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GUYANA

No. 3 of 1980

BY-LAWS

Made Under

THE MUNICIPAL AND DISTRICT COUNCILS ACT

(Cap. 28:01)

UNDER SECTIONS 303 AND 304 OF THE MUNICIPAL AND DISTRICT COUNCILS ACT, THE FOLLOWING BY-LAWS HAVE BEEN MADE BY THE MAYOR AND TOWN COUNCIL OF CORRIVERTON.

Citation. 1. These By-laws may be cited as the Corriverton (Markets) By-Laws 1979.

Interpretation. 2. In these By-Laws, unless the context otherwise requires –

“Clerk of Markets” includes an Assistant Clerk of Markets, and any other officer of the Council for the time being in charge of a market;

“cold stores” means any premises or place used for keeping and preserving by a refrigerating process any fresh meat, game, fish, fruit, vegetables or other commodities intended for human consumption;

“Council” means the Mayor and Town Council of Corriverton.

“fees” include tolls, rates, dues, rents and other imposts charged by the council in relation to any market established by the council;

“fresh meat” includes the meat of any animal slaughtered for sale to be used for human consumption;

“market” means the No. 79 Market, the Skeldon Market mentioned in by-law 3, and any other market established by the council wherein marketable commodities are sold or offered for sale and includes –

(a) all stappings and landing-places on the river frontage of any market having a frontage to a river and the whole line of such river frontage;

(b) an assembly or concourse of buyers and sellers whose marketable commodities are sold or offered for sale with the permission of the Council;

“marketable commodities” include fresh and salted meat, fish, shrimp, vegetables, fruits, sweet meats and such other commodities as are sold or offered for sale in a market;

“Meat and Food Inspector”, “Medical Officer of Health”, and “Public Health Inspector” include persons appointed by the Council to carry out the duties of these officers;

“stall” includes any counter, bench, stand or other erection in a market reserved for the reception of marketable commodities for sale;

“tenant” means the person for the time being in lawful occupation of a stall;

“Town” means the Town of Corriverton.

3. The No. 79 Market, the Skeldon Market and such other markets as the Council may from time to time establish in the Town, shall be under the control and supervision of the Clerk of Markets who shall be subject to the direction of the Council.

Establishment of markets.

4. (1) All marketable commodities intended for sale at any market shall be unloaded thereat or at any other place which the Council may, by notice, appoint.

Landing-Place for marketable commodities.

(2) The master of every vessel and the driver of every vehicle loading or unloading goods or embarking or disembarking passengers at a market shall comply with the instructions of the Clerk of Markets.

(3) Any person who contravenes this by-law shall be liable on summary conviction to a fine of one hundred dollars.

5. (1) The Clerk of Markets shall keep a correct account of all fees accruing to the Council in respect of every market and shall pay over daily to the Municipal Treasurer all moneys received by him.

Accounting by Clerk of Markets.

(2) The Clerk of Markets shall keep a register of tenants which shall contain the name of every tenant, the date when each tenancy commences, the amount of the rent, the date when each tenancy ceases and the cause of the cessation of the tenancy.

6. (1) The days on which and the hours during which a Market shall be opened and kept open shall be as follows:—

Hours of opening and closing.

Week days (other than public holidays)	7.00 a.m. to 4.00 p.m.
Public Holidays	7.00 a.m. to 10.00 a.m.
Sundays	7.00 a.m. to 9.00 a.m.

Provided that during the Christmas period the hours shall be as follows:—

- (a) for the first seven working days of the period  
7.30 a.m. to 5.30 p.m.
- (b) for the next seven working days following thereafter  
7.30 a.m. to 6.00 p.m.
- (c) on Christmas Eve Day and on the Saturday preceding Christmas Eve Day when the latter day falls on a Sunday  
7.30 a.m. to 8.00 p.m.

(2) Every market shall be opened on Sundays from 7.00 a.m. to 9.00 a.m. for the sale of marketable commodities.

(3) In this by-law, the expression "Christmas period" means the period of fifteen working days immediately preceding Christmas Eve Day.

(4) A notice of the opening periods shall be exhibited in a conspicuous place in every market.

Opening hours may be extended.

7. It shall be lawful for the tenant of any stall to be in a market at least fifteen minutes before the time fixed for the opening of the market for the purpose of taking in supplies, arranging, and opening his stall, and fifteen minutes after the time fixed for the closing of the market for the purpose of closing his stall.

Unauthorised person found in a market.

8. Any unauthorised person found in a market during such time as is not permitted by these By-laws shall be liable on summary conviction to a fine of one hundred dollars.

