

Passed in Council this first day of April, in the year of our Lord one thousand eight hundred and eighty.

A. C. ROSS,
Clerk of the Council.

THE SCHEDULE.

No. of Ordinance.	Title.	Extent of Repeal.
No. 1 of 1842 .	An Ordinance to regulate the storing of gunpowder ...	The whole.

No. 3.—1880.

5th May.

AN ORDINANCE to amend the Law as to the Water-works.

(L.S.) HENRY T. IRVING.

11th May, 1880.

BE it enacted by His Excellency the Governor with the advice and consent of the Legislative Council as follows :—

Short title. 1. This Ordinance may be cited for all purposes as "The Waterworks Ordinance, 1880."

Interpretation. 2. In this Ordinance

The term "The Waterworks" means the reservoirs for the supply of water to the town of Port of Spain, in the valley of Saint Ann and the Maraval valley, and the mains, pipes, cocks, and other works and appliances connected therewith; and

The term "Premises" includes a house, store, warehouse, shop and every other building, a yard, whether open or enclosed, and every other piece or parcel of land.

Mode of assessment.

3. Subject to the provisions of this Ordinance the Director of Public Works shall ascertain the annual rent or value of all premises within the town of Port of Spain and the suburbs thereof, and the amount of the general rate payable under the Port of Spain Waterworks Ordinance, 1851, as amended by Section 3 of the Port of Spain Waterworks Ordinance, 1875, in respect of such premises, and also if water is laid on to such premises the amount of the rate payable for such supply of water under the Port of Spain Waterworks Ordinance, 1851, as amended by Section 4 of the Port of Spain Waterworks Ordinance, 1875.

Delivery of copy of House-Rate Book of Port of Spain to Director of Public Works.

4. The Town Clerk of the borough of Port of Spain shall on or before the first day of July in each year deliver to the Director of Public Works a copy certified under the hand of such Town Clerk to be a true copy of the house-rate book of the town of Port of Spain last made up pursuant to the Ordinance No. 10 of 1853, intituled "An Ordinance for the regulation of Municipal Corporations in this Island." If any Town Clerk of the borough of Port of Spain refuses or fails to deliver such copy duly certified to the Director of Public Works, or delivers a copy which is wrong in any particular, such Town Clerk shall be liable to a penalty of twenty pounds.

In ascertaining the rates payable for water the Director of Public Works shall for premises in the borough of Port of Spain adopt the valuations in the said house-rate book.

And for premises in the suburbs of the said borough the valuations in the assessment rolls of the wards in which such last-mentioned premises are respectively situated.

Provided that where premises chargeable as a separate entirety are not so valued in such house-rate book or assessment rolls the Director of Public Works shall make a just valuation according to the best of his skill and judgment.

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Section 5 is repealed by Ordinance 9 of 1883

6. The Director of Public Works shall, on or before the twentieth day of July in each year, make out and deliver to the Receiver General a return in writing signed by such Director of Public Works of all premises within or beyond the limits of the borough of Port of Spain to which water is supplied from the waterworks, specifying the general rate payable in respect of such premises, and also the rate payable for water supplied to such premises. The aggregate amount of such rates shall be paid to the Receiver General yearly in advance on or before the thirty-first of July of each year in respect of the year beginning on the next ensuing first of August, and ending on the next ensuing thirty-first of July. The provisions of the Public Land Charges Ordinance, 1879, shall be applicable to such rates.

Assessment Roll.

7. Where a supply of water to any premises first becomes available on some day other than the first of August, the person to whom the water is supplied shall immediately upon the supply becoming available pay to the Receiver General a proportionate part of the yearly rate for such supply due in respect of the period commencing on the day on which the supply first becomes available, and terminating on the next ensuing thirty-first of July, and the provisions of the Public Land Charges Ordinance, 1879, shall be applicable to such proportionate part.

Apportionment of water rate.

