

Repair of private streets

prohibited by section 213 or the irrigation of land in any specific manner in any area within the Municipality is a nuisance, they may prohibit such method of cultivation, the use of storing or method of preparing or dealing with such manure or such manner of irrigation within such area or may regulate it by imposing such conditions thereon as may prevent the nuisance.

Notice.

(2) Notice of such prohibition or conditions shall be published in the *Gazette* and copies of such notice in Malay, Chinese and Tamil shall be posted at such places within the area as are sufficient to affect the occupiers with notice of such prohibition or conditions; provided that the absence of such posting or the failure to prove the same shall not constitute a defence.

Penalty.

(3) The owner and occupier of any land upon which any method of cultivation, any kind of manure or any manner of irrigation is used in disregard of any such prohibition or conditions shall both be liable to a fine not exceeding fifty dollars and to a further fine of twenty-five dollars for every day during which the offence is continued and on a second conviction to like fines or to imprisonment of either description for a term which may extend to six months.

Latrines, etc.

Latrines.

215.—(1) The Commissioners shall provide and maintain in proper and convenient situations so as not to create a nuisance, common water-closets, latrines and urinals and shall cause the same to be kept in proper order and to be daily cleansed.

Licences.

(2) The Commissioners may license latrines for public use for such periods and on payment of such fees as they think fit.

Privies.

216.—(1) If the Commissioners are of opinion that any water-closets, privy, privies or additional water-closets, privy or privies are necessary to be attached to or provided for any house, building or land, they may by notice in writing require the owner thereof within fourteen days after notice to construct such water-closets, privy or privies as they think fit.

Power to require privies, etc., to be constructed.

(2) The Commissioners may by notice in writing require any person employing workmen, labourers or other persons exceeding twenty in number in any one

Amend section of section 213 and insert "Regular of street may be prescribed" L.P. 298/09

Commissioners may take possession of land with regular

Commissioners may take possession of land not built

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place to construct, within fourteen days from such notice such water-closets, privies and urinals as to them seem fit.

(3) If any notice given under subsection (1) or (2) is not complied with, the person to whom it is addressed shall be liable to a fine not exceeding twenty dollars and to a fine not exceeding ten dollars for every day during which such notice is not complied with, and a Police Court may, on the application of the Commissioners, make a mandatory order, requiring such person to construct such water-closet or water-closets, privy or privies, latrine or latrines as the Court thinks fit.

Penalty.

217.—(1) Every person shall cause every water-closet, privy, latrine or urinal on the premises in his occupation to be kept clean and to be emptied and cleansed as often and in such manner as is prescribed by the Commissioners.

Privies to be kept clean.

(2) Any person who neglects to keep any such water-closet, urinal, privy or latrine in his occupation clean or to cause the same to be emptied and cleansed as prescribed shall be liable to a fine not exceeding five dollars for the first offence and ten dollars for each subsequent offence, and the water-closet, urinal, privy or latrine shall be deemed to be a nuisance liable to be dealt with summarily under this Ordinance.

Penalty.

218.—(1) The owner or occupier of any house, building or land having a privy, latrine, urinal, water-closet or bath on his premises shall have such privy, latrine, urinal, water-closet or bath shut out by a sufficient roof, wall or fence from the view of persons passing by or residing in the neighbourhood.

Neglecting to enclose private privy.

(2) No owner or occupier shall keep any privy or latrine open or with a door or trap-door opening on any street.

(3) Any owner or occupier who omits to comply with or commits any breach of any of the provisions of this section shall be liable to a fine not exceeding five dollars a day for each day of default or breach.

Penalty.

(4) The Commissioners may in their discretion permit the continuance for such time as they think fit of any such privy or latrine open or with a door or trap-door opening on to any street where such privy or latrine already exists and does not create a nuisance.

Proviso.

Repair of private sewers.

Drains, etc., to be kept in order at cost of owners.