Allotment of stalls in a market.

9. (1) It shall not be lawful for any person to occupy a stall in a market other than the stall allotted to him by the Clerk of markets.

(2) Every person who contravenes this by-law shall be liable on summary conviction to a fine of fifty dollars.

Subletting prohibited.

10. (1) No tenant shall sub-let the stall tenanted by him to any other person.

(2) Where a tenant sub-lets a stall in contravention of this by-law, his tenancy shall be deemed to have been terminated and the person in occupation of the stall shall, upon being requested by the Clerk of the Markets so to do, vacate the stall and remove therefrom all goods belonging to him.

(3) Where any such person fails to vacate his stall and remove his goods therefrom when requested so to do, the Clerk of Markets may eject that person and cause his goods to be removed from the market.

11. When a stall becomes vacant the Clerk of Markets may let it to any person approved by the Council at such a rent as shall, from time to time, be fixed by the Council.

Rental of stall which becomes vacant.

12. It shall be lawful for the Clerk of Markets to demand and receive from every tenant or other person occupying a place in a market such fees as the Council shall, from time to time, fix.

Rent.

13. (1) The tenancy of every stall shall be on a daily, weekly or monthly basis and the rent therefor shall be payable in advance.

Payment of rent by stallholder.

(2) In default of payment under paragraph (1), the tenant if he is in possession, shall be forthwith ejected by the Clerk of Markets who may, in addition to any other remedy he may have for the recovery of rent, enter such stall and seize and sell any goods therein sufficient for the payment of the rent due.

14. (1) Subject to this by-law and by-law 6 every tenant shall keep his stall open for business at all times.

Stalls to be occupied.

(2) Any tenant who fails to keep his stall open for business for more than six successive days without the consent in writing of the Clerk of Markets, shall be deemed to have terminated his tenancy, and where any rent is owing, the Clerk of Markets may seize and sell any goods in the stall sufficient for the payment thereof.

15. (1) No tenant of a stall shall transfer or sublet his stall to any other person.

Transfers of tenancies of stalls.

(2) If a tenant wishes to give up his possession of his stall he shall do so to the Clerk of Markets.

(3) Where any tenant sublets a stall in contravention of this by-law, his tenancy shall be deemed to have been terminated, and

the person in occupation of the stall shall upon being requested by the Clerk of Markets so to do, vacate the stall and remove therefrom all goods belonging to him.

(4) Where any such person fails to vacate his stall and remove therefrom his goods when requested so to do, the Clerk of Markets, may eject such person and cause such goods to be removed from the market.”

**Numbering  
of stalls**

16. (1) The Clerk of Markets, with the prior approval of the Council shall, from time to time, direct the type of commodities that may be sold or offered for sale at the stalls in different parts of the market.

(2) The Clerk of Markets shall cause all stalls in a market to be numbered legibly and to be registered in a book kept by him for that purpose.

**Obligations  
of tenant.**

17. (1) A tenant shall, on the day of taking possession of a stall, place and keep exposed the number of the stall printed legibly in a conspicuous place in such part of the front of his stall as the Clerk of Markets shall designate, and in such manner and form as the Clerk of Markets may direct.

(2) No tenant shall open a stall for business until he has complied with this by-law.

(3) Every tenant who contravenes, or fails to comply with this by-law shall be liable on summary conviction to a fine of fifty dollars.

**Removal of  
property.**

18. If a tenant, having given up possession of the stall or having been ejected therefrom does not forthwith remove all property therein, the property shall be removed by the Clerk of Markets and sold at the expiration of seven days after the date of such removal unless claimed within that period and all expenses incurred reimbursed to the Clerk of Markets:

Provided that any perishable article so removed may be sold forthwith.

**Stall to be  
kept clean.**

19. (1) Every tenant of a stall shall at all times keep it clean to the satisfaction of the Clerk of Markets.

(2) If a tenant refuses, fails or neglects to keep the stall in a clean condition as required by paragraph (1), the Clerk of Markets shall cause such stall to be cleaned, and the expenses incurred by him in so doing may be recovered by the Clerk of Markets from the tenant, or by seizure and sale of goods in the stall sufficient for the payment thereof.

(3) Every tenant who contravenes or fails to comply with this by-law shall be liable on summary conviction to a fine of twenty-five dollars.

20. It shall be the duty of the Clerk of Markets to ensure that stalls are cleaned every day before the hour of the closing of the market.

Stalls to be cleaned before closing of market.

21. (1) It shall be the duty of every tenant to fasten the windows and doors of his stall before leaving the market.

