object in the public way or on any part of the pavement without the authorisation of the council
- 2) Roll, push or drive any object which marks the ground except when such an object is being loaded or arriving at its destination

The council may allow, if it is not inconvenient, the rolling along the ground of barrels containing cement, clay or similar

ARTICLE 32

It is forbidden to cross the public way or to be at doors and windows insufficiently dresses on penalty of a fine of 200,000mzm

ARTICLE 33

It is prohibited to cut or damage any tree in a public place, penalty 400,000mzm

ARTICLE 34

It is prohibited to cut pieces from trees, or to take stones, rocks or similar from public places, similarly to damage the place by removing things. Fine 200,000mzm

ARTICLE 35

It is prohibited to cut or take flowers, parts of plants, fruit or leaves from municipal plants and trees without a license. Fine 400,000mzm

ARTICLE 36

Anyone who damages a lamp post or telephone cable will be liable for a fine of 400,000mzm

ARTICLE 37

It is forbidden to enlarge the drains or kerbs along the edge of the public way without permission. Fine 200,000mzm

SECTION IV PAINTING AND WHITEWASHING ARTICLE 38

In all buildings and their dependent parts the walls at the back and the internal walls which are not covered with stucco or tile must be re-plastered whenever necessary and the same goes for painting doors and windows.

- 1) This is not necessary when the buildings have been whitewashed within the space of a year or less unless it is that their state makes this necessary
- 2) The same obligation exists in terms of paining of exterior walls, the period of two years is considered to be reasonable.
- 3) White must be used with colour for ornamentation and frames. Fine 200,000mzm
- 4) This law is applicable to garages, warehouses, dependent properties, and walls and patios which border the public way.

ARTICLE 39

Whenever the council receives notice that a property needs painting, or that there is a plan to plaster or to paint the window and door frames they will notify the people or preferably the owners of the property that they have 60 days to carry out what is necessary

- 1) If this is not carried out within 60 days there will be a monthly fine of 1.6 million mzm until completion
- 2) It is considered that the job has not been done, in terms of the fine if it has been carried out in a manner different to that laid out in Article 40
- 3) If the owners of the building paint but do not paint the windows and doors they will be fined 100,000mzm for each opening unpainted

ARTICLE 40

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In the case of roofs which are not covered, the roofing must be painted with the appropriate paint in either red, green or grey

ARTICLE 41

Within the city it is obligatory to fence off with a wall any area which is not part of the public domain. A fine of 100,000 per 30 days is payable by the transgressor, and the cost of erecting the fence, should it be done by the council, will be added to the fine.

ARTICLE 42

Any walls existing at the time of publication of this code, which are not in a good state of repair, must be repaired within one year of the date of publication of the code.

ARTICLE 43

No fencing or walling may be undertaken without the permission of the Directorate of Construction and Urban Planning

ARTICLE 44

The walls are expected to form such angles with the public way as to be approved by the Technical Section

ARTICLE 45

The walls must be in the following condition

- 1) Constructed on the exact and absolute limits of the land in question, aligned in accordance and with the necessary doors or entrances to allow easy access, but in such a way as to not prejudice the tree-lining of the streets
- 2) Of a pleasing appearance, in harmony with those constructed at either side and the surrounding architecture
- 3) Not higher than 0.65m on the public side and interior ones may not exceed 1.8m
- 4) These measurements refer to seafront property as well as to the sides of property bordering onto the public way and to land on either side
- 5) In order to support an entrance way columns of 1.5x1m

ARTICLE 46

A penalty of 1.6million mzm will be applied in cases where walls are elevated above the specified height by bars or railings or any other thing except for hedges

- 1) The use of thorn bushes or razor wire is absolutely forbidden. Fine 400,000mzm
- 2) Hedges must be trimmed as and when necessary so as not to impede the public way. Fine 200,000mzm

ARTICLE 47

Interior dividing walls, for dividing buildings may only be constructed out of plastered and painted brick. Fine 1.6 million

ARTICLE 48

Exceptionally, with each case being considered individually by the technical section, the council may consider the construction of a division in a different form from that specified in the previous article

ARTICLE 49

As well as the penalties laid out above the council can demand the demolition or modification of the structure that is not in keeping with what is outlined in this code and in the project proposal

ARTICLE 50

The land which separates the public way from the façade of the building, wall or fence must always be clean, swept, of concrete or lawn or garden. Fine of 400,000mzm

SECTION V WORKS IN THE PUBLIC WAY

ARTICLE 51

The individual who makes any excavation in the public way with a license from the council is obliged to level the land at the end of the work. Fine of 400,000 and the cost of levelling will be charged.

ARTICLE 52

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Ramps or dips in the public way may not be made at the entrance to any doorway for whatever reason. The fine will be 400,000mzm as well as the cost of demolition and repair of the way.

ARTICLE 53

When there is a difference of level which makes it necessary to give access to a door the council will only allow works to be undertaken as suggested by the interested party if

- 1) The alterations made maintain the levels and modifications in the surrounding as well
- 2) The entrance and the modifications made do not result in a difference between the level of the pavement and the road of more than 60cm
- 3) Inclined planes in concord with the passageway and path to be modified are calculated, planes which must not be longer than 1.5m
- 4) The council will carry out these works at the expense of the interested party on payment of a deposit as surety
- 5) Any repairs required in future will also be charged to the interested party

ARTICLE 54

Any opening or obstacle which may impede transit or which is opened or placed in the public way, as a result of repairs must be surrounded on all free sides by a guard rail made of wood, 1m high and painted with fluorescent paint with a light on each side in order to make it visible at night. Fine 1 million

If lamps are not attached will provide them immediately and the interested party will be obliged to pay for the provision of lamps as well as paying the fine as outlined above

ARTICLE 55

When, in order to carry out some form of public act the existence of guard rails such as those mentioned above, the council, having advised the person who is paying for the works in question may remove at their own cost the guard rail and any other objects, replacing them in the same place as soon as the reason for their removal has passed

ARTICLE 56

During any public act which is incompatible with the presence of guard rails in front of a building all exterior work being carried out on that building must stop. Fine of 400,000mzm

ARTICLE 57

In the case of all construction works or large roof repairs or works in confined areas near the public way it is obligatory to construct coverings, the size of which will be agreed by the technical section according to the size of the works, the size of the road etc.

In the case of such works all rubble must be collected underneath the covering. Fine of 1 million mzm

ARTICLE 58

If anywhere near the works being undertaken there is a lamp post or tree which could be prejudiced by the works measures necessary for its protection must be taken. 100,000mzm fine

ARTICLE 59

In all works either exterior or interior and for which the construction of coverings or scaffolding has not been demanded it is necessary to attach a wooden beacon fixed at an angle to the street and attached to the wall. This must be not less than 2m long

ARTICLE 60

If as a result of the works there is rubble which needs to be thrown from a height there must be a closed chute which goes from the area where the rubble is all the way to the point where it comes out. Fine of 500,000mzm

ARTICLE 61

At the end of the works, even though the license has not expired all rubble and materials must be removed from the public way within 5 days. Penalty 1 million mzm

SECTION VII

PETROL PUMPS IN THE PUBLIC WAY

ARTICLE 62

Not translated

SECTION VIII STREET SALESMEN

ARTICLE 81

Any person wishing to sell items while moving around or in a fixed public place must have a license. Fine is the cost of a license

ARTICLE 82

Licenses are conceded according to a dispatch from the president of the council following the receipt of a request letter clearly outlining the request. Only following this dispatch will a license be issued and should the fee be paid.

ARTICLE 83

The council may refuse to grant requests for licenses to sell in fixed places

ARTICLE 84

Any person wishing to sell any type of goods while moving around must register themselves with the council and pay the relevant fee

ARTICLE 85

The individual registered as a moving salesman as in the previous article is obliged, as well as paying an annual fee to pay the taxes relative to sellers who bring on his account vehicles and items for his use. Fine of the value of these taxes for non-payment

ARTICLE 86

Moving salesmen who use vehicles from which they sell food will be inspected by the health inspector and if they pass will be licensed on payment of the relevant tax. Fine of 1 million.