219.—(1) All sewers, drains, privies, cesspools, septic or other tanks, latrines, urinals, water-closets, sinks, baths or lavatories or any appurtenances thereof, shall be altered, repaired and kept in proper order at the cost and charges of the owners of the land and buildings to which the same belong or for the use of which they are maintained.

If owners neglect to keep drains, etc., in good order Police Court may cause the same to be done at owner's expense.

(2) If the owner of any land or building to which any sewer, drain, privy, cesspool, septic or other tank, latrine, urinal, water-closet, sink, bath or lavatory or any appurtenances thereof belongs neglects after notice in writing for that purpose to alter, repair or put the same in good order in the manner required by the Commissioners, and within the time specified in the notice, a Police Court may, on the application of the Commissioners, make a mandatory order, requiring him to alter, repair and put the same in good order as required by the Commissioners.

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Penalty for persons making or altering drains, etc., contrary to the provisions of the Ordinance.

- (4) (3) Any person who—
 - (a) has constructed any sewer, drain, privy, cesspool, septic or other tank, latrine, urinal, water-closet, sink, bath or lavatory or any appurtenances thereof, contrary to this Ordinance or any by-laws made thereunder or contrary to the Ordinance or by-laws in force at the time of its construction; or
 - (b) without the consent of the Commissioners constructs any new sewer, drain, privy, cesspool, septic or other tank, latrine, urinal, water-closet, sink, bath or lavatory or any appurtenances thereof; or
 - (c) constructs, re-builds or unstops any sewer, drain, privy, cesspool, septic or other tank, latrine, urinal, water-closet, sink, bath or lavatory or any appurtenances thereof, which has been ordered by the Commissioners to be demolished or stopped up or not to be made;

shall be liable to a fine not exceeding fifty dollars.

(5) (4) (a) The Commissioners may in their discretion resolve to take over the control, supervision, maintenance and repair of private septic tanks or other sewage purification plants to such extent as they may by by-law provide

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and may charge fees therefor. Any such resolution may from time to time be varied or rescinded.

- (b) Such fees shall be payable by the person to whom such septic tank or other sewage purification plant belongs and may be recovered in the same manner as taxes under this Ordinance.
- (c) The Commissioners may make by-laws prescribing the extent to which they shall take over such control, supervision, maintenance and repair and for the regulation thereof and prescribing the fees to be charged.

[Subsection added by Ordinance 11 of 1932, S. 20.]

220.--(1) The President or any officer appointed by him for that purpose may inspect any sewer, drain, privy, cesspool, septic or other tank, latrine, urinal, water-closet, sink, bath or lavatory or any appurtenances thereof within the Municipality, and for that purpose at any time may enter upon any lands and buildings with such assistants and workmen as are necessary and cause the ground to be opened where such President or officer thinks fit, doing as little damage as may be.

Inspection of drains and privies.

(2) If upon such inspection it appears that the sewer, drain, privy, cesspool, septic or other tank, latrine, urinal, water-closet, sink, bath or lavatory or any appurtenances thereof is not in good order and condition or that it has been constructed contrary to this Ordinance or any by-laws made thereunder or contrary to the Ordinance or by-laws in force at the time of its construction, the expenses of such inspection shall be paid by the person to whom such sewer, drain, privy, cesspool, septic or other tank, latrine, urinal, water-closet, sink, bath or lavatory or any appurtenances thereof belongs and shall be recoverable as hereinafter provided.

At the instance of the Council

(3) If such sewer, drain, privy, cesspool, septic or other tank, latrine, urinal, water-closet, sink, bath or lavatory or any appurtenances thereof is found to be in proper order and condition and not to have been constructed in violation of such provisions as aforesaid, the ground shall be closed and made good as soon as may be, and the expenses of the opening,

closing and making good such sewer, drain, privy, cesspool, septic or other tank, latrine, urinal, water-closet, sink, bath or lavatory or any appurtenances thereof shall in that case be defrayed by the Commissioners.

(4) No entry shall be made under this section into any dwelling house in actual occupation unless with the consent of the occupier without six hours' previous notice to such occupier.

Pollution of Streams.

Committing nuisance in streams.

