



assent.

*[Handwritten signature]*

Governor.

22nd. March, 1929.

# BRITISH GUIANA.

[THE LEGISLATIVE COUNCIL.]

ORDINANCE NO. 19 OF 1929.

AN ORDINANCE to provide for the completion of the construction of the Sewerage Works of Georgetown; to establish a body of Commissioners to control, maintain and manage the Sewerage System and the Waterworks of Georgetown, and to provide for the maintenance thereof.

A.D. 1929.

**BE** it enacted by the Governor of British Guiana, with the advice and consent of the Legislative Council thereof, as follows:—

1. This Ordinance may be cited as the Georgetown Sewerage and Water Ordinance, 1929. Short Title.

2. In this Ordinance, unless the context otherwise requires, the following expressions shall have the meanings hereby assigned them:— Interpretation of terms.

- “Georgetown” means the City of Georgetown as defined by the Georgetown Town Council Ordinance, 1918, or any Ordinance in amendment of or substituted for the same;
- “The Council” means the Mayor and Town Council of Georgetown;

- "The Mayor" and "the Deputy Mayor" mean the Mayor and the Deputy Mayor of Georgetown respectively ;
- "Commissioners" means the body of Commissioners constituted by this Ordinance ;
- "Building" means any hotel, store, shop, office, factory, out-house, shed or other building whether or not used for or in relation to human habitation ;
- "Owner" means the person for the time being receiving the rent of the land or premises in connection with which the word is used, whether on his own account or as agent or trustee for any other person, or who would so receive the same if such land or premises were let ;
- "Engineer" means the Chief Engineer employed by the Commissioners ;
- "City Engineer" means the City Engineer appointed by the Council ;
- "Town Clerk" means the Town Clerk of Georgetown.
- "Medical Officer of Health" means the Medical Officer of Health appointed by the Council ;
- "Prescribed" means prescribed by Regulations under this Ordinance ;
- "Sewerage system" means the system of sewers (not extending beyond the inspection chamber nearest to the street) which have been and shall hereafter be constructed by which the sewage of Georgetown or of any part thereof is or is intended to be conveyed and disposed of, and includes all buildings, pumps, machinery, appliances and accessories used, employed or operated in connection with the sewerage system ;
- "Sewerage works" means main drainage sewers in the streets of Georgetown, collecting sewers and house-sewers and works or appliances of every kind forming part of the construction of the aforesaid sewers or necessary accessory or incidental thereto ;
- "Sewage" includes the wastes of animal life other than stable manure, the drainings of stable water discharged from sinks, basins, baths and all other water which has been used for domestic purposes or in any industrial processes and all waste water
- "Soil pipe" means the pipe forming the connection between a water-closet and the house-sewer and includes all necessary appliances ;
- "House-sewer" means any drain or pipe for the drainage of the sewage from any house or building, its areas, water-closets, baths, offices and stables to a street sewer or to a collecting sewer, and includes gully traps, sinks, approved traps and other accessories ;



- “Collecting sewer” means the common drain into which is discharged the sewage from two or more premises and which conveys such sewage to a street sewer and includes all appliances and accessories thereto ;
- “Collecting sewer system” means a collecting sewer together with all the house-sewers by which sewage is conveyed into the collecting sewer.
- “Water-closet” includes the necessary pan, supporting base, fitting, cisterns and other flushing arrangements, soil pipe and ventilation shaft and any other connection usually used for collecting and conveying sewage from one place to another but shall not include the enclosing structure :
- “Waterworks” includes all pipes, mains, canals, weirs, buildings, erections, pumps and machinery, appliances and works used or intended to be used for or in connection with the supply for domestic purposes of water to Georgetown, but does not include service-pipes ;
- “Service-pipe” means any pipe from the service stop-cock with the necessary appliances and accessories laid for the supply of water to private premises ;
- “Improvement works” means the sewerage system and the waterworks.