Whenever any sickness results respective licenses will be suspended and the licenses will be annotated as will the cause for suspension which is recorded in the licensing role in the council office

ARTICLE 87

The vehicles mentioned above will be inspected annually by the health inspector who will indicate what conditions should be adhered to and what changes should be made. Any vehicle that the health inspector demands be removed from service shall be

ARTICLE 89

No vehicle will be allowed to transport items for sale or for commercial shops at the same time as people who are not considered to be healthy in accordance with the opinion of the health inspector

ARTICLE 90

People who sell items to regular clients and who do not sell to anyone who passes shall not be considered moving salesmen

ARTICLE 91

A moving salesperson may not remain in the same place for more than 15 minutes. Penalty of 200,000mzm

ARTICLE 92

Travelling sellers are not permitted within a distance of 50m of an established market. Fine of 200,000mzm

ARTICLE 93

Fruit and vegetable sellers, and travelling food sellers may only operate after 8a.m. Fine of 200,000mzm

ARTICLE 94

Travelling sellers may not sell fish, meat, chicken, or other birds
This will be punishable in terms of the previous article

SECTION IX HANGING OF POSTERS, ADVERTS AND COMPLAINTS

ARTICLE 95

The attachment of posters, announcements or any other written or printed paper to walls or in other places which are the property of the council is punishable by a fine of 400,000mzm

- 1) When requesting a license it is necessary to include the text of the letter or announcement or similar and copy the information to the technical section and to the head of the central consultancy commission as outlined in diploma 724 of 11/09/1940

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- 2) The council may deny or accede the right to a license which will be conceded according to the payment of a fee as outlined in the annex
- 3) While they are not exempt from requesting the permission outlined in the first paragraph parties and spectacles are exempt from the payment of a tax to put up posters.

SECTION X
FLAGPOLES AND FLAGS
ARTICLE 96

It is not permitted to have on the outside walls of buildings poles for the suspension of flags of any nationality or signs indicating companies or establishments. Fine of 1 million mzm

- 1) This does not include
 - a) state establishments
 - b) Benefit or charity establishments
 - c) Municipal establishments
 - d) Consular residences or the residences of consular agents
- 2) Flagpoles destined solely to fly the Mozambican flag are exempt from tax
- 3) Flagpoles to fly foreign national flags may only be attached in such a manner as to not be supported or planted in the soil. Fine of 1 million mzm
- 4) Residential establishments of those mentioned in b) and d) of the first paragraph and anywhere else where they may wish to fly the national flag, the interested party must request the council who will then pass a free diploma, asking only for the cost of the stamp
- 5) The national flag may never be flown at a lower level than any other flag, insignia or sign on the same building or property. Fine of 400,000mzm

CHAPTER II
TRANSPORT
SECTION I
TRANSIT AND PARKING OF VEHICLES IN THE PUBLIC WAY
ARTICLE 97

It is prohibited to park or drive vehicles of any type on the pavements or in parks and gardens or in gutters belonging to the council

- 1) Fine of 200,000mzm
- 2) Exceptions are
 - a) vehicles which accidentally pass onto the pavement or into the gutter
 - b) vehicles which as a result of force majeure have to deviate onto the pavement or into the gutter
 - c) Those which you pass over on a crossroads
 - d) Baby strollers or wheelchairs
- 3) In the case of point a) the person responsible must repair the damage caused and return the area to its original state or pay the fine and the cost of repair.

ARTICLE 98

If a vehicle regularly has to drive over pavements or gutters then it is required to have a special license.

- 1) In order to receive the license the interested party must declare in his request exactly what type of platform he plans to provide in order to cover the areas which will be crossed regularly
- 2) In streets which do not have gutters or where these are less than 0.15m the council will allow the interested party to make the modifications necessary to allow the passage of his vehicles
- 3) The construction of the platform as in 1) or the measurements as outlined in 2) are necessary prerequisites for the granting of a license. If these requirements are not satisfied then the transgressor will be subject to a fine as outlined in paragraph 1 of the previous article

ARTICLE 99

The platform mentioned in paragraph 1 of the previous article may only be made of metal or of reinforced concrete and its construction must obey the following principles

- a) The minimum distance between the lowest part of the platform and the bottom of the gutter may not be less than 0.5m
- b) The gutter must be graded gradually and returned to its original depth in accordance with the technical section
- c) The width of the platform may not be greater than 2.5m

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- d) The length of the board may not be greater than the width of the gutter and must begin where it joins the road and end on the edge of the pavement

Infractions of this article are punishable by a fine of 400,000mzm and the transgressors are obliged to demolish the works that they have undertaken which are not in keeping with this legislation on penalty of losing their license

ARTICLE 100

The construction of a ramp and the modifications made in order to install it must be done at the cost of the individual making the request

- 1) The individual is also responsible for repairs and maintenance of plank, gutter, and surrounding area
- 2) In the case where this is not undertaken the responsibility falls on the owners or tenants of the building

ARTICLE 101

When the repairs to the ramps, pavements and gutters are not carried out by the person responsible the technical section will carry them out and a fine of 1 million mzm will be levied

- 1) If the repairs are not carried out within 10 days of notification the council also has the right to remove the ramp
- 2) In the case where the person responsible for the ramp wants it removed he is required to request the removal and pay a license for the removal

ARTICLE 102

As laid out in the roads code, owners who move vehicles within the city are obliged to declare to the council the numbers and characteristics of each vehicle with an indication of whether or not they are in use, in the month of December of each year, on penalty of a fine of 300,000mzm for each vehicle not declared or falsely described. The following are exempt from the above-

- 1) vehicles of state establishments
- 2) vehicles of council establishments
- 3) vehicles belonging to companies which have contracts with the state or council in which contracts this exemption is mentioned
- 4) vehicles which are considered to be in transit, that is not permanently within the council limits for more than 30 days
- 5) Those which have a license issued by another city council or other vehicle technical commission

ARTICLE 103

No animal, animal drawn vehicle, bicycle, or hand cart may transport goods may circulate in the city without a license. Fine of 400,000mzm

ARTICLE 104

On the roads and streets etc. of the city and of the council area the police and the council officials have the right to fine transgressors according to this code.

ARTICLE 105

The council may, as it sees fit and necessary, interrupt transit on any given road having first informed those in the area where this will take place

ARTICLE 106

Speed limits within the city area shall be as follows

60kmh for normal vehicles

50kmh for cargo vehicles

exceptions in areas where a lower speed limit is signposted

ARTICLE 107

It is prohibited to tow a vehicle without obeying the conditions of the law. Fine 200,000mzm

This article does not prevent the possibility of cars, trucks or articulated vehicles driving with trailers

ARTICLE 108

Heavy loads may only be carried in specialised forms of transport and must request the correct form of license. The owner of the load is considered responsible for any damage caused to the road by this transportation. Fine of 1 million mzm and cost of repairing any damages

ARTICLE 109

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It is forbidden to drive any vehicle of any type which has wheels made of wood or metal without tyres on the roads and avenues and on the tarred pavements. Fine of 400,000mzm

- 1) with the exception of hand carts
- 2) the wheels of vehicles destined to carry people or goods or those which will be towed must have tyres with some form of inner giving elasticity and pneumatic coverage. Fine of 500,000mzm

ARTICLE 110

Those who are covered by article 41 of the road code are permitted to park on all public ways in which they are permitted to circulate, with the exception of the following articles

ARTICLE 111

During teaching hours it is not permitted to park vehicles of any type outside schools or teaching establishments except in a space outlined specifically for parking and marked or if the space is bounded by the end of the school zone

It may be permitted to park on the edge of a school zone near a pedestrian crossing as long as there is sufficient space for pedestrians to pass and there is another pedestrian crossing available

ARTICLE 112

In front and to the side where they border onto a principal road it is forbidden to park next to show houses or venues (cinemas, theatres etc) during the hours when they are in operation unless the space is specifically marked for that purpose

ARTICLE 113

It is always permitted to stop in front of the entrance but only for long enough to collect or drop off passengers

ARTICLE 114

On Av. Eduardo Mondlane and Rua Poder popular and the crossing between Rua do Aruangua and its junction with Av da Republica and the municipal square parking may be done alternately in the direction of traffic and in areas which are marked

ARTICLE 115

In the municipal square parking is permitted on the roads leading to the square and in the central area as long as it is done away from the cement crossings and does not impede traffic and crossings

ARTICLE 116

In Rua Correia de Brito in the area between the old central electrical building and Rua Irmãos Bivar vehicles may only park in one direction

Parking is not permitted within 30m of the curves in this road

ARTICLE 117

Places where parking is not permitted.