221. Any person, who commits a nuisance or deposits any filth in any stream, channel or water-course or upon the bank of any stream, channel or water-course within the municipal limits shall be liable to a fine not exceeding ten dollars.

Pollution of streams with trade refuse, etc.

222. Any person who within the limits of a Municipality—

- (a) puts or causes to be put or to fall or flow or knowingly permits to be put or to fall or to flow or to be carried into any stream, so as either singly or in combination with other acts of the same or any other person to interfere with its due flow or to pollute its waters, the solid or liquid refuse of any manufactory, manufacturing process or quarry or any rubbish or cinders or any other waste or any putrid matter; or
- (b) causes to fall or flow or knowingly permits to fall or flow or to be carried into any stream any solid or liquid sewage matter; or
- (c) uses for the purposes of carrying on therein the trade of dhoby or washerman any stream, ditch, water-course, pool, pond or tank which the Commissioners have prohibited from being so used;

shall be deemed to be guilty of causing a nuisance liable to be dealt with summarily under this Ordinance.

Removal of Night-soil, etc., from Private Premises.

Penalty on occupier of house not removing the filth.

223.—(1) Any occupier of any house or premises who keeps or allows to be kept for more than forty-eight hours, or otherwise than in some proper receptacle, so as to be a nuisance to his neighbours, any dirt, dung, bones, ashes, night soil, filth or any noxious or

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Repair of private streets.

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offensive matter in any part of such premises or house, or suffers such receptacle to be in a filthy or noxious state, or neglects to employ proper means to remove the filth therefrom and to cleanse and purify the same, shall be liable to a fine not exceeding twenty-five dollars and to a fine not exceeding five dollars for every day during which the offence is continued.

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(2) The cause of the nuisance may be removed by the Commissioners who may recover the expenses thereby incurred from the occupier or owner of the house or premises *in the manner and also*

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224.—(1) The Commissioners may cause any number of moveable or fixed dust-boxes or other convenient receptacles wherein dust, dirt, ashes and rubbish may be temporarily deposited to be provided and placed in proper and convenient situations, or carts to go round at stated hours to receive the same.

Dust-boxes in streets.

(2) Any person who after such receptacles or carts have been provided deposits or causes or permits to be deposited any such matter in any street except in such receptacles or carts shall be liable to a fine not exceeding ten dollars.

Penalty.

20, 15, 15

(3) No dung or trade or garden or stable refuse shall be deposited in any such receptacle or cart as aforesaid.

Dung, etc., not to be put into dust-boxes.

(4) Any person who deposits or causes or permits to be deposited any dung or trade or garden or stable refuse in any such receptacle or cart as aforesaid shall be liable to a fine not exceeding ten dollars.

Penalty.

(5) The Commissioners may also, at any time, apply to all houses, lands, buildings and other erections within such area or areas as are from time to time defined by them for this purpose any system which they think fit for the collection and removal of dust, dirt, ashes, refuse, offal and all other rubbish from such houses, lands, buildings and other erections; and may make regulations for—

Application of systems for removal of dust, etc.

- (a) the provision of suitable receptacles for the reception of such dust, dirt, ashes and other things from private premises;
- (b) the removal of such dust, dirt, ashes and other things from such premises by the servants of the Commissioners;

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(c) prescribing the fees to be charged in respect of such removal, such fees to be payable by the occupier of the premises in respect of which they are due and to be recoverable in the same manner as municipal taxes are recoverable under this Ordinance;

(d) any other purpose which in the opinion of the Commissioners is necessary for the better carrying into effect of this section.

Offences.

(6) Any person shall be guilty of an offence under this Ordinance who within any area in which any such system as in subsection (5) mentioned has been applied—

(a) disposes of any dust, dirt, ashes, refuse, offal or rubbish otherwise than in accordance with the regulations in force for the carrying out of such system; or

(b) commits any breach of any such regulations.

Proviso.

(7) Before any such system is applied to any area under this section one month's previous notice thereof shall be served on the occupier of every house or other building within the area to which such system is to be applied.