## PART I.

## CONSTRUCTION OF SEWERAGE WORKS.

## 3. It shall be lawful for the Governor

- (a) to cause to be constructed such underground main drainage sewers in the streets of Georgetown, collecting sewers and house-sewers as shall be necessary to complete the construction of the sewerage works of Georgetown and for the conveyance and disposal of the sewage thereof ;
- (b) to cause to be laid down, installed, erected and constructed all such works, pumps, machinery, appliances and accessories as may be requisite for the effective operation and working of the sewerage system and for the proper conveyance and disposal of the sewage of Georgetown ;
- (c) to employ a Resident Engineer who shall be the officer in charge of and responsible for the construction of the works mentioned in paragraphs (a) and (b) of this section :
- (d) to employ all such engineers, superintendents, officers, tradesmen, workmen and labourers and to enter into such contracts in or about the works as may be deemed necessary or expedient.

Power to  
Governor to  
cause sewer-  
age works to  
be construct-  
ed.

## 4.—(1) For the purposes mentioned in section three the Resident Engineer

- (a) may break up the surface of the streets of Georgetown or any of them and temporarily close the whole or any part of any street or streets against wheeled or any traffic for

Powers of  
Resident  
Engineer.

such period as may be necessary, after giving seven days notice to the City Engineer of his intention so to do ;

(b.) may enter or cause to be entered any premises, examine the same and construct such house-sewers and collecting sewers as he may consider necessary.

(2) The Resident Engineer shall restore any street which has been broken up to the satisfaction of the Council.

Georgetown to be divided into sewerage areas.

5.—(1) The Resident Engineer may divide Georgetown into separate sewerage areas for the purpose of constructing the sewerage works within each area.

(2) The Resident Engineer before commencing the sewerage works in any such area shall prepare a plan thereof and give the prescribed notice of the said area and the plan.

Council to enforce construction of water-closets in each area.

6.—(1) When the sewerage works within any area shall have been completed the Resident Engineer shall give notice thereof to the Colonial Secretary and the Colonial Secretary shall thereupon give notice of such completion to the Council.

(2) On receipt of notice as aforesaid from the Colonial Secretary the Council shall give notice by advertisement or otherwise to the owner of every house, building or premises within such area requiring him to construct and instal such water-closet or water-closets as may be directed by the City Engineer and to connect such water-closet by means of a soil pipe to the house-sewer on the premises.

(3) The Council shall have power to enforce the construction by the owner of the works mentioned in sub-section (2) of this section and in default of construction by the owner it shall be lawful for the City Engineer and any officer or servant of the Council authorised by him to enter on such house, building or premises and to construct the said works and do such other work in relation thereto as shall be in his opinion necessary.

Retrospective effect of Ordinance.

7. The powers contained in this part of this Ordinance shall be deemed to have been hitherto in existence for all purposes and all acts done and things performed prior to the commencement of this Ordinance under the authority of the Governor and Resident Engineer in relation to and in the construction of the sewerage works and collecting sewers and house-sewers and in relation to the collection, conveyance and disposal of the sewage of Georgetown shall be deemed to have been done under the authority of this Ordinance.

## PART II.

### CONSTITUTION OF COMMISSIONERS.

Establishment of Georgetown Sewerage and Water Commissioners.

8. There shall be constituted a body of Commissioners as herein provided which shall be a body corporate by the name and style of "The Georgetown Sewerage and Water Commissioners," and which may sue and be sued in its corporate name.



9.—(1) The Commissioners shall consist of:—

Constitution  
of Commis-  
sioners.

(a) six persons to be appointed by the Governor-in-Council, of whom one at least shall be an elected member of the Council, and

(b) the Mayor of Georgetown for the time being.

(2) Appointed Commissioners shall hold office for two years, but shall be eligible for re-appointment.

(3) The Governor shall appoint a Commissioner to be Chairman of the Commissioners and he shall hold office for not more than two years and shall be eligible for re-appointment. The Chairman shall preside at meetings of the Commissioners; in the absence of the Chairman from a meeting the Commissioners present may elect one of their number to be Chairman of the meeting.

(4) The Chairman of a meeting shall have an original and a casting vote.

(5) Three Commissioners present at a meeting shall form a quorum.

(6) The Governor may at any time revoke the appointment of the Chairman and the Governor-in-Council the appointment of an appointed Commissioner.

