

**SUBSIDIARY LEGISLATION**

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THE WATER RESOURCES MANAGEMENT ACT  
(CAP.331)

REGULATIONS

*(Made under section 95(e))*

THE WATER RESOURCES MANAGEMENT (CONTROL AND  
MANAGEMENT OF STORM WATER) REGULATIONS, 2018

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THE WATER RESOURCES MANAGEMENT (CONTROL AND MANAGEMENT OF  
STORM WATER) REGULATIONS, 2018

PART I  
PRELIMINARY PROVISIONS

- Citation                    1. These regulations may be cited as the Water Resources Management (Control and Management of Storm Water) Regulations, 2018.
- Application                2. These Regulation shall apply in relation to the control and management of storm water within municipal areas in order to minimize flood risks, damage and water pollution.
- Interpretation            3. In these Regulations unless the context otherwise requires:
- Cap.331                    “Act” means the Water Resources Management Act;
- Cap.288                    “municipal area” means town, City or Municipal as established under the Local Government(Urban Authorities) Act;
- “storm water” means water that originates during precipitation events in municipal areas,
- “storm water drainage ” means a channel, conduit, or any conveyance wherein storm water flow;
- “flood prone area” means river, stream, flood plain areas and channel which are likely to be affected by floods;
- “storm water regulatory areas” means river, stream, flood plain areas and channel where storm water flows;
- “water course” means a natural depression, slough, artificial channel, gulch, gorge, creek, pond, reservoir, or lake in which storm runoff and flood water flows;

Cap.272            “Water Authority” shall have the meaning as ascribed to it under the Water Supply and Sanitation Act,

- Objective            4. The objectives of these Regulations are:
- (a) to prohibit and restrict human activities which may cause blockage of water courses, flooding, flood damage and water pollution;
  - (b) to promote construction of flood controlling structures in municipal areas;
  - (c) to demolish any structure or works which have risks of causing floods, flood damage and water pollution; and
  - (d) to identify, map, demarcate and protect flood prone areas.

PART II  
FLOOD MITIGATION AND CONTROL

- Responsibilities of Basin Water Board            5. The Basin Water Boards in collaboration with other relevant. Authorities shall be responsible in:
- (a) monitoring and enforcement measures to control activities undertaken in the water course;
  - (b) promotion of rainwater harvesting technologies to reduce storm water runoff;
  - (c) delineation and describing areas that could be inundated by floods;
  - (d) prohibiting and restriction of human activities in storm water regulatory areas including installation of warning signs;
  - (e) demolition or removal of structures or works which have risks of causing floods or flood damage;
  - (f) identifying, maps and demarcate water course in municipal areas; and
  - (g) creating public awareness on flood control measures.

- Responsibilities of Water Authorities            6. The responsibilities of Water Authorities shall be to:
- (a) establish and ensure that sewerage systems is properly functioning;
  - (b) consult the relevant Basin Water Board in locating waste water treatment facilities to reduce risks of water pollution; and

- (c) ensure that Waste water treatment facilities are in place and functioning.

Responsibilities  
of Local  
Government  
Authorities  
Cap.191

7. The responsibilities of Local Government Authorities shall be:

- (a) to construct and maintain storm water drainage systems in municipal areas pursuant to the Environmental Management Act;
- (b) in consultation with relevant authorities, locate on site waste disposal system to reduce risks of pollution;
- (c) to ensure solid waste pick points and disposal areas which are located in flood prone areas do not cause pollution;
- (d) in consultation with Basin Water Boards, construct flood control structures in the flood prone areas;
- (e) in consultation with Basin Water Boards develop and implement plans for control and management of storm water;
- (f) in collaboration with Basin Water Boards, control sand mining and other human activities along flood prone areas; and
- (g) restrict human activities in flood regulatory areas.

### PART III STORM WATER REGULATORY AREA

Direction,  
Collection and  
Disposal of  
Storm Water

8.-(1) Storm water drainage in municipal areas shall be collected, disposed and directed to the storm water regulatory areas.

(2) Flood regulatory area maps shall be available for public inspection in respective local government offices and basin water offices.

### PART IV OFFENCES

Blocking of  
storm water  
drainage

9.-(1) A person who blocks or allow blockage of storm water drainage or water course commits an offence and upon conviction shall be liable for a fine not less than five hundred thousand shillings or imprisonment for a term not less than six months and not exceeding twenty four months or to both.

(2) In addition to the penalties under subregulation (1), the Court may make an order to restore the storm water drainage to its original position.

Unlawful disposal of solid waste or discharge of waste water in storm water drainage or water course

10. A person who unlawfully dispose solid waste or discharge waste water into the storm water drainage or water course commits an offence and upon conviction shall be liable to a fine not less than one hundred thousand shillings or imprisonment for a term not exceeding six months or to both.

Damaging of storm water drainage

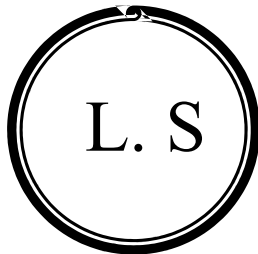
11. A person who unlawfully damages storm water drainage commits an offence and upon conviction shall be liable for a fine not less than five hundred thousand shillings or imprisonment for to a term not exceeding six months or to both.

Powers to make additional costs

12. In addition to the penalties under these Regulations, the Court may make an order for costs.

Compounding of Offences

13. The Basin Water Board shall have power to compound offences under these Regulations pursuant to section 104 of the Act.



Dodoma,  
14<sup>th</sup> March, 2018

ISACK A. KAMWELWE,  
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