Duty of tenant to secure stall

(2) Every tenant who fails to comply with this by-law shall be liable to have his tenancy terminated by the Clerk of Markets.

22. All marketable commodities offered for sale in any market or found in any stall therein which, in the opinion of the Clerk of Markets, the Meat and Food Inspector or a Public Health Inspector of the Council, are of unwholesome quality may be seized by him and destroyed and the person offering any such marketable commodity for sale or the tenant of the stall in which it is found shall be liable on summary conviction to a fine of one hundred dollars.

Seizure and destruction of unwholesome commodities.

23. No person shall sell or offer for sale in any market any fresh meat, except at a stall reserved for that purpose.

Sale of fresh meat in a market.

24. (1) No person shall convey or cause to be conveyed to or from a market any fresh meat for the purpose of sale except in a container approved by the Meat and Food Inspector or a Public Health Inspector.

Removal of fresh meat.

(2) The Meat and Food Inspector may at any time inspect the container to ensure that it is kept in a clean condition.

(3) Any person who contravenes the provisions of this by-law shall be liable on summary conviction to a fine of one hundred dollars.

Seizure of  
meat.

25. (1) No person shall bring or offer for sale in any market any fresh meat, unless the meat has been passed by the Meat and Food Inspector or a Public Health Inspector of the Council as being fit for human consumption and marked by him in a manner approved by the Health Officer of the Council.

(2) Any meat brought into any market in contravention of this by-law may be seized by the Public Health Inspector, the Meat and Food Inspector or Clerk of Markets and destroyed.

(3) Any person who contravenes paragraph (1) shall be liable on summary conviction to a fine of one hundred dollars.

Mode of  
preserving  
fish.

26. (1) No person shall, in any market, preserve fresh fish by any means other than ice, but fresh fish may be corned with salt and despatched from the market within twenty-four hours thereafter.

(2) Any person who contravenes this by-law shall be liable on summary conviction to a fine of twenty-five dollars.

Special  
provisions  
as to sale  
of mutton.

27. (1) All mutton offered for sale in any market, the feet and tail of the carcass of which have been cut off, shall be considered and taken to be goat's meat, and shall be sold as such.

(2) Any person who sells or offers for sale goat's meat as mutton shall be liable on summary conviction to a fine of fifty dollars.

Meat to be  
minced by  
a machine

28. (1) No person shall sell or offer for sale any minced meat unless the meat has been minced by a machine kept in his stall for that purpose.

(2) Every machine shall be kept in a clean condition and in good order.

(3) The Medical Officer of Health, the Meat and Food Inspector, a Public Health Inspector or the Clerk of Markets may inspect the machine at any time to ensure that this by-law is complied with.

(4) Any meat minced and sold or offered for sale in contravention of this by-law may be seized by the Medical Officer of Health, the Meat and Food Inspector, any Public Health Inspector or the Clerk of Markets and destroyed.

(5) Any person who contravenes the provisions of this by-law or obstructs the Medical Officer of Health, the Meat and Food Inspector or any Public Health Inspector or the Clerk of Markets in the inspection of any machine under the provisions of this by-law shall be liable on summary conviction to a fine of fifty dollars.

29. (1) Every person, not being the tenant of a stall in a market, who resorts thereto for the purpose of selling marketable commodities of any kind whatsoever shall pay such fees as may be fixed by the Council before he is permitted to expose any such commodity for sale. Market fees.

(2) The Clerk of Markets or any member of the town constabulary may search any package brought into any market for the purpose of ensuring that the proper fees are paid on marketable commodities contained therein.

30. (1) No vendor shall refuse to sell any marketable commodity in such quantities as a purchaser may require (except where there is a shortage of any such commodity) or impose any condition on the sale of any marketable commodity. Conditions of sale.

(2) Any person who contravenes any of the provisions of this by-law shall be liable on summary conviction to a fine of fifty dollars.

31. The Clerk of Markets, the Meat and Food Inspector or a Public Health Inspector, shall enter in a book to be kept for that purpose all particulars of commodities seized. Record of seizures.

32. (1) Every person who sells meat at a stall shall, while so doing, wear a clean apron or overall and the stall shall be equipped with a clean dresser or table. Dress of vendor of meat.

(2) Any person who fails to comply with the provisions of this by-law shall be liable on summary conviction to a fine of fifty dollars.

33. (1) Every person, who sells meat at a stall in a market shall at the close of business on each day clean thoroughly the table or chopping-block and the scales and weights which have been used by him. Cleaning of shambles.



(2) Any person who fails to comply with the provisions of this by-law shall be liable on summary conviction to a fine of fifty dollars.