(7) An appointed Commissioner shall vacate his office—

(a) if he resigns in writing addressed to the Colonial Secretary, or

(b) if he departs from the Colony without the leave of the Governor, or remains out of the Colony after the expiration of his leave, or

(c) if he fails without reasonable excuse (the sufficiency whereof shall be determined by the Governor-in-Council) to attend three consecutive meetings of the Commissioners.

(8) The Governor-in-Council may at any time appoint some person to be a Commissioner—

(a) for the unexpired period of the office of an appointed Commissioner who shall die or vacate his office, and

(b) for the period of any leave granted to a Commissioner.

(9) Where the Mayor is absent on leave from the performance of his duties as Mayor his place shall be taken by the Deputy Mayor.

(10) The Commissioners shall not be disqualified from transacting any business by reason of any vacancy among the members thereof.

(11) There shall be at least one meeting of the Commissioners in every month.

(12) The Commissioners shall keep proper minutes of their proceedings.

10.—(1) The Town Clerk of Georgetown or such other person as the Governor-in-Council may appoint shall be the Secretary of the Commissioners (hereinafter referred to as "the Secretary").

Secretary to  
the Commis-  
sioners.  
Other  
officers

(2) The Commissioners may employ engineers, officers, clerks, and may from time to time employ workmen and labourers.

(3) The approval of the Governor-in-Council shall be necessary for the employment or dismissal of any officer whose salary is or is above two thousand dollars a year. Every other person employed by the Commissioners shall be removable from office by the Commissioners.

IMPROVEMENT WORKS VESTED IN AND CONTROLLED BY COMMISSIONERS.

Georgetown  
sewerage  
system  
vested in  
Commis-  
sioners.

11. The sewerage system of Georgetown is hereby vested in the Commissioners who shall have the care, inspection, maintenance, repair, working and management of the sewerage system.

Waterworks  
vested in  
Commis-  
sioners.

12. The waterworks of Georgetown shall vest in the Commissioners who shall have the care, inspection, maintenance, repair, working and management of the said waterworks.

Commission-  
ers to hold  
works in  
trust George-  
town.

13. The Commissioners shall hold the sewerage system and the waterworks in trust for the inhabitants of Georgetown.

Pressure of  
water at  
Waterworks.

14. The Commissioners shall keep water in the Waterworks at such pressure as will convey the water to the top storey of the highest dwelling-house in Georgetown.

MAINTENANCE OF COLLECTING SEWERS, HOUSE-SEWERS AND SERVICE-PIPES.

Town  
Council to  
enforce con-  
struction of  
water-  
closets.

15.—(1) When the Resident Engineer has given notice of a sewerage area under section five of this Ordinance before any persons shall construct or re-construct any house or building on any premises within such area he shall first submit the plan of such house or building to the Council.

(2) No house or building shall be constructed or re-constructed in any sewerage area after the commencement of this Ordinance unless the Council shall have first approved of the plan of the water-closet or water-closets, their connection with the house-sewer, the house-sewer and any alteration or extension of any house-sewer already constructed.

(3) The situation, dimensions, materials, construction and appliances of every such water-closet and sewer shall be subject to the approval of the City Engineer.

Control of  
house-sewers  
closets, etc.

16. All house-sewers in private property, water-closets, soil pipes and service-pipes shall be under the survey and control of the Council, and shall be re-constructed, altered, repaired and kept in proper order by the Council at the expense of the owners or occupiers of the premises to which the same belong or for the use of which they are constructed.

Control and  
maintenance  
of collecting  
sewers.

17. All collecting sewers (not forming part of the sewerage system) shall be under the survey, management and control of the Council and shall be re-constructed, altered, repaired and kept in proper order by the Council, and any expense incurred by the



Council in the performance of such duties shall be charged on and recoverable by the Council from the owners or occupiers of those houses, buildings or premises the house-sewers from which are connected to such collecting sewers in proportion to the number of points at which sewage is taken into the system from the houses, buildings and premises of each owner.

18. The City Engineer or any person appointed by the Council either generally or specially, may inspect any collecting sewer, house-sewer, water-closet or service-pipe and for that purpose, at all reasonable times in the day without any notice may enter upon any lands, houses or buildings with such assistants and workmen as may be necessary, and may cause the ground to be opened where he thinks fit, doing as little damage as may be, and if such service-pipe, collecting sewer or house-sewer be found to be in proper order and condition, he shall cause the ground to be closed and made good as soon as may be, and the expenses thereof shall be defrayed by the Council.