8. Where any person having a supply of water desires to discontinue having such supply he shall give notice of

Discontinuance of water supply.

such desire to the Director of Public Works on or before the thirtieth of April.

Branch
service pipes.

9. The Director of Public Works shall lay down and maintain within the public streets at the cost of the Government branch service pipes extending from the mains to the outer edge of the wall or other boundary of all premises supplied with water from the waterworks.

Duties of
consumers as
to cisterns,
&c.

10. In any cistern for the storage of water the overflow shall be at least two inches above the level, where the water is shut off by the ball-cock. In no cistern shall the overflow pipe be branched into any internal pipe or drain, but shall be carried above ground to the outside of the premises supplied, so that the officers of the public works department may see on inspection if the cistern and appliances connected therewith are in good order. Every overflow pipe shall be of not less than three-quarters of an inch in diameter.

Every person supplied with water who suffers any cistern, pipe, ball or stop-cock to be out of repair so that the water is wasted, shall for every such offence be liable to a penalty not exceeding two pounds.

Power to
enter
premises.

11. The Director of Public Works, or any person acting under his authority may, between the hours of nine of the clock in the morning and five of the clock in the afternoon, enter into any house or premises supplied with water from the waterworks in order to examine and see if there be any waste of such water. And if the Director of Public Works or any person acting as aforesaid is refused admittance into such dwelling house or premises, or prevented from making such examination, the Director of Public Works may cut off the water supplied to such house or premises.

Power of
Director of
Public Works
to repair at
consumer's
expense.

12. The Director of Public Works may repair any cistern, pipe, ball-cock, flow-cock or stop-cock which is out of repair, and the expenses of such repair shall be repaid to him by the person allowing the same to be out of repair, and in case of non-payment may be recovered in the same manner as a penalty imposed by this Ordinance.

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13. If any person supplied with water wrongfully does or permits to be done anything in contravention of any of the provisions of this Ordinance, or wrongfully fails to do anything which under any of those provisions ought to be done for the prevention of the waste or contamination of the water, the Director of Public Works may without prejudice to any other remedy, in respect of any such act, neglect, or default, cut off any of the pipes by which the water is supplied, and cease to supply water so long as the cause of injury remains or is not remedied.

Power to cut off water in case of waste.

14. If any person supplied with water wilfully or negligently causes or suffers any pipe, valve, cock, cistern, bath, soil-pan, water closet or other apparatus or receptacle, to be out of repair, or to be so used or contrived as that the water supplied is, or is likely to be, wasted or contaminated, or so as to occasion or allow the return of foul air or other noisome or impure matter into any pipe belonging to or connected with the pipes provided by the Government, he shall for every such offence be liable to a penalty not exceeding five pounds.

Penalty for allowing pipes, &c., to be out of repair.

15.

(1.) Every person who bathes in any part of the water works, or in any stream, reservoir, or aqueduct, by which water is supplied to or from the waterworks, or who washes, throws or causes to enter therein any horse, mule, dog or other animal, and

Penalty on fouling water.

(2.) Every person who throws any rubbish, dirt, filth or other noisome thing into any part of the waterworks, or into any stream, reservoir or aqueduct, by which water is supplied to or from the water works, or who washes or cleanses therein any cloth, wool, leather, or skin of any animal or any clothes or other thing

shall for every such offence be liable to a penalty not exceeding five pounds.

Every person who causes or permits the water of any sink, sewer or drain, steam-engine or boiler, or other filthy water belonging to him or under his control, to

run or be brought into any part of the waterworks or unto any stream, reservoir, or aqueduct, by which water is supplied to or from the waterworks, or does any other act whereby the water from the waterworks is fouled, shall for every such offence incur a penalty not exceeding five pounds, and a further penalty of one pound for each day after the first that the offence is continued.

Penalty on altering mains or service pipes or allowing them to be tapped.