This section was not available

ARTICLE 124

It is prohibited to park on the public way for whatever reason for more than 48 hours. Fine of 2 million mzm

- 1) The owner or driver of the vehicle will be notified in writing and expected to remove the vehicle within 24 hours
- 2) If the time outlined above expires the vehicle will be considered as abandoned and will be removed by the council where it may be claimed within 30 days on payment of a daily rate of 50,000mzm
- 3) If the 30 days passes without the vehicle being claimed it will be auctioned and the funds thus raised will go to the council

ARTICLE 125

For the purposes of parking motorbikes and sidecars are considered as passenger vehicles

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ARTICLE 126

Parking is prohibited in front of buildings belonging to the fire service or any building housing services necessary for urgent or emergency work

ARTICLE 127

In areas specially designated as spaces for vehicles to rent it is prohibited for any other vehicle not belonging to this class to park.

ARTICLE 128

No vehicle may be filled with fuel within the city if it has its engine running, nor may any vehicle park at a fuel station unless it is re-fuelling

ARTICLE 129

In each designated vehicle parking place there is also a place marked with a white rectangle on the pavement which is for parking bicycles and motorbikes

ARTICLE 130

Bicycles and motorbikes may not be parked in spaces reserved for parking cars

ARTICLE 131

In the same way cars may not be parked in spaces reserved for bicycles and motorbikes

ARTICLE 132

Vehicles must be parked next to the kerb except in areas where it is marked that they may be parked at an angle to the same.

In the case of days with special events when it is necessary to park more cars than usual it may be possible to park vehicles at an angle in other locations but this should only be done on the express instruction of the police or council officials

ARTICLE 133-167

Transport regulations (bicycles, emergency vehicles etc.)
Not translated

CHAPTER III

BUILDING CONSTRUCTION AND REPAIRS

ARTICLE 168

The rules governing construction and repair of buildings have their own special regulations.

CHAPTER IV

HYGIENE AND PUBLIC SAFETY

SECTION I

PUBLIC AND PRIVATE WATER

ARTICLE 169

Water may be taken from municipal wells when they have water

- 1) If various people arrive to draw water at the same time it must be taken on a first come first served basis
- 2) Without previous authorisation from the sanitary dept it is not permitted to open private wells.
Fine 200,000mzm

ARTICLE 170

The following re prohibited on penalty of a fine of 100,000mzm

- 1) Extracting water from any decorative water source or deviating water from these sources
- 2) Destroying or damaging decorative water sources or drinking fountains
- 3) Leaving taps from municipal water supplies open after use
- 4) Dirtying any form of water in tanks, wells, fountains etc.
- 5) Washing the body or clothes in water sources

ARTICLE 171

A fine of 200,000mzm will be levied for the following

- 1) Anyone allowing animals infected with any infectious disease to drink from any city water source
- 2) Anyone destroying or making unusable any municipal water source in such a way as is not covered in No. 2 of article 170. They will also be required to pay indemnity for damages and problems caused

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ARTICLE 172

It is prohibited on penalty of a fine of 200,000mzm to damage, break or destroy in any way the pipes of water sources

ARTICLE 173

Whoever has a cistern, tank or water source must register it in case of fires with the fire command
The person involved may station their own guards at the water source during its use by the fire brigade in order to protect their interests. Any damage proved to have been done will be compensated by the council

ARTICLE 174

No form of stagnant water will be permitted in gardens, yards or in cultivated fields within the city limits on penalty of a fine of 400,000mzm

ARTICLE 175

It is expressly forbidden to channel waste water from private houses into the Chiveve or other drainage canals without a license. Fine of 1 million

Anyone who makes holes in municipal drains in order to dispose of household waste will be fined 200,000mzm plus the cost of repairing the damage

ARTICLE 176

The owner of any land situated in the city or suburbs and on which land there is a marsh, swamp, spring or any depression in the ground which is able to hold rain water must drain the same in order to ensure that stagnant water is not able to stand

- 1) The work of draining and levelling the land must be started within 10 days of the instruction by the sanitary authority and must be completed within the period of time defined by the technical section
- 2) Whomsoever is not able to begin the work within that period of time will be fined according to the fines agreed in article 23 of decree 14 of October 1911 and the work will be undertaken by the council and the charge added to the fine
- 3) The cost, if not paid voluntarily will be extracted by judicial means
- 4) The technical section in consultation with the sanitary dept. will decide on the levelling and height of the terrain
- 5) When buildings on the land in question are administrated by societies or companies it is the respective company which is responsible for the cost

ARTICLE 177

Damp land which is not a swamp but is not used as agricultural land and which has been levelled or drained must be planted with fast growing trees or shrubs. Fine of 1 million mzm for each 160 days of non-compliance

ARTICLE 178

It is expressly forbidden to have on patios or other areas of residential premises in the open air vases or parts thereof which contain water or could hold water. Fine of 200,000 mzm for each vase or part of vase

If within the vase or part thereof there is found to be mosquito larvae the fine increases to 500,000mzm

ARTICLE 179

Vases or fragments thereof which are not in use must be buried or completely destroyed. A fine of 400,000mzm for each vase or part thereof found will be levied

ARTICLE 180

All the open areas in the city must be kept clean and the grass cut. Fine of 500,000 mzm

ARTICLE 181

On agricultural properties in use within the suburban area the preparation of these areas is governed by the respective agricultural rules. Should there be an interruption in the use of the land or should these rules not be complied with the owner, in accordance with the previous article will be fined the correspondent penalty

ARTICLE 182

Not available

SECTION II

CONSTRUCTIONS WHICH THREATEN TO BECOME RUINS

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ARTICLE 183

Whenever a building, wall or any other type of construction is becoming ruined and because of this needs to be demolished or repaired the council will order that this is done within the time limit established

- 1) The demolition or repair may not be carried out without prior inspection of the respective buildings and constructions
- 2) This inspection will be carried out in terms of the decree of 31st December 1869
- 3) The decision to demolish will be passed to the owner, tenant or any other person with a title related to the property
- 4) The interested parties have the right of appeal over the decision taken in terms of law No. 1670 of 15th September 1924

SECTION III

ARTICLE 184

Within the urban area it is permissible to have gardens though it is prohibited to have plantations of banana, mango or coconut trees. Fine of 50,000mzm

ARTICLE 185

In the suburban area any other thing may be grown as long as the land is maintained in a clean state as outline din article 181

SECTION IV

CENTRES OF IMMEDIATE CONSUMPTION (RESTAURANTS AND EATING PLACES)

ARTICLE 186

In all areas of the city and suburbs including markets and moving sales people it is forbidden to exhibit items for immediate consumption if they are not protected by boxes and mosquito nets, contained within cupboards which have the same netting or in glass flasks correctly sealed. Fine of 200,000mzm

ARTICLE 187

It is equally forbidden to have in the kitchens of hotels, restaurants, guest houses, bakeries, fishmongers or refectories except when absolutely necessary during preparation, articles for immediate consumption, including cold foods, which are not protected as outlined in the previous article. The manner of attaching the netting is not important, what is vital is that the food is kept free of flies and other insects. Fine of 200,000mzm

ARTICLE 188

As well as the items outlined in the article above in the same places to which it applies protection must also be given to items used in the preparation of such food such as onions, garlic and salsa. Fine of 200,000mzm

ARTICLE 189

The following are also considered as items for immediate consumption, bread, cheese, butter, ham, fruits eaten with their skin, sugar, sweets, olives, nuts, sandwiches, crystallised fruit and others as listed in code No. 81,24,05.56

SECTION V

SALE OF MILK

ARTICLE 190

Those selling milk must be registered with the council following submission of a request for a license to the president of the council copied to the health dept. Lack of registration will be fined at the value of the license.