Scavenging
of private
premises.

225.—(1) Notice may be given by the Commissioners to any person carrying on a trade, manufacture or business or occupying any stable, cattle-shed or place for keeping sheep, goats, swine or poultry within the municipal limits, requiring the periodical removal of trade or stable refuse.

Penalty.

(2) Any person to whom such notice is given and who fails to comply with it shall be liable without further notice to a fine not exceeding ten dollars for each day during which such non-compliance continues.

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Commis-
sioners may
contract for
removal.

(3) The Commissioners may contract with any person for removing any dung, urine, trade, stable or garden refuse from his premises upon such terms and conditions and for such periods as the Commissioners think fit.

(4) The amount due by any contracting person to the Commissioners may be recovered as though it were a tax leviable under this Ordinance.

How disputes
to be dealt
with.

(5) If any dispute or difference of opinion arises between the person to whom such a notice as is mentioned in subsection (1) has been given and the Commissioners

MUNICIPAL.

as to what is to be considered as trade or stable refuse, a Police Court on complaint made by either party may by order determine whether the subject matter in dispute is or is not trade or stable refuse, as the case may be, and the decision of such Court shall be final.

226.—(1) The Commissioners may fix the hours within which only it shall be lawful to collect and remove any night-soil, decaying fish, decaying rice or other such offensive matter and, when so fixed, shall give notice thereof in the *Gazette* and one local newspaper in the Municipality.

Removal of
night-soil.

(2) Any person who—

Penalties.

- (a) removes or causes to be removed along any street any such offensive matter at any time except within the hours so fixed; or
- (b) at any time, whether such hours have been fixed by the Commissioners or not, uses for any such purpose any cart, carriage or other receptacle or vessel not having a covering proper for preventing the escape of the contents thereof or of the stench therefrom; or
- (c) stops or spills any such offensive matter in the removal thereof; or
- (d) does not carefully sweep and clean every place in which any such offensive matter has been stopped or spilled; or
- (e) places or sets down in any public place any vessel containing such offensive matter; or
- (f) removes any offensive matter in any cart from any place other than the places provided for the deposit of night-soil or other offensive matter; or
- (g) drives or takes or causes to be driven or taken any cart, carriage, receptacle or vessel used for any such purpose as aforesaid through or by any street or route other than such as is appointed for that purpose by the Commissioners by notice in the *Gazette* as aforesaid;

shall be liable to a fine not exceeding ^{five} ~~twenty-five~~ dollars.

(3) Any person found committing an offence under this section may be arrested without warrant.

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Place of deposit for filth.

227.—(1) The Commissioners shall provide places convenient for the deposit of night soil, dung and other filth and the dust, dirt, ashes and rubbish and filth collected and removed under the authority of this Ordinance.

(2) No such dust, dirt, ashes, rubbish, night-soil, dung and other filth collected and removed under the authority of this Ordinance shall be deposited in any place so as to become a public nuisance.

All rubbish, etc., collected to be the property of Commissioners.

228.—(1) All dirt, dust, ashes, rubbish, sewage, soil, dung, filth, and trade, garden and stable refuse collected by the servants or contractors of the Commissioners from streets, houses, privies, sewers and cesspools shall be the property of the Commissioners who may sell or dispose of the same as they think proper.

(2) The money arising therefrom shall be paid to the credit of the Municipal Fund.

Removal of Sewage.

A system of sewage removal may be applied to a certain area.

229. The Commissioners may at any time apply any system of sewage removal to such houses, lands, buildings and tenements as are within such area or areas as are defined by them for that purpose.

Regulations.

230.—(1) For the purpose of the removal of night soil in any area, the Commissioners may make regulations for— [Amended by Ordinance 8 of 1927, S. 13.]

- (a) the reconstruction and re-arrangement of latrines within such area;
- (b) the entry into all houses and buildings within such area daily at proper times by the agents and servants of the Commissioners for the purpose of collecting and removing night-soil;
- (c) the supply of pails and other utensils for the reception and removal of such night-soil and recovering the cost of supplying, renewing and repairing such pails and other utensils;
- (d) the safe custody, preservation and proper use of such pails and utensils by the inhabitants of the houses within such area.

