

TRINIDAD AND TOBAGO.

Port-of-Spain Town Board (Amendment).

No. 14.—1910.

6th June.

AN ORDINANCE to confer additional powers on the Port-of-Spain Town Board, to amend certain Ordinances relating to the administration of the town, and to make further provision for the good government of the town.

[L.S.]

GEORGE R. LE HUNTE,

GOVERNOR.

17th June, 1910.

BE it enacted by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as “the Port-of-Spain Short title. Town Board Amendment Ordinance, 1910.”

2. In this Ordinance, if not inconsistent with the context, Interpreta- tion. the following words and expressions shall have the meanings hereinafter respectively assigned to them, that is to say:—

(a.) “*The Board*” means The Port-of-Spain Town Board constituted under the Port-of-Spain Town Board Ordinance 1907.

Repealed by 24 of 1917

- (b.) "*The Chief Commissioner*" means the Chief Commissioner appointed under the Port-of-Spain Town Board Ordinance 1907, and any other person holding the office of Chief Commissioner for the time being.
- (c.) "*The Town Clerk and Treasurer*" means the person holding the office of Town Clerk and Treasurer under the Board for the time being, and any person for the time being performing the duties of the Town Clerk and Treasurer.
- (d.) "*Town Engineer*" means the person for the time being holding the office of Town Engineer under the Board and any other person for the time being performing the duties of the Town Engineer under the authority of the Board.
- (e.) "*The Town*" means the Town of Port-of-Spain as defined by the Port-of-Spain Ordinance No. 211.
- (f.) "*Person*" includes any body of persons whether corporate or unincorporate.
- (g.) "*Statutory Increase*" means any increase or percentage added to any rate, charge or sum of money whatsoever payable to the Board under any Ordinance for the time being in force in the Colony, by reason of the non-payment of any such rate, charge or sum of money at the time after the lapse of which such increase or percentage is expressed to become payable.
- (h.) "*Cart*" includes any cart, dray, van, waggon, truck, motor lorry, or other vehicle or machine drawn or propelled otherwise than by a person, and used or adapted or intended to be used for the conveyance or carriage of any goods, wares, or other burdens or articles whatsoever.
- (i.) "*Handcart*" means every cart, dray, van, waggon, truck or other vehicle or machine propelled or drawn by a person.

- (j.) "*Town Bailiff*" means any person appointed by the Board to collect any arrears of rates, charges or sums of money due to the Board, and to levy by distress the amount of such arrears together with any statutory increase thereof.
- (k.) "*Owner*" includes every person in possession of or in receipt either of the whole or of any part of the rents or profits of any land or tenement, whether in his own right or as trustee or personal representative of any other person, or in the occupation of such land or tenement other than as a tenant from year to year, or for any less term, or as a tenant at will.
- (l.) "*Reputed Owner*" includes the person entered as the owner in the House Rate Book for the time being in force.
- (m.) "*Premises*" includes messuages, buildings, lands, easements and hereditaments of any tenure, whether open or enclosed, whether built on or not, and whether public or private, and whether maintained or not under any statutory authority.
- (n.) "*Street*" includes any highway, and any public bridge, road, lane, footway, square, court, alley or passage, whether a thoroughfare or not, and any drain at the side of or across any street within the town.

Repeals.

3. The enactments referred to in the first schedule to Repeals. this Ordinance are hereby repealed to the extent specified in the third column of the schedule.

All Ordinances, laws, bye-laws, rules and regulations inconsistent with any of the provisions of this Ordinance are hereby repealed.

Provided that the repeals by this Ordinance effected Saving. shall not affect:—

- (a.) Anything duly done or suffered under any enactment or bye-law hereby repealed; or
- (b.) Any right or liability acquired, accrued or incurred under any enactment hereby repealed; or

- (c.) Any security given under any enactment hereby repealed; or
- (d.) Any penalty, forfeiture, or punishment incurred in respect of any offence against any enactment or bye-law hereby repealed; or
- (e.) Any investigation, legal proceeding, or remedy in respect of any such right, liability, security, penalty, forfeiture, or punishment as aforesaid; and any such investigation, legal proceedings, or remedy may be instituted, continued and enforced, and any such penalty, forfeiture or punishment may be imposed, as if this Ordinance had not been passed.

Provided also, that all the orders, rules, regulations, bye-laws, proclamations and appointments made under any of the said enactments, and in force at the commencement of this Ordinance, shall, so far as the same respectively are not inconsistent with the provisions of this Ordinance continue in force until they are revoked, altered, or otherwise dealt with under this Ordinance, in like manner as if they had been made under this Ordinance.

Saving.