Milk distributors must have a license issued by the council which is renewed trimestrally according to the presentation of a health certificate. The license is issued free. Fine for non-compliance 20,000mzm

ARTICLE 191

All persons selling milk are required to obey rules established by the veterinary department or their inspectors and to submit when necessary samples of milk for analysis. Penalty for disobedience.

ARTICLE 193

You may not sell milk

- a) from sick animals especially those with infectious diseases
- b) with an abnormal colour or taste or that is mixed with any substance which is harmful to health. Penalty of 1 million mzm.

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ARTICLE 194

Milk may only be sold in closed containers where the closure is sealed and stamped with the proprietor's stamp, or in any other way which prevents sellers tampering with the milk.

ARTICLE 195

Containers used for the transportation of milk may not be of copper, zinc, brass or any other material which is harmful to health or difficult to disinfect

The material and type of container must be approved by the sanitary department.

ARTICLE 196

Any milk which the authorities declare unfit for consumption must be immediately removed from circulation, the seller will be fined the corresponding fine and the license of the distributor and or the vendor will be revoked for one year, when it has been proved with whom the fault is.

SECTION VI

BUTCHERS AND MEAT SELLERS

ARTICLE 197

No animal may be slaughtered for human consumption outside the municipal abattoir

ARTICLE 198

The municipal abattoir is covered by its own specific legislation.

ARTICLE 199

The sale of meat to the public may only be carried out in establishments especially designed for that purpose. Penalty 100,000mzm.

ARTICLE 200

Establishments destined to be butchers shops must be established in accordance with the rules laid down by the sanitary department and in particular in accordance with the edict of 23rd December 1950.

ARTICLE 201

Personnel of such establishments, be they national or foreign must be initially, and thereafter monthly checked by the inspectors from the health department and the results must be made known to the council.

During working hours employees must be correctly dresses (white shoes and shirt) and wearing a white hat. Fine of 100,000mzm

ARTICLE 202

It is expressly forbidden to

- a) Open or modify a butchers shop without previous license from the council issued following consultation with the sanitary department, and the signing of an agreement as laid out in this section. Fine of 1 million mzm
- b) It is forbidden to have meat outside or inside the shop not in the correct container, except for pieces which are being prepared for sale. Fine of 20,000mzm
- c) A fine of 1 million is applicable for:-
 - i) Cutting bones without using a saw
 - ii) Making up the weight or weighing inaccurately by including intestines, bones etc.
 - iii) Keeping bits of bones in the sales area

ARTICLE 203

The owner of the butcher's is obliged on pain of a fine of 100,000mzm to

- a) Keep in a state of absolute cleanliness the floor, walls, scales, cloths and utensils of the shop.
- b) Post in a clearly visible place a table of prices of the meat for sale.

ARTICLE 204

Any butchery selling meat over the stated price or committing fraud according to the weight of meat sold will be punished the first time by a fine of 150,000mzm and on following occasions with 25% over and above that amount and obliged to close the establishment for a minimum of 30 days.

ARTICLE 205

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In the area of the city of Beira in the future it will only be possible to open butcheries for the sale of fresh meat in the area to the north of the Chiveve.

In the area to the south butcheries in the Gorjão market will provisionally be allowed to continue.

ARTICLE 206

Individuals under the age of 18 may not operate as butchers, and neither may those not considered able to do so by the health department.

Age will be verified by a certificate or any other legal document.

ARTICLE 207

Request for registration is made in a request letter sent to the president of the council accompanied by information from the health department and a certificate of age.

The request letter may be made by another if the subject does not know how to read.

ARTICLE 208

Registration is compulsory for butchers and apprentices. Individuals registered as apprentices may become classified as butchers on their licenses following submission of a request letter to the president of the council along with information from the health department.

ARTICLE 209

Information regarding infractions and suspensions will be recorded in a book and will be available for any interested party. Any individual operating illegally as a butcher or apprentice will be fined 100,000mzm for each infraction

ARTICLE 210

Any meat found within the city and suburbs which has not been inspected by the council abattoir will be considered as having been slaughtered illegally.

- 1) Game meat is also required to be inspected in accordance with this article
- 2) Any meat found in this state, independently of the fines and penalties listed above will be confiscated in favour of the council and will be dealt with as indicated by the abattoir inspector.

ARTICLE 211

Anything which is considered to be clandestine or illegal meat will be covered by a fine of 2 million mzm and handed over to the judicial authority.

ARTICLE 212

Those transporting or moving the illegal meat regardless of whether it is theirs or not will incur penalties as in the previous number.

ARTICLE 213

Fines as laid out in 211 will be incurred by butcheries, hotels, restaurants etc. where illegal meat is found.

In the case of re-offence the council will inform the relevant authority in order to have the industrial license revoked and to carry out any other penalty deemed necessary.

ARTICLE 214

Also liable to the punishments laid out in 211 are those who make their land or buildings available for illegal slaughter.

SECTION VIII BAKERIES AND THE SALE OF BREAD

ARTICLE 215

The sale of bread to the public may only be carried out by establishments specifically designated for that purpose. Fine of 100,000mzm.

ARTICLE 216

Establishments designed for the sale of bread to the public must obey the sanitary precepts laid down for their industry, in particular the following:

- 1) A stall selling bread next to a residential property must have a minimum surface area of 20m² and a width of 3.5m.
- 2) A floor of impermeable concrete or tile on an incline allowing complete drainage of water
- 3) Walls covered to a height of 2m with ceramic tiles or marble
- 4) Painted in white oil based paint on the walls above the tiles and also covering the windows and doors.

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- 5) Corners of walls and junction between walls and ceiling which are rounded
- 6) A marble or wood covered with marble or concrete counter.
- 7) Natural light allowing normal visibility in the shop combined with artificial light to create the same effect on dark days
- 8) Windows and doors covered with mosquito screens. When a door leads to the outside it must be a double door of the "wind guard" type. (*presumably 2 sets of doors creating a seal*)
- 9) Automatic scales for weighing the bread
- 10) Cupboards or cabinets for the bread with glass or mosquito screen doors.

ARTICLE 217

Personnel who sell in the bakery or sell to houses on the bakery's account will be subject to an initial and then monthly inspections by the sanitary department. They are required to wear the appropriate clothes (white shoes and a white shirt) as well as a white hat covering the head. Fine of 200,000mzm
Any of those employed who are suspected of having some kind of contagious disease such as scabies, conjunctivitis, ulcers or open wounds and who has not reported to the health department will be fined 100,000mzm

ARTICLE 218

The areas and establishments where the bread is made, either manually or mechanically must obey the rules in operation at a national level or any other rule which legislates for more sanitary conditions.

ARTICLE 219

The sale of insufficiently raised or cooked bread is subject to a fine of 200,000mzm and the confiscation of all the bread considered inappropriate, by the director of health, for consumption.