Inspection of service-pipes, collecting sewers, &c.

19. If any such house-sewer, water-closet or service-pipe be found to be in bad condition or to require alteration or repair the City Engineer shall execute such works, and the Council may recover from the owner the expenses incurred in so doing.

Execution of repairs.

20. All collecting sewers, house-sewers, water-closets and service-pipes shall also be subject to inspection by the Medical Officer of Health, Sanitary Inspectors and any other officer appointed by the Council who shall co-operate with the City Engineer to the end that the said collecting sewers, house-sewers, water-closets and service-pipes shall be kept in proper condition.

Inspection by officers of Council.

### PART III.

#### FINANCIAL.

##### *Payment of cost of construction of house sewers and collecting sewers.*

21.—(1) Four-fifths of the expenses which have been or shall be incurred by the Resident Engineer in the laying and construction of any house-sewer (not part of a collecting sewer system) and of the requisite appliances and accessories shall be a debt due and be paid to the Council by the owner of the house, building or premises in respect of which such house-sewer is laid and constructed.

Payment of cost of house-sewers and collecting sewers.

(2) Four-fifths of the expenses which have been or shall be incurred by the Resident Engineer in the laying and construction of any collecting sewer system shall be a debt due and be paid to the Council by the owners of those houses, buildings and premises from which sewage is conveyed into the collecting sewer in proportion to the number of points at which sewage is taken into the system from the houses, buildings and premises of each owner.

(3) Payment of expenses under sub-sections (1) and (2) shall not be demanded until the amount has been ascertained and certified by a Board to be appointed by the Governor-in-Council.

(4) Payment of the expenses aforesaid shall be made within thirty days after demand in writing by the Town Clerk: provided that any owner who does not within the said period of thirty days pay such expenses shall pay the same by annual instalments of one-thirtieth part of the whole sum originally due with interest on the principal amount from time to time remaining unpaid at the rate of six per centum per annum: Provided also that any person may on seven days' notice in writing to the Town Clerk pay off the balance of the principal amount and any interest that might then be due.

(5) The expenses referred to in sub-sections (1) and (2) together with interest if any shall be a charge on the property or properties in respect of which they have been incurred until the whole amount has been paid.

(6) Any sums due and payable under this section may be sued for and recovered in a Court of competent jurisdiction by the Town Council, or if payment be not made within thirty days of the same or any instalment becoming due the payment thereof may be enforced by parate execution in the same way as town taxes under the Georgetown Town Council Ordinance, 1918.

#### REVENUE AND EXPENDITURE.

Council may  
levy rates.

22.—(1) The Council shall have power to raise, levy, and collect in every year, commencing from the first day of January, nineteen hundred and thirty, a rate for the purposes of this ordinance calculated upon the appraised value of every lot or parcel of land or portion of a lot or parcel of land in Georgetown, and on any buildings and erections thereon; provided that such rate shall not be levied upon or in connection with any church lands or buildings that are not connected to the sewerage system, or upon and in respect of the Georgetown Public Free Library, or upon and in respect of any premises owned or controlled by the Council.

(2) Every such rate shall in every year be included in the estimate of revenue and expenditure made by the Council before submission thereof by the Council for the approval of the Governor-in-Council.

(3) Every such rate shall be a charge upon the premises upon which the rate is levied, and shall be payable to the Council, in such instalments and at such time or times, as may be fixed by the Council; and in default of payment thereof in the manner and at the times so fixed, the Town Clerk shall proceed to recover the same by parate execution in the same way as town taxes are recovered under the Georgetown Town Council Ordinance, 1918.



23.—(1) The Commissioners shall, on or before the thirtieth day of September in each year prepare and submit estimates of expenditure for the ensuing financial year in relation to their duties under this Ordinance for the approval of the Governor-in-Council and shall at the same time send copies thereof to the Council.

Estimates of expenditure to be submitted to Governor-in-Council.