Inspection  
of stalls  
and vessels.

34. The Clerk of Markets or any person authorised by him, the Meat and Food Inspector or any Public Health Inspector may enter and inspect any stall or vessel to ensure that these by-laws are being complied with.

Dogs.

35. (1) No person shall take a dog into any market unless the dog is on a lead.

(2) Any dog taken into any market shall be removed by the person in control of the dog immediately on a request made by the Clerk of Markets.

(3) Any person who contravenes or fails to comply with this by-law shall be liable on summary conviction to a fine of fifty dollars.

Kindling  
of fire.

36. Any person who, without the written permission of the Clerk of Markets, kindles or uses fire in any receptacle in any stall or in any part of the market other than the public kitchen thereof, shall be liable on summary conviction to a fine of fifty dollars for the first offence and to a fine of one hundred dollars for each subsequent offence.

Bottles to  
be labelled.

37. (1) Any person who offers for sale in the market marketable commodities contained in bottles shall label the bottles with the name of the contents.

(2) Any person who fails to comply with this by-law shall be liable on summary conviction to a fine of twenty-five dollars.

Powers of  
Clerk of  
Markets to  
demand  
fees.

38. (1) All fees shall be demanded and received by the Clerk of Markets and his receipt shall be a sufficient discharge therefor.

(2) Every person who refuses, fails or neglects to pay any fees imposed under these By-Laws shall in addition to any other remedy for the recovery of the fees, be liable on summary conviction to a fine of fifty dollars.

Printed  
matter not  
to be affixed  
on any part  
of market.

39. (1) It shall not be lawful for any person to affix any poster, advertisement, or other printed matter on any part of a market, except with the written permission of the Clerk of Markets.

(2) Any person who contravenes this by-law shall on summary conviction be liable to a fine of fifty dollars.

40. (1) It shall not be lawful for any person to deposit refuse in or around a market otherwise than in containers provided by the Council for that purpose.

Refuse to be deposited in containers.

(2) Any person who contravenes this by-law shall be liable on summary conviction to a fine of fifty dollars.

41. (1) It shall be lawful for the Clerk of Markets or anyone authorised by him to remove any obstruction to the paths or passages of a market and in the event of any obstruction being caused by any goods, or merchandise, or any other articles whatsoever, to seize and take possession of them.

Removal of obstructions.

(2) If the goods, merchandise or other articles taken into possession under paragraph (1) are not claimed within twenty-four hours, they may be sold by the Clerk of Markets and the proceeds thereof paid over to the Municipal Treasurer.

42. Anyone who in any market:-
- (a) expectorates; or
  - (b) sits on any table, counter, shambles or stall; or
  - (c) rides any bicycle; or
  - (d) propels any hand-truck, wheelbarrow or other vehicle recklessly or negligently; or
  - (e) wilfully breaks or damages any stall; or
  - (f) does any obscene act; or
  - (g) places any obstructions in the paths or passages; or
  - (h) plays any game of chance for money or money's worth; or
  - (i) sharpens any hatchet, knife or other implement on the steps, stalls, walls or any brick or concrete structure or floor; or
  - (j) conducts a public auction by outcry, knocking down of the hammer, or any other method, shall be liable on summary conviction to a fine of fifty dollars.

Miscellaneous offences.

Penalty for  
obstruc-  
tions.

43. Every person who assaults or obstructs the Clerk of Markets or any other person in the execution of any function vested in him or authorised by these By-Laws shall on summary conviction, be liable to a fine of one hundred dollars.

Expulsion  
of offenders.

44. Every tenant who persists in acting in any manner contrary to any of these By-Laws may, in addition to any other penalty to which he may be liable for any particular offence, be expelled from the market by order of the Clerk of Markets and he shall be liable to be treated as a trespasser if he enters the market without the permission in writing of the Clerk of Markets, except where he enters the market for the purpose of purchasing any commodity.

General  
penalty.

45. Every person who contravenes or fails to comply with any of these By-Laws for which no special penalty is provided shall be liable on summary conviction to a fine of fifty dollars.

By-Laws  
to be  
exhibited.

46. (1) A printed copy of these By-Laws shall be exhibited in a conspicuous place in every market.

(2) Copies of these By-Laws may be obtained on application to the Clerk of Markets or the Town Clerk upon payment of such sum for each copy as may be fixed by the Council.

Made by the Mayor and Town Council of Corriverton the 29th day of August, 1979.

*B. Bowani,*  
Town Clerk.

Approved this 28th day of December, 1979.

*H. D. Hoyte,*  
Minister of Economic Development  
and Co-operatives.