ARTICLE 220

Bread or other products carried for domestic sale must be transported in chests or sealed boxes lined with clean white cloth which have been inspected by the sanitary department in order to receive a municipal license, and which are in the conditions outlined in this code for travelling sales people. Infractions will be subject to the same penalties.

ARTICLE 221

The owner of the establishment is obliged to, on penalty of 200,000mzm

- 1) Maintain in a state of absolute cleanliness the floor, walls, scales, counter, cupboards, cloths, machines and all other items including staff
- 2) Attach in a visible place a table of prices.

ARTICLE 222

The only people who can act as bakers, bread makers and apprentices in the council area are those who are registered with the council.

- 1) The request for registration must be made in a letter addressed to the president of the council, accompanied by information from the health director.
- 2) Those who are registered as apprentices can become bakers and bread makers by modification to their original registration which can be done by means of a letter to the president of the council accompanied by information from the health director.
- 3) In terms of this article a baker is understood as one who sells bread while a bread maker is he who manufactures bread.
- 4) Suspensions or cancellation of registrations will be recorded in a book which will be available for view by interested parties. Any individual found illegally practicing the professions referred to in this article will be fined 200,000mzm for each infraction.

ARTICLE 223

The types of bread and the conditions of manufacture are established in terms of the current law issued by the competent authority.
Inspection of bakeries and their products is carried out in terms of article 47 of the regulation approved by edict 6231 of 15th December 1945

SECTION VIII

CLEANLINESS OF HOUSES, ESTABLISHMENTS AND SANITARY INSTALLATIONS

ARTICLE 224

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Residences, establishments and places pertaining to them, including hotels, restaurants, cafes, butcheries, bakeries, fishmongers, canteens, schools etc. which are not found to be in a clean and hygienic state in terms of the conditions laid out in this document will be fined 1 million mzm for companies and 50,000mzm for houses

The owners, residents, managers are responsible for infractions of this article in places where they reside or work.

ARTICLE 225

The maintenance and cleanliness of sanitary installations are the responsibility of the occupants of the building, and in cases where they buildings are empty then they are the responsibility of the owner, his representative or administrator.

SECTION IX CHIMNEYS AND TEMPORARY KITCHENS

ARTICLE 226

All owners of buildings are obliged to keep chimneys clean to prevent fire. When a property is rented it is the responsibility of the tenant. Fine of 400,000mzm.

This work will be undertaken by the fire brigade on payment of the relevant fee, whenever a fire inspection finds it to be necessary or whenever it is requested by the building's occupants.

ARTICLE 227

In the case where transgression of the previous number is cause of a fire the fine is 1 million mzm.

ARTICLE 228

The lighting of fires or use of naked flames in buildings which are housing inflammable or easily combustible material is forbidden unless there is a funnel or chimney. Fine of 500,000mzm

ARTICLE 229

The lighting of fires or burning of products resulting in large amounts of smoke which inconveniences neighbours and passers by, outside of specifically designated areas is forbidden. Fine of 300,000mzm

ARTICLE 230

Unless it is with a paraffin, gas or electric appliance no one is permitted to cook in a house or shop which does not have either its own chimney or a provisional one as authorised by the council. Fine of 200,000mzm.

ARTICLE 231

In shops or houses where, owing to the lack of a chimney in the building it is necessary to establish a temporary or provisional one, this may only be done following an inspection which will verify whether or not this can function without danger or inconvenience. Fine of 400,000mzm.

ARTICLE 232

Cooking in kiosks in public places is permitted provided that in the kiosks or places where the food is prepared everything is carried out in a hygienic manner, and that the risk of fire is avoided. In this case a license will be granted following an inspection and with accompanying information from the health department. Infraction of this legislation is punished by a fine of 200,000mzm.

- 1) Kiosks must not retain litter and rubbish which contains food items and creates a bad smell or is prejudicial to health. A fine of 200,000mzm is applicable and will also be applied when such rubbish from the previous evening has not been removed by 09.00 the following morning.
- 2) The owners of the kiosks are as responsible for the scrupulous cleanliness of the area around the kiosk, municipal or not, and also for the behaviour of their staff.

CHAPTER V ANIMALS SECTION I CATS AND DOGS

ARTICLE 233

Neither cats nor dogs will be permitted in the city area without a license.

ARTICLE 234

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Such licenses will only be issued to those who are in full compliance with the relevant national legislation.

ARTICLE 235

Over and above this license animals may not move around the city on roads or in public places without a collar which will also have a metal tag containing the license number and the year to which it refers. Fine of 200,000mzm.

The collar will be provided by the owner of the animal, and the tag by the council following payment by the owner of costs.

ARTICLE 236

Animals may only be kept in houses which have a patio, garden or walled yard. Fine of 400,000mzm.

ARTICLE 237

Within the city cats may not circulate on the public way and neither may dogs unless they are on a lead. Any animal found in contravention of this article will be put down.

ARTICLE 238

The preceding article also applies to animals belonging to people living outside the city which come into the city boundaries.

ARTICLE 239

Cats and dogs found in the streets and public places in contravention of this legislation will be caught and taken to the council pound where they will be put down if they are in contravention of article 237, or held for 72 hours if they are in contravention of articles 235 and 236.

The pound is divided, separating animals which are healthy from those which are in bad condition, starving, from those which are pedigree or of value.

ARTICLE 240

Cats and dogs which are pedigree or valuable may be sold by the council in public haste according to the minimum price established by the vet, in the case of those which are in contravention of articles 235 and 236.

ARTICLE 241

The license is annual counted as the civic year, and costs 30,000mzm including the tag.

ARTICLE 242

Fines are divided equally between the council and the PRM if they are applied by PRM agents. Fines are doubled in the case of re-offence.

ARTICLE 243

Both the personnel of the council and of PRM are competent to enforce these regulations, and may demand the presentation of licenses, fine transgressors, collect and transport animals to the pound as laid out in this code.

ARTICLE 244

Both the council and representatives of PRM are able to apply fines as laid out in this code and to capture or send animal catchers to catch animals, and can do whatever is necessary for the execution of this law.

ARTICLE 245

Fines collected by the PRM in terms of article 235 should have the part defined in article 242 discounted immediately and the remainder must be handed over to the council.

SECTION II PIGS AND GOATS

ARTICLE 246

Pigs and goats may not be kept permanently within the city. Fine of 200,000mzm per animal.

ARTICLE 247

Outside the urban area the raising of pigs and goats is permitted within appropriate buildings the plans for which have been approved by the council on advice from the veterinary service. Fine of 1 million mzm and demolition of the building within 24 hours, which will be increased by 100,000mzm for each day when the demolition is not carried out and the animals are not removed.

ARTICLE 248

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The wandering of these animals in any part of the city is expressly forbidden. Fine of 200,000mzm per animal in the city and 60,000mzm per animal in the suburbs.

SECTION III DEAD OR SICK ANIMALS

ARTICLE 249

Any animal being moved on the public way which is unable to continue on its journey must be removed within 2 hours on penalty of a fine of 100,000mzm and the cost of removal.

ARTICLE 250

No sick, dead or incapacitated animal may be abandoned in a public place. Fine of 200,000mzm, or of 40,000mzm if the animal is a baby and is dead. Fines of 100,000, or 60,000, or 40,000mzm respectively if the animal is sick

ARTICLE 251

A dead animal of whatever type may not be left for more than 12 hours where it has died, but must be burned at the crematorium. Fine of 200,000mzm.

Transport of such animals must be done on minor roads at the cost of the owner, and where possible during times of minimum traffic.

SECTION IV ILL TREATMENT OF ANIMALS

ARTICLE 252

Any violence carried out against an animal is considered a public crime and is classified and punished in terms of legislative diploma 843 of 22nd May 1943.