(2) The estimates after approval shall be transmitted to the Council on or before the first day of November in each year. The Council shall in the ensuing financial year pay over the said amount in equal moieties to the Secretary on the first day of April and the first day of September in each year.

(3) Where the amount of the estimated expenditure for any financial year is less than the actual expenditure the amount of the difference shall be included by the Commissioners in and form part of the estimates for the next year.

(4) As soon as may be after the constitution of the Commissioners they shall prepare and submit to the Governor-in-Council an estimate of the expenditure for the unexpired portion of the then current financial year. The Colonial Treasurer shall, with the consent of the Governor-in-Council, advance to the Commissioners the amount so estimated out of such funds as he may have received from the Council for the purpose.

#### PART IV.

##### SANITARY CONSTRUCTORS.

24.—(1) It shall be lawful for the Council to grant licences authorising persons to construct, execute, repair or perform work in connection with house-sewers and water-closets as the Council may think fit. Such persons shall be styled licensed sanitary constructors and it shall be their duty to act in accordance with this Ordinance and any Regulations, and to obey the orders of the Council, the City Engineer or of any person authorised by the Council. Licensed sanitary constructors shall be responsible for the acts and omissions of all persons employed by them.

Power to Council to grant licences to sanitary constructors or suspend or cancel licences

(2) The Council may by Regulations made under this Ordinance prescribe fees to be paid for examinations and licences of sanitary constructors.

(3) The Council may in its discretion suspend or cancel the licence of a sanitary constructor who is guilty of misconduct in the performance of his duties under this Ordinance or the Regulations.

(4) The grant, suspension or cancellation of any licence shall be published in the *Gazette* and one daily newspaper.

(5) It shall not be lawful for any person other than a licensed sanitary constructor to do any work in relation to any collecting-sewer, house-sewer, water-closet or soil pipe. Any unlicensed person who does, or causes to be done by any unlicensed person,

any such work, shall be liable to a penalty not less than five dollars, and not exceeding twenty-five dollars :

Provided always that any person employed by the Commissioners or the Council shall be deemed to be a licensed sanitary constructor with regard to work done by him under the authority of the Commissioners or the Council.

PAYMENT BY OWNER OR OCCUPIER FOR WORK DONE BY COUNCIL.

Recovery by Council from owner of expenses for work done.

25.—(1) When the owner of any house building or premises is liable under this Ordinance for repayment of the expense of any work done by the Council he shall pay the same on demand in writing by the Town Clerk.

(2) The Council may at the request of the owner permit the payment of such expenses by instalments as it shall think fit, with interest on the principal amount from time to time remaining unpaid at the rate of six per centum per annum.

(3) All such expenses together with interest shall be a charge on the property or properties in respect of which they have been incurred until the whole amount has been repaid.

(4) Any sums due and payable as in this section stated may be recovered as provided in sub-section (6) of section twenty-one of this Ordinance.

Expenses and interest may be recovered from occupier.

26. The Council by way of additional remedy, may require the payment of all or any part of such expenses and interest payable by the owner for the time being from the person who then, or at any time thereafter, occupies any such premises, and in default of payment by such occupier on demand the Council may enforce the payment against such occupier in the same way as against an owner; and any such occupier shall be entitled to deduct from any rent payable by him to the owner so much as is paid by or recovered from him in respect of any such charge or interest.

Limitation of liability of occupier.

27. No occupier of any premises shall be liable to pay more money in respect of any sums charged by this Ordinance on the owner thereof for work done by the Council than the amount of rent due from him for the premises in respect of which such expenses and interest are payable at the time of the demand, or which may at any time after the demand shall have accrued and become payable by him.

FORM AND SERVICE OF NOTICES.

Service of Notices.

28. The following provisions shall apply to the making or service of any notice demand or other document under this Ordinance or the Regulations :

- (1) It may be authenticated by the name of the Secretary, the Town Clerk or the City Engineer being affixed thereto in print or writing ;



- (2) It shall be sufficient if addressed to the "owner" or "occupier" of the house, building or premises (naming or describing them) to which it relates;
- (3) It may be served upon the person to whom it relates either personally or through the Post Office addressed to him at his usual or last known place of abode or business in the Colony, or by delivering the same to some inmate there, or in case of an occupier to an inmate of the premises to which the document relates, or if the building is unoccupied and the place of abode of the person after due enquiring cannot be found by fixing the same or a copy thereof upon some conspicuous part of the premises.