4. All acts, matters, and things done under the authority of any enactment hereby repealed and which are of any force and effect at the commencement of this Ordinance shall be deemed to have been done under and by virtue of this Ordinance.

Streets.

Streets maintainable by Board.

5. The liability of the Board to maintain and repair streets is hereby declared to be limited to streets in existence on the 30th day of August, 1853, the date of the commencement of the Municipal Corporations Ordinance No. 10 of 1853 within the town of Port-of-Spain as defined by the said Ordinance, streets made or formally adopted by the Mayor and Burgesses of Port-of-Spain, or by the Port-of-Spain Town Commissioners, or the Port-of-Spain Town Board, and streets laid out in conformity with the requirements of any Ordinance from time to time in force relating to new streets.

Power of Board to take over streets not maintainable by them.

6. It shall be lawful for the Board, if they shall think fit, on the application of the owner of any lands adjoining any street not maintainable by the Board, to agree with such

owner to take over such street and to declare the same a street maintainable by the Board, upon such terms and conditions as the Board shall think fit.

7. Where, on an application made under the preceding section, the Board requires any works to be executed by the owner as a condition to their taking over any street not maintainable by them, the Board may agree with such owner to undertake themselves the execution of such works upon such terms and conditions as may be agreed upon between the Board and such owner; and the expenses incurred by the Board in the execution thereof shall be a debt due to the Board from the owner for the time being of the lands and premises abutting on such street, and, until repayment, shall be a charge on such lands and premises.

Power of Board to agree with owner to execute works which the owner is required to execute as a condition of any street not maintainable by the Board being taken over by the Board.

8.—(1.) Where any street within the town (not being a street repairable by the Board) or any part of such street is not laid out, levelled, paved, metalled, drained, channelled and made good to the satisfaction of the Board, the Board may, by notice addressed to the respective owners of the premises fronting, adjoining, or abutting on such parts thereof as may require to be levelled, paved, metalled, drained, channelled, or made good, require them to level, pave, metal, drain, channel or make good the same within a time to be specified in such notice.

Power of the Board to compel owners to pave, metal, &c., all streets not maintainable by them.

(2.) Before giving such notice the Board shall cause plans and sections of any structural works intended to be executed under this section, and an estimate of the probable cost thereof to be made by the Town Engineer; and such plans, sections and estimate, when approved by the Board, shall be deposited in the office of the Town Engineer, and shall be open at all reasonable hours for the inspection of all persons interested therein during the time specified in such notice; and a reference to such plans and sections in such notice shall be sufficient without requiring any copy of such plans and sections to be annexed to such notice.

Plans, &c., of intended work to be kept in Town Engineer's office.

(3.) If such notice is not complied with within the time therein specified, the Board may, if they think fit, execute the works mentioned or referred to therein, and the expenses incurred by the Board in so doing, together with interest thereon at a rate not exceeding 5 per centum per annum from the date of the completion of the works, shall be a

Power of Board to execute works on owners default; costs to be charge on premises.

debt due to the Board by the owners for the time being of the premises mentioned or referred to in such notice in such proportion as is settled by the Town Engineer and approved of by the Board, and until payment thereof to the Board, shall be a charge on the respective premises to the extent of the amount apportioned against each respectively.

Provisional apportionments of expenses among owners of premises affected by the notice to be submitted to the Board.

(4.) Before commencing any works in such notice mentioned or referred to the Board shall cause to be prepared by the Town Engineer, as respects each street or part of a street in which it is intended to execute any such works, a provisional apportionment of the estimated expenses among the owners, and such apportionment shall be submitted to the Board, who may by resolution approve the same with or without modification as they may think fit.

Publication of resolution approving provisional apportionment.

9.—(1.) The resolution approving such provisional apportionment shall be published once at least in each of two successive weeks in some newspaper circulating within the town, and copies of such resolution shall be served on the owners of the premises shown as liable to be charged in such provisional apportionment, within ten days after the date of the first publication.

Objections to apportionment.

(2.) The owner of any premises shown in the provisional apportionment as liable to be charged with any part of the expenses of executing the works may, at any time within one month from the service of the resolution, by written notice served on the Board, object to the proposed works and the provisional apportionment on any of the following grounds; that is to say:

That the proposed works are insufficient or unreasonable, stating in what respect such works are considered by the objector to be insufficient or unreasonable, or that the estimated expenses are excessive;

That the provisional apportionment is incorrect in respect of some matter of fact to be specified in the objection, or, (where the provisional apportionment is made with regard to other considera-

tions than frontage as hereinafter provided) in respect of the degree of benefit to be derived by any person, or the amount of value of any work already done by the owner or occupier of any premises.