ARTICLE 253

Anyone found diverting the course of water destined for use by animals and in any way doing anything which would be detrimental to their health or anyone found putting up for sale any animal which has been uncared for will be subject to a fine of 400,000mzm.

Any food stuff destined for the feeding of animals and found in shops, warehouses and markets which is found to be corrupted or adulterated in any way making it a danger to the health of the animals will be confiscated.

SECTION V PLACES WHERE THEY MAY NOT STOP

ARTICLE 254

The owner of a dog or any other animal which lets it damage anything or commit any form of damage or destruction in a public garden or gardened area will be subject to a fine of 200,000mzm, augmented by the payment of damages.

ARTICLE 255

No animal may be tied to or attached in any way to public trees nor may they damage them. Fine of 100,000mzm.

ARTICLE 256

Anyone driving or moving animals on the street or through public places who through their neglect or lack of care allows those animals to cause any damage to the public place will be charged 100,000mzm plus the cost of damages.

ARTILCE 257

The council will determine which areas in the city will be set aside for animals to stop in.

CHAPTER VI WEIGHTS AND MEASURES AND INSPECTIONS

ARTICLE 258

Anyone selling anything in whatever area of the city, which is a thing which can only be sold by weight or measure, may not only weigh or measure such things as they are sold but must specify by what weight and measurement they will be sold. Fine of 100,000mzm

ARTICLE 259

Anyone who sells something which should be weighed or measured and gives to a purchaser less than should have been weighed or measured will be fined 60,000mzm

Differences of 5 in 1,000grammes will be accepted in cases where the product may have crumbled or dried.

ARTICLE 260

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Any item sold according to weight or measure while being sold or immediately afterwards may have its weight or measure verified and if inaccurate may be returned to the seller.

ARTICLE 261

All instruments used for weighing and measuring must be inspected and stamped within the legal time period and the stamps must be visible to the customers of the establishment. Fine of 60,000mzm

ARTICLE 262

For the purpose of the article above the council will each year choose a letter and a mark which will be used as a stamp on the measuring devices in question.

ARTICLE 263

Anyone using devices which have not been inspected or retaining old or damaged devices will receive a fine of 100,000mzm without prejudicing the application of the penalties outlined in article 456 of the penal code.

ARTICLE 264

Sales and purchases in bulk between traders in a form permitted in the commercial code are not subject to the rules laid out in this chapter.

ARTICLE 265

The legislated period for inspections each year is between January and February, a period which may be extended should the need arise.

ARTICLE 266

Outside of the legal time period as outlined in the previous article the inspection of any weight or measure may not be denied but the charges will be doubled when they are applied to

- 1) A new establishment or a change of type of business in a company which already exists.
- 2) The replacement of devices which have already been inspected within the given time period
- 3) The presentation of weights and measures outside the given time period over and above those which were in use.

The fact that payment must be made in double does not exclude the possibility of a fine, though such a fine must not be applied if the weights and measures have been presented voluntarily.

ARTICLE 267

The use of machines even those which have been inspected, which after their inspection, through use are producing inaccuracies of greater than 5 in 1,000grammes on a legal weight or measure is prohibited. Fine of 400,000mzm assuming that the inaccuracy is as a result of normal use. Should such a difference be as a result of tampering the fine shall be of 2 million mzm.

ARTICLE 268

Any machine discovered to be inaccurate as a result of normal usage, even if such an inaccuracy is within the legally permitted difference must be corrected within 8 days counting from the date of discovery. Fine of 1 million mzm.

ARTICLE 269

Any instrument found to have been tampered with will be immediately confiscated, stamped and marked by the finder and by two witnesses and then submitted to the secretary of the council for him to proceed in dealing with the matter using the correct means.

ARTICLE 270

Should three months pass following their submission to the secretary during which there has been no resolution nor a judgement requiring the return of goods to the owner, the instruments will be corrected and sold in public haste with any money made going to the council.

ARTICLE 271

If it is not possible to correct the instrument a commission made up of the president of the council, or his representative, the head of the presidents office and the inspector who confiscated the instrument will supervise its disposal.

ARTICLE 272

Whenever any weight or measure is seized the procedure outlined above will be followed.

ARTICLE 273

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No one is obliged to hold an entire set of weights and measures, but must have those deemed necessary for that line of business, but should they, in place of these use any other item which has not been inspected in order to weigh or measure they will pay a fine of 1 million mzm.

ARTICLE 274

In the inspection books the quantity and quality of types of instruments required.

ARTICLE 275

Any trader found with an instrument either in use or not which has been inspected and failed or has been denounced by inspectors or a conference as above, which has not been re-inspected and given a seal of approval will be fined 2 million mzm and handed over to judicial authorities.

ARTICLE 276

The measures or funnels used to measure petrol, paraffin or any other oleaginous liquid may not be used for other liquids.

ARTICLE 277

No acidic liquid may be measured in a measuring instrument made of iron, copper or ceramic glaze. Fine of 400,000mzm

ARTICLE 278

The inspection of weights and measures in the city will be done by the officially appointed inspector. The interested parties will fill in a form requesting an inspection and submit it along with the instruments requiring inspection. These will be made available for collection at the treasury of the council where they may be collected on payment of the relevant charges pertinent to their correction and inspection.

ARTICLE 279

The inspector is required to inspect any instruments which are presented to him, once if he finds them correct or as in accordance with instructions from the Head of the Council Office.

ARTICLE 280

For each correction or modification made the owner or interested party will pay the value set by the Head of Office on the advice of the inspector. One third of the value will go to the council and two thirds to the inspector.

If such a correction is carried out outside the inspector's workshop the interested party will pay a fee of 200,000mzm over and above the normal fee, and this will be divided in the same manner.

ARTICLE 281

Weights inferior to 50grammes are listed in the payment terms book but will not be marked with a letter and a mark. However when they are presented in an unacceptable state they will be made un-useable and returned to the owner.

ARTICLE 282

The interested parties may prefer that the inspection be carried out in their own premises in which case they will be required to give notice of this request and pay double the listed cost of the inspection. The inspector will receive 5,000mzm for each way on his trip to reach the location, though the trip will be considered as one when dealing with a number of instruments at the same establishment.

ARTICLE 283

All weights and measures as well as funnels and all other instruments must be in a state of complete inspection, for example funnels used in large machines must be shown in conjunction with them and must always be in the place where they should be. Fine of 400,000mzm

ARTICLE 285

Scales of the "Robervais" brand may only be used on an absolutely level surface. Fine of 400,000mzm

ARTICLE 286

When a funnel is equipped with a nozzle it must be moveable and the diameter of the nozzle may never exceed 55mm whatever the dimensions of the funnel. The nozzle must be perfectly straight or flat and the holes must not be blocked or re-drilled. Fine of 100,000mzm.

ARTICLE 287

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The opening of a funnel used in the sale of any type of liquid, oleaginous or otherwise must be of a conical shape.

Funnels of aluminium or glass are the only type which may be used. Fine of 400,000mzm.

ARTICLE 288

All weights and measures are marked with a special punch as a guarantee for the purchaser which does not exclude the necessity of having them inspected annually.

CHAPTER VII

MARKETS

ARTICLE 289

Markets in the city of Beira are governed by their own diploma and are considered municipal entities in all aspects.

CHAPTER VIII

CEMETERIES

ARTICLE 290

The burial of dead individuals in the city of Beira may only be done in the cemeteries or in areas authorised by the council

ARTICLE 291

The Cemeteries Service of the city is governed by its own regulations

CHAPTER IX

GARDENS, NURSERIES AND PLANT SALES

ARTICLE 292

Anyone who does not behave in such a way as to be evicted has the right to remain in the public gardens of the council.

Those who are drunk or who have some form of repugnant and evident illness may not remain in the public gardens.

ARTICLE 293

Those competent to forbid entry or to request the removal of persons from the gardens, and those whose orders must immediately be obeyed in respect to issues in the gardens are guards or officials, gardeners, directors, councillors, administrative authorities or PRM and their agents.