29. The Commissioners when necessary for the maintenance, repair, extension or alteration of the sewerage system or waterworks shall have power to break open any street subject to the following conditions:—

Power of Commissioners to break open streets.

- (1) The Engineer shall give to the Council two days' notice of the intention, specifying the time of beginning and the portion of street to be opened up: provided that in cases of urgency the Engineer may break open a street, but shall forthwith inform the City Engineer of the fact.
- (2) Until the roadway is restored the place where the roadway is broken open shall be watched and properly lighted.
- (3) They shall not without the consent of the Council break open at any one time a greater length than one hundred yards of any street.
- (4) They shall restore the street to the satisfaction of the Council.

#### REGULATIONS.

30.—(1) The Governor-in-Council may make regulations for the purpose of carrying into effect the provisions of Part I. of this Ordinance.

Regulations.

(2) The Commissioners and the Council, subject to the approval of the Governor-in-Council, may make regulations—

- (a.) For carrying into effect the powers respectively conferred on them by this Ordinance, and
- (b.) Generally for carrying out the provisions of this Ordinance relating to each of them.

(3) Every person who shall contravene any regulation made under this Ordinance shall be guilty of an offence under this Ordinance and liable to the penalty in such cases provided unless some lesser penalty is prescribed for the contravention.

#### OFFENCES.

31. Whenever any house, building or premises has been provided with a house-sewer and a water-closet or water-closets under this Ordinance, if any sewage shall flow or be deposited or thrown from such house or premises, either within such premises or elsewhere

Penalty for disposing of sewage other than by sewer,

than by the house-sewer from such house and premises the occupier of such house, building or premises as aforesaid and any person depositing or throwing any sewage as aforesaid shall be guilty of an offence against this Ordinance.

Penalty for allowing anything but sewage and paper in sewers.

32. If any garbage, hair, ashes, fruit, vegetables, rags, bottles, tins refuse or any other matter or thing whatsoever, except sewage as defined by this Ordinance and the necessary paper, shall be thrown into or deposited in any receptacle connected with a house-sewer, either by the occupier of any house, premises or other place, or by any other person such occupier and also such person shall be liable for all damage occasioned thereby and for all expenses incurred in repairing and rectifying such damage and such occupier and such person shall each be guilty of an offence against this Ordinance.

Penalty for allowing into sewers sewage prohibited by Commissioners.

33. If in the judgment of the Commissioners sewage of any particular kind would be injurious to the sewers it shall be lawful for the Commissioners by notice published in the *Gazette* and two daily newspapers to prohibit, as from such time as shall be stated in the notice, the introduction of such sewage into any sewer, and if after the date prescribed by such notice such sewage shall be introduced into or shall enter or flow into any sewer, the occupier of any such house, premises or place, and also any person introducing into or causing any such sewage to flow or enter into any sewer shall be guilty of an offence against this Ordinance.

Penalty for obstructing Commissioners or Council.

34. Every person who shall at any time obstruct the Commissioners or the Council or any officer or servant of the Commissioners or the Council in the execution of any duty or the performance of any work under this Ordinance or any regulation shall be guilty of an offence against this Ordinance.

Penalty for offences.

35.—(1) Every person who shall be guilty of an offence against this Ordinance shall be liable to a penalty not exceeding forty-eight dollars.

(2) Any penalty under this Ordinance or any regulation may be recovered under the Summary Jurisdiction Ordinances.

#### REPEAL.

Repeal of Ord. 20 of 1923. Saving as to Regulations.

36. The Georgetown Sewerage Ordinance, and Georgetown Town Council Ordinance, 1918, Amendment Ordinance, 1923, is hereby repealed: provided that the Georgetown Sewerage Regulations, 1928, made under the said Ordinance in so far as they are not inconsistent with this Ordinance, shall remain in force until they are superseded by Regulations made under this Ordinance.

Passed by the Legislative Council this 8th day of March, 1929.

*M. B. Harris*

Clerk of the Council.