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Repair of private streets

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(2) In lieu of a rate for removal of night soil the Commissioners may, where no such rate exists, charge fees for the same.

Fee may be charged instead of rate. 27

(3) The fees charged for the removal of night soil shall be such fees as are prescribed by the Commissioners.

Scale of fees. 28

(4) Such fees shall be payable by the occupier of the premises from which the night soil is removed and may be recovered in the same manner as taxes are recoverable under this Ordinance.

Occupiers of the houses etc. 29

231. Any person who within any area to which such system has been applied

Offences. 29

(a) disposes of any night-soil otherwise than in accordance with the regulations without the consent of the Commissioners; or

(b) commits any breach of the regulations;

shall be guilty of an offence under this Ordinance:

Provided always that at least one month before the application of any system of sewage removal to any area under this Ordinance, notice thereof shall be served at every dwelling-house within the area either by delivery of such notice to an inmate of such house or by affixing the same to some part of the premises and such notice shall be published in the Gazette.

for the collection etc. 30

232.—(1) Any servant of the Commissioners employed under a contract for any period not less than a month to remove or otherwise deal with night soil or other offensive matter who without the permission of the Commissioners withdraws from his duties shall, unless he has given notice not less than one month previously of his intention so to withdraw, be punished with imprisonment for a term which may extend to three months or with fine not exceeding fifty dollars and shall forfeit any wages due to him.

Penalty for certain servants of Commissioners withdrawing from work. 31

Oct. 65/53

(2) For the purposes of this section a servant of a contractor who is employed by the Commissioners shall be deemed to be a servant of the Commissioners.

Interpretation. 32

Insanitary Premises.

233.—(1) Any owner, occupier or tenant of any house, building or land, whether tenantable or otherwise, who suffers the same or any part thereof to be in a filthy and unwholesome state or overgrown with

Filthy houses, etc. 33

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rank or noisome vegetation, shall be liable to a fine not exceeding ~~twenty-five~~ ^{five} dollars and to a fine not exceeding ~~five~~ ^{five} dollars for every day after conviction for such offence during which the offence is continued.

(2) Such house, building or land shall be deemed to be a nuisance liable to be summarily dealt with under this Ordinance.

Power to enter and cleanse houses and buildings.

234.—(1) The President or Health Officer may, at any time between sunrise and sunset by himself or by any municipal officer generally authorized by the President in that behalf in writing, enter into and inspect all houses and buildings and by an order in writing direct the occupier to cause all or any part to be ~~forthwith~~ internally and externally limewashed or otherwise cleansed for sanitary reasons and, if necessary, disinfected and all dirt or rubbish removed or collected and burnt on the premises.

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(2) In the case of common lodging-houses, such entry and inspection may be made at any time of the day or night.

Penalty.

(3) If such order is not complied with within ~~three~~ ^{three} days, the occupier shall be liable to a fine not exceeding ~~twenty~~ ^{twenty} dollars and to a further fine not exceeding ~~five~~ ^{five} dollars for each day after conviction until the order is complied with.

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Previous notice to be given in some cases.

(4) No entry shall be made under this section into any dwelling-house in actual occupation, not being a common lodging-house or jinrikisha depôt, unless with the consent of the occupier, without six hours' previous notice to such occupier.

Destruction of rats and mice.

235.—(1) When the Health Officer is of opinion that any premises are so infested with rats, mice or other vermin as to be a danger to the health of the persons in the house or of the community, he may serve notice on the owner or occupier of such premises, calling upon him to take such measures as the Commissioners consider necessary for the destruction of such rats, mice or other vermin and for the removal of their breeding places and for preventing their reappearance.

Penalty.

(2) Any owner or occupier who does not comply with such notice within ~~seven~~ ^{seven} days shall be liable to a fine not exceeding ~~twenty-five~~ ^{twenty-five} dollars and a further