ARTICLE 294

The council may hold or authorise others to hold festivals in the gardens with paid or free entry and will be responsible for any damages caused.

When such festivals are not organised by the council and are not free and are not held for the purposes of charity the council has the right to 10% of the entry fees collected even if the space has been designated as an area for games or other public entertainments.

ARTICLE 295

No plant may leave the gardens or nurseries unless it is accompanied by a document passed by the person in charge of the garden or nursery. This document may be

- a) a receipt of purchase
- b) a permit when the plants are being loaned, or are being moved for use in another garden or public place.

ARTICLE 296

The loaning of plants for festivals and public parties may only take place with the permission of the president of the council or his representative.

ARTICLE 297

With the authorisation of the president of the council ornamental plants may be hired to bodies such as associations as well as to individuals for parties.

Damage caused to the pots, vases and plants is the responsibility of the person who loaned or hired them

ARTICLE 298

Those in charge of the public gardens and nurseries must always when asked give technical assistance in private gardens within the city

ARTICLE 299

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Any work undertaken for private persons in this way will be charged according to the table attached to this code and will be paid to the council

ARTICLE 300

Trees and plants provided for private gardens must also be paid for according to the same table.

ARTICLE 301

Requests must always be made in the form of a letter.

CHAPTER X SECTION I TRANSGRESSIONS AND FINES

ARTICLE 302

The following are competent to deal with transgressions of this code, functionaries of the council, the police and the sanitary authorities, while the application of fines is solely within the competence of the council and sanitary authorities.

ARTICLE 303

Of the fines applied half is given to the persons intervening in the transgression.

1. The halves of fines outlined above are given to each of those involved in the following way
 - a) 80% for the person administering the fine
 - b) 10% for the president of the council
 - c) 10% for the city finance director
2. Half of the tax of 10% of all the fines applied by the city inspectors is distributed among the permanent staff of the inspections department
 - a) 5% of the fine referred to in line a) of No. 1 of this article goes to the director of the respective area.
3.
 - a) All complaints over the management of this code must be directed to the president of the council and copied to the city finance director, and to the specific directorate to which the fine applies, after this there is no recourse.
 - b) In cases where the intervention of the president of the council is required the percentage due to him will rise to 50% as laid out in line b) of No. 1 of this article.
4.
 - a) None of those detailed in no's 1 and 2 of this article may receive from the product of fines than double the annual earnings of the president of the council
 - b) The fine applied for each transgression has a limit of double the monthly earnings of the president of the council.

ARTICLE 304

- 1) In order to pay the fine for a transgression, the transgressor must be informed in writing and will be given five days from the date of this advisory in which to pay the fine.
- 2) All fines will be given in triplicate having been numbered and stamped or recorded by the city finance director, in their own books. The duplicate must be returned to the city finance department within 24 hours.
- 3) Fines applied must be paid at the city council treasury department within the time stipulated on pain of the fine being returned to the inspectors department for an additional fine to be added.
- 4) The value of the fine corresponding to its division will be receipted into different accounts than the general council account and distributed at the beginning of the following month to the inspectors

ARTICLE 305

Fines are renewed indefinitely each time that they are not paid until they are paid.

Re-occurrence of the same transgression, unless specifically dealt with in this legislation are punishable by fines of the value of the original increased by 25%.

ARTICLE 306

In all cases the application of a fine does not exclude the payment of indemnity for damages caused.

ARTICLE 307

If the transgression is caused by more than one individual each one will receive a fine

ARTICLE 308

Infractions which do not have a specially listed penalty are penalised by a fine of between 100,000mzm and 300,000mzm in terms of the law in force.

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ARTICLE 309

Any individual fined in terms of the present law code is required not only to pay the fine for the transgression but also to purchase the relevant license, the lack of which caused the fine in the first place.

SECTION II

LICENSES

ARTICLE 310

Except in cases where it expressly specified otherwise in this code, all municipal licenses are initially requested in a letter directed to the president of the council.

ARTICLE 311

The concession of such licenses is made on payment of the taxes laid out as an annex to this code

ARTICLE 312

The renovation of licenses depends on the period of their validity. This requires the presentation of the previous license to the secretary of the council, independently of the letter written to request renovation.

ARTICLE 313

The renovation of a license will always be done from the date of the end of the previous license issued, though the new license must be requested within the valid time period of the previous license.

ARTICLE 314

The payment of license fees, for new licenses or renovations must be done within the first 15 days of the trimester, semester or year to which they apply.

Lack of payment implies a fine of double the value of the license

ARTICLE 315

Lack of renovation of the license unless it can be established as having been done by the council inspectors in the treasury of the council by examining the registers in front of two witnesses is considered as under legal proceedings.

CHAPTER XI

VARIOUS

ARTICLE 316

If the council, for some reason is unable to undertake a task using its own personnel, it may contract a company or other specialised in that area to undertake the task.

The council will present the account for such work which will then be covered by a municipal contribution if it is not carried out voluntarily

ARTICLE 317

All letters directed to the council will be written in Portuguese and have a notarised signature, with the exception of letters informing our denouncing others, notes etc. which do not require notarisation.

ARTICLE 318

The previous code and all previous municipal legislation in respect of this code are considered revoked as are any deliberations made up until the date of the current document.

ARTICLE 319

Any modifications made to this code are considered as an integral part of the same and will be inserted in the relevant places, assuming that these modifications are always made in order to substitute altered articles, suppress articles which are not useful or add material where necessary.

TABLE OF TAXES

TABLE A

TABLE OF LETTERS

Annual tax

1	For each letter painted in Portuguese or national language	50,000
2	Each letter painted in any foreign language	70,000

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3	Luminous signs of any type in commercial or industrial establishments or others	1,120,000
4	Announcements on cloth suspended over the road, not more than 1 metre in length for a period of not more than 8 days	175,000
5	Lit signs with notices attached to them (light boards)	300,000
6	Posters or signs advertising festivals which have no profit motive when placed on public streets. Per poster	300,000
7	Moveable letters, luminous announcements and posters outside a theatre or cinema whatever their number or size	560,000
8	Tablets or metal signs when attached to windows, mounted on exterior walls or on top of buildings	420,000
9	Awnings or sun shades when they cover the pavements or when they are suspended above or over the same pavement	140,000
10	Sandwich boards	700,000
11	Posters, notices or any type of announcement not covered by a fixed council tax, minimum charge:- Up to 15 letters Over 15 letters	420,000 700,000

TABLE B
FLAGS AND FLAG POLES
Annual tax

12	National	free
13	Foreign flags, except in the case of consulates, representations etc	490,000
14	Flags of specific establishments, agencies etc.	1,120,000

TABLE C
EXHIBITION OF ITEMS FOR SALE

15	In cases or glass boxes attached to the front of the establishment, for each one authorised	630,000
16	Suspended form the outside of the establishment	630,000
17	Attached to the pavement	1,400,000

LICENSES
ARTICLE 32

Licenses to cook in kiosks 499,995mzm

In relation to other taxes not covered in this code:-

ARTICLE 33

Sand tax (clay/mixed earth) 30,000mzm

1-10 years 500,000

11-25 years 750,000

25-50 years 1,000,000.

COMMERCE AND INDUSTRY
FIXED TAXES
LINEAR MEASURES

There follows a list of charges for different types of ruler or measure. The cost of each is 5,000mzm.