16. It shall not be lawful for the owner or occupier of any premises supplied with water, or for any consumer of water supplied from the waterworks, or for any other person to affix, or cause or permit to be affixed, any pipe or apparatus to a pipe belonging to the Government, and if any person acts in contravention of this section he shall for every such offence be liable to a penalty not exceeding five pounds, without prejudice to the right of Her Majesty to recover damages in respect of any injury done to the property of the Crown, and without prejudice to the right of Her Majesty to recover the value of any water wasted.

Penalty on supplying water to strangers.

17. Every owner or occupier of any premises supplied with water from the waterworks who supplies to any other person, or wilfully permits any other person to take, any such water from any cistern or pipe in such premises, unless for the purpose of extinguishing fire, or unless he be a person supplied with water from the waterworks, and the pipes belonging to him are without his default out of repair, shall for every such offence incur a penalty not exceeding five pounds.

Penalty on wrongfully taking water.

18. If any person not being supplied with water from the waterworks, wrongfully takes or uses any water from any reservoir, watercourse, conduit, or pipe belonging to Her Majesty the Queen, and forming part of or connected with the waterworks, or from any pipe leading to or from any such reservoir, watercourse, conduit or pipe, or from any cistern or other like place containing water from the waterworks, whether belonging to Her Majesty, or supplied for the use of any consumer, he shall for every such offence be liable to a penalty not exceeding five pounds.

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19. Every person who wilfully or carelessly breaks, injures or opens any lock, cock, valve, pipe, work or engine belonging to the waterworks, or flushes or draws off the water from the reservoir, or other works, or does any other wilful act whereby the water is wasted, shall for every such offence forfeit a sum not exceeding five pounds.

Culpable
damage to
waterworks.

20. It shall be lawful for the Governor from time to time to make, alter or revoke rules and regulations as to all or any of the following matters (that is to say) as to—

Power to
make
regulations.

The mode of applying for any supply or additional supply of water,

The prices to be paid for any plumbers' work or other work which may be done for private persons by the Public Works Department,

The laying, construction and covering in of any pipes taps or other appliances for supplying water,

The conditions under which water will be shut off, and such other facilities as the Governor thinks fit, allowed for the purpose of repairing, improving, or enlarging appliances for the supply of water, and

To protect the public from insolence, incivility, or extortion on the part of turn-cocks and others engaged in or about the management or superintendence of the water supply, and to secure proper inquiry into all reasonable matters of complaint.

Any rules made under this section shall be published in the *Royal Gazette*. Production of a copy of the *Royal Gazette* purporting to contain any such rules, shall be conclusive evidence, until the contrary is proved, of the making and tenor of such rules.

21. Any act or default in respect of which a penalty is imposed by this Ordinance shall constitute an offence punishable on summary conviction, and the penalty may be recovered accordingly.

Recovery of
penalties.

Saving.

22. Nothing in this Ordinance shall affect any right to water or a water pipe given, whether by way of compensation or otherwise, under the 13th, 14th and 15th sections of the Ordinance No. 18 of 1851, intituled "An Ordinance for supplying the town of Port of Spain and the vicinity thereof with water" or under any of such sections.

Repeal of enactments in Schedule.

23. The enactments specified in the schedule to this Ordinance are hereby repealed to the extent mentioned in such schedule: Provided that such repeal shall not affect any right accrued, or any liability, obligation or forfeiture incurred before the passing of this Ordinance, or any remedy or proceedings to give effect to or otherwise in respect of any such right, liability, obligation or forfeiture.

Passed in Council this fifth day of May, in the year of our Lord one thousand eight hundred and eighty.

A. C. ROSS,
Clerk of the Council.

THE SCHEDULE.

No. of Ordinance.	Title or Short Title.	Extent of Repeal.
18 of 1851	For supplying the town of Port of Spain and the vicinity thereof with water	Sections thirty-four and thirty-five
12 of 1854	To regulate the charge for water supplied from the Port of Spain waterworks and for the better enforcing the payment of the rates for water	The whole except section five