

ORDINANCE No. 40 OF 1918.

AN ORDINANCE to make compulsory the supply of Water to Properties in the City of Georgetown. A.D. 1918.
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[16th November, 1918.]

BE it enacted by the Governor of British Guiana, with the advice and consent of the Court of Policy thereof, as follows:—

Preliminary.

1. This Ordinance may be cited as the Georgetown Compulsory Water Supply Ordinance, 1918. Short title.

Interpretation
of terms.

2. In this Ordinance unless the context otherwise requires,—
 "The City" means the City of Georgetown.
 "The Council" means the Mayor and Town Council of the City of Georgetown.
 "The Town Clerk" means the Town Clerk of Georgetown.
 "Lot" means any one or more parcels of land appraised in the books of the Council as a separate property.

Compulsory Water Supply.

Connections
to be
compulsory.

3. Every lot in the City shall be connected with the nearest water mains in the streets of the City by means of a service pipe on which there shall be placed at least one tap. Such connection shall be for the purpose of effecting a continuous water supply from the Georgetown Water Works.

Efficiency of
connections.

4. Every such connection shall at all times be kept in such a proper condition either by renewal of the service pipe or otherwise as to supply efficiently every lot with a continuous supply of water from the Georgetown Water Works.

Supply of
water to be
continuous.

5. There shall be provided at all times a continuous supply of water to every lot by means of such connection hereinbefore mentioned, provided that such a supply is available from the Georgetown Water Works.

Effect of Non-Compliance.

Council's
power to
make
connections.

6. In every case where any lot is without any such connection, the Council shall have power and are hereby authorized to make and shall make such connection.

Council's
power to put
connection
in serviceable
condition.

7. In every case where such connection has been made but has at any time and from any cause whatever become defective for the purpose of maintaining a continuous water supply the Council shall have power and are hereby authorized to put such connection in a proper and serviceable condition.

Council's
power to
supply water.

8. In any case where there is a failure to have a supply of water to any lot by means of such connection the Council shall have power and are hereby authorized to provide a supply of water to every such lot.

Council's
exclusive right
to make and
repair
connection.

9. The Council shall have the exclusive right to make any connection, any renewal thereof and all repairs thereto that may be found necessary at any time.

Cost of con-
nection a charge
on lots.

10.—(1) The cost of making any connection, any renewal thereof and all necessary repairs thereto shall be a charge on the lot to which such connection, renewal or repairs have been made, and all such lots shall be liable and executable therefor.

(2) The cost of the service pipes and other materials shall be borne by the Council up to the boundaries of the lots and the further cost thereof for the additional work on the lots to be done at the cost and be a charge against the owners and lots.

Water Rates.

11. The Council shall have power by Resolution to levy a water rate upon all lots within the city, and upon the buildings thereon sufficient to cover the estimated amount required in each year to defray the expenses rendered necessary by supplying the city with water as in this Ordinance provided.

Water rate.

12. Every Resolution of the Council to levy such water rate shall be published in the *Gazette* and thereupon all lots within the City shall be liable and executable for such water rate, and the amount of such water rate shall be preferent and shall be recoverable in like manner and to the same extent as taxes levied in pursuance of the Georgetown Town Council Ordinance, 1898, provided that the water rate payable in respect of any lots shall be paid to the Town Clerk along with and at the same time and in such instalments as the town tax or taxes payable in respect of such lot and the Town Clerk shall not be compellable to receive payment of the one without the other.

Council to levy water rate.

13. In the absence of or until such water rate has been levied the charges for supplying water from the Georgetown Water Works to each lot within the city shall be those set out under the revised tariff passed by the Council on the 14th April, 1909, or any amendment thereof or addition thereto and the conditions of supplying such water shall be those set out in the said revised tariff or any amendment thereto for addition thereto.

Pending water rate Revised Tariff charges to be made.

14. In default of payment of any water rate, or of any charge made for supplying water, or of any charge made for laying down any connection within or upon any lot any renewal of or repairs thereto, the Council may proceed for the recovery thereof by summary execution against the property in default.

Mode of recovering charge for water and cost of connection.

15. In any proceeding instituted for the recovery of any water rate or of any charge made for supplying water, or of any charge made for laying down any connection, any renewal thereof, or of repairs thereto, the signature of the Town Clerk subscribed to any document containing a statement of the amount claimed for such rate or any such charge in respect of each lot, shall, without proof of such signature and without proof of any other matter or thing, be deemed in all Courts and for all other purposes *prima facie* evidence that the amount so claimed is due and payable.

Proof of amount of water rate or of charges.

16. In any proceedings for the recovery of any water rate or any charge made for supplying water, or of any charge made for laying down any connection, any renewal of or repairs thereto, a summation against the owner or representative of the owner of any lot the name of such owner or representative not being mentioned, shall be deemed to be sufficiently served if the same is affixed to the principal building, or, if there is no building, then to any railing, bridge, tree or post on such lot, or to any other part of such lot which the Marshal thinks most suitable for the purpose.

Mode of serving summation.

Proceedings
may be in
name of
Town Clerk.

17. All legal proceedings, except as directed in any bye-law and as may be provided in any amendments or additions to any bye-law, may be performed, instituted and carried on in the name of the Town Clerk, and no proceedings whatever shall abate or be discontinued by the death, resignation or removal of the Town Clerk or by reason of any change or vacancy in the Town Council by death, resignation or otherwise.

Exemption
of certain
lots.

18.—(1) The provisions of this Ordinance so far as the payment of water rates shall not apply to any Government property in respect of which there is at present an existing contract between the Government and the Town Council for the payment of water rates.

(2) This Ordinance shall not apply to any lot which is provided with a continuous supply of artesian water.

Power to
make bye-
laws and
provisions
relating to
them.

19.—(1) The Council may from time to time make bye-laws with respect to all or any of the following matters, that is to say:—

(a) Regulating all matters in any way connected with the proper carrying out of the provisions of this Ordinance.

(b) Every such Bye-law shall be subject to the approval of the Governor and Court of Policy, who may alter and amend the same when submitted to them, shall come into force on its publication in the *Gazette* after such approval, or at such later time as may be mentioned in such Bye-law, and shall have the same force and effect as if the same were enacted by an Ordinance.

(c) There may be attached to any Bye-law a penalty for a breach of the same, not exceeding fifty dollars, and any Bye-law may contain the power to arrest any person for a breach of the same.

Penalty.

20. Every person who is guilty of an offence against any provision in this Ordinance for which no special penalty is imposed, shall be liable to a penalty not exceeding ten dollars.

Power to
frame tariff.

21. It shall be lawful for the Council from time to time to frame a tariff of charges for materials and labour for the proper carrying out of the provisions of this Ordinance and for regulating the charges for all water supplied to all lots as mentioned in section eleven and the tariff when so made shall be published in the *Gazette* and other newspaper and shall thereupon have the same force and effect as if it had been made by Bye-law duly made under section nineteen of this Ordinance.

WATERWORKS, NEW AMSTERDAM.

See also LOCAL GOVERNMENT.