WEIGHTS

There follows a list of weights. The cost of each is between 5,000 and 4,500mzm

CAPACITY MEASURES FOR DRY AND LIQUID GOODS

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20-200 litres 24,000mzm
 1-10 litres 1,000mzm
 1 centilitre to 5 decilitres 9,000mzm
 Petrol, paraffin or food oil deposits with graded glass pipe 45,000mzm
 Scales 10,000mzm

VOLUME MEASURES

Metre cube	25,000
Half metre cube	25,000
Tax in terms of article 280 (verification of weights and measures)	30,000
Tax of sub paragraph of the same (calibration of same)	18,000
Site visit (in order to the above)	50,000

SMALL INDUSTRIAL LICENCES

Annual tax

Mill	150,000
Carpentry	150,000
Locksmith	180,000
Fridge shop (shop stocking refrigerated items)	250,000
Ice cream shop	150,000
Dairy	100,000
Mechanic shop	540,000
Stationers	150,000
Electro-domestic appliance repairs	150,000
Stereo repairs	120,000
Shoe repairs/cobbler	120,000
Sweet seller	100,000

URBAN SERVICES

Annual tax

Daily market stall tax 1,000mzm
 Rubbish tax
 a) Domestic 10,000mzm
 b) Commercial 50,000mzm
 c) Industrial 199,996.50mzm
 d) Restaurants and hotels 499,972mzm
 e) Services 50,000

THEATRES AND CINEMAS

a) City centre 1,200,000mzm
 b) Suburbs 1,000,000mzm

PLACING CHAIRS AND TABLES IN GARDENS, SQUARES ETC.

a) For each small table and 2 chairs 5,000mzm
 b) For each large table with 3 or 4 chairs 10,000mzm
 c) License for tents and umbrellas in gardens or squares 500,000mzm

CONSTRUCTION AND URBANISATION

INSCRIPTION AND RESPONSIBILITY OF TECHNICIANS

Inscription to be permitted to sign projects 500,000mzm
 Inscription to be permitted to sign projects and manage works 800,000mzm
 Registration of Term of Responsibility-works technician (paid in conjunction with the relevant license)
 1 month 15,000mzm
 3 months 17,500mzm
 6 months 20,000mzm
 12 months 150,000mzm

COMPANY AND PROJECT LICENSES

1) Single fixed tax

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- License up to 10,000,000mzm 1,500,000mzm
 - License up to 100,000,000mzm 3,000,000mzm
 - License over 100,000,000mzm 5,000,000mzm
- 2) Company license per project
- Up to 100,000,000mzm 50,000mzm
 - Over 100,000,000mzm over and above the maximum tax for each 10,000,000 or fraction thereof 100,000mzm
 - Works from 100,000,000 to 1,000,000,000, for each 100,000,000 or part thereof 250,000mzm
 - Over and above this value for each 1,000,000,000 or fraction thereof 400,000mzm

FOR THE CONCESSION OF A LICENSE TO CARRY OUT WORKS

Up to 15 days 2,500
Up to 1 month 4,500
Up to 90 days 14,500
Up to 180 days 27,000
Up to 12 months 40,000.

TAXES RELATED TO SURFACE AREA

- 1) Up to 100m² 300mzm
- 2) From 100-500m² over and above the previous tax, for each extra 10m² or part thereof 400mzm
- 3) From 500-1,000m² for each extra 20m² 300mzm
- 4) More than 1,000m² 300mzm
- 5) Dependent properties, out houses, garages and other constructions in gardens or yards per m² 30mzm

SPECIAL TAXES-OVER AND ABOVE THE PREVIOUS

- 1) For the study of construction projects for new buildings, or large alterations to existing buildings involving increasing the area by more than 25% 375,000mzm
- 2) For the study of any alteration project 225,000mzm
- 3) For the benefit of line 1 and 2 50% is calculated for "economic construction" which varies depending on size from 300mzm to 400mzm per m².
- 4) The construction of anything sticking out of the bottom of a building affecting municipal property up to 4m high 75,000mzm
- 5) Verandas etc which are higher than those in 4. per m² 15,000mzm
- 6) Iron work, burglar bars, walls. Per m² or fraction thereof 600mzm
- 7) For the above which is not next to the public road 3,000mzm
- 8) Construction of screens not for use as part of a construction site, per m² per year 1,500mzm
- 9) Opening, enlargement or closing of doors or windows on the exterior of a building 15,000mzm each
- 10) As above inside the building 7,500mzm each
- 11) Reform or alteration of façade per m² or fraction thereof 120mzm
- 12) Installation of lifts including motors 450,000mzm

OCCUPATION OF THE PUBLIC RIGHT OF WAY WITH GUARD RAILS OR SCREENS

- 1) Between 3,000 and 12,000 calculated on location and per metre every 30 days or part thereof
- 2) Covering buildings under construction by linear metre per trimester 36,000mzm
- 3) Any entrance or exit for vehicles or pedestrians obstructed by the above 200,000mzm
- 4) Screens covering waste collection points situated on the pavement per m² per month 4,000mzm

SCAFFOLDING

Per linear metre of public space occupied per month 7,500mzm

OCCUPYING THE RIGHT OF WAY OUTSIDE SCREENS OR GUARD RAILS

- 1) Chutes or pipes carrying debris from the site, each per 30 day period 12,000mzm
- 2) Skips, bins and deposits authorised for the works. Per m² per 30 days 7,500mzm

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- 3) Burying or passing above ground on or above the public right of way cables wires pipes for electricity, water, drainage etc. per linear metre per 30 days 7,500mzm

OCCUPATION OF MUNICIPAL LAND (WHEN PERMITTED)

Per m2 or fraction thereof per 30 days 2,200mzm

LICENCE TO INHABIT OR OCCUPY NEW BUILDINGS OR WORKS WHICH WILL INCREASE AREA OF BUILDING.

HABITATION

- 1) Building up to 100m2 surface area for habitation (cooking) 225,000mzm
- 2) For each 10m2 over and above this 15,000mzm
- 3) Dependent property etc. (used for cooking or living in) 60,000mzm

OCCUPATION AND USE

- 1) Buildings destined for commerce and industrial use, theatres, cinemas, hotels etc. Up to 100m2 paved surface area 300,000mzm
- 2) For every 10m2 over and above this 25,000mzm
- 3) Permanent exhibitions, garages, warehouses and grain stores. Up to 100m2 paved 375,000mzm
- 4) Each 10m2 over and above this 30,000mzm
- 5) Any other building destined for a less important use up to 50m2 surface 45,000mzm
- 6) Every subsequent 10m2 6,000mzm
- 7) Use of a pit 7,500mzm

FINAL INSPECTION CHARGES

- 1) License to obtain license for inhabiting buildings and occupying annexes
 - a) 1 cooker 150,000mzm
 - b) Each cooker over and above this 7,500mzm
- 2) Inspection to obtain a license to occupy buildings for temporary residence or any commercial or industrial purpose
 - a) Single storey building up to 200m2 450,000mzm
 - b) For each floor with area over 200m2 600,000mzm
 - c) Buildings with one floor but larger than 200m2 75,000mzm
- 3) Inspection of other unspecified works such as workers camps, dependencies, walls, drains, septic tanks etc.
 - a) One inspection for one work 45,000mzm
 - b) Inspection along with inspection of principal property-no charge.

VARIOUS TAXES

- 1) Study of pre-project 150,000mzm
- 2) Placement of rails only for factories situated near a railway line
 - For 15 days 45,000
 - For 30 days 90,000
 - For 6 months 300,000
- 3) For each septic tank 75,000
- 4) For the construction of each temporary shelter with construction materials designed to last for the period of the works in progress 45,000
- 5) Painting or improving the exterior of buildings with only one cooker 40,000
 - a) Buildings with more than one floor 40,000
- 6) Connection of drains
 - a) For each connection 300,000
 - b) For each linear metre which crosses the public right of way obliging the replacement of the paving 150,000
- 7) For any information requested relative to projects and approved plans 50,000

OPEN DOOR LICENSE

- 1) 21.00-24.00h 187,500mzm
- 2) 24.00-02.00h 375,000mzm
- 3) 02.00-06.00h 475,000mzm

FIRE TAX

2 per thousand.

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