10.—(1.) The Board, shall, at the expiration of the said month, consider any objection made by any owner or owners of any premises shown in the provisional apportionment, and may make such amendments as they shall think fit to the plan, specification, estimates and provisional apportionment.

Board may amend plans, &c., after considering objections.

(2.) Where by reason of any amendments made by the Board, the amount apportioned upon any premises as shewn in the provisional apportionment served upon the owner or owners is increased, notice of such increased apportionment shall be served upon the owner or owners of the premises affected thereby, and objections may be made to such increased apportionment within such time as shall be fixed by resolution of the Board, and, if made within such time, shall be dealt with, and determined in like manner as objections to the provisional apportionment.

11.—(1.) At any time after the expiration of one month from the date of the first publication of the resolution approving any provisional apportionment, and after any objections have been considered and dealt with by the Board, the Board may proceed to execute the works shown in the specifications, plans, sections, estimates and provisional apportionment, and when such works have been completed and the cost thereof ascertained, the Town Engineer shall prepare a statement of the total cost of the works so completed and shall make a final apportionment of such expenses among the premises liable to be charged under this Ordinance.

Board may proceed to execute works at any time after one month from the first publication of resolution approving the works to be executed.

(2.) Such statement and final apportionment shall be submitted by the Town Engineer to the Board, who, by resolution, may approve the same with or without modification or addition as they shall think fit; and such statement and apportionment, when so approved, shall be binding on all parties and conclusive for all purposes.

Statement of total cost and final apportionment.

Charge on premises.

(3.) Any premises included in the final apportionment and all estates and interests therein shall stand and remain charged with the sums finally apportioned on them respectively as from the date of the final apportionment, with interest at the rate of £5 per centum per annum, computed from the completion of the works.

Register of charges.

(4.) The Board shall keep a register of the charges under this Ordinance, and of the payments made in satisfaction thereof, and such register shall be open to inspection by all persons at all reasonable times on payment of a sum not exceeding one shilling for each property or name searched for.

Board may declare apportioned charge to be payable by instalments.

12. The Board may, by order, declare any expenses apportioned upon any owner of any premises comprised in any final apportionment to be payable by annual instalments within such period not exceeding 5 years, as they may, in each case, think fit, with interest at a rate not exceeding £5 per centum per annum computed as aforesaid until the whole amount be paid.

Power of Board to contribute the whole or a portion of the cost of street works.

13. The Board, if they think fit, may at any time, either before commencing any works which they are authorised to execute under section 11 of this Ordinance or after the completion of such works resolve to contribute a portion not exceeding one-half of the expenses of any such works, or resolve, upon motion carried by not less than two-thirds of the whole number of members of the Board to contribute any greater portion or the whole of such expenses out of the rates.

Incidental works.

14. The Board may include in any works to be done under this Ordinance with respect to any street or part of a street any works which they think necessary for bringing the street, or any part of a street, as regards drainage, level, or other matters, into conformity with any other streets whether repairable or not by the Board.

Commission of 5 per cent.

15. The Board in any estimate of the expenses of works may include a commission not exceeding £5 per centum on the estimated actual cost.

16. In a provisional apportionment of expenses of any works carried out by the Board, the apportionment of expenses against the premises fronting, adjoining, or abutting on the street or part of a street in respect of which the expenses are to be incurred shall, unless the Board otherwise resolve, be apportioned according to the frontage of the respective premises; but the Board may, if they think just, resolve that in settling the apportionment regard shall be had to the following considerations; that is to say:

- (a.) The greater or less degree of benefit to be derived by any premises from such works;
- (b.) The amount and value of any work already done by the owners or occupiers of any such premises.

They may also if they think just, include any premises which do not front, adjoin, or abut on the street or part of a street, but access to which is obtained from the street through a court, passage or otherwise, and which in their opinion will be benefited by the works, and may fix the sum or proportion to be charged against any such premises accordingly.

17. Where any premises are charged with a portion of the expenses of any work carried out by the Board under the foregoing sections, and (a) the owner of such premises has sold or agreed to sell a portion of such premises or (b) such premises have been or are about to be divided into separate premises, the Board may from time to time on the application of the owner and upon such terms and conditions as they shall think fit, apportion the sum charged in such proportions as to them shall seem just.

Every apportionment made under this section shall be binding on all parties and shall be conclusive for all purposes.

18. The Board, if they think fit, may from time to time (in addition and without prejudice to any other remedy) recover as a simple contract debt in any court of competent jurisdiction from the owner for the time being of any premises in respect of which any sum is due for the expenses of any works executed under this Ordinance, the whole or any portion of such sum, including any interest chargeable on such sum under this Ordinance.

Apportionment of expenses.

Apportionment of charges on alienation or severance of portion of premises charged.

Power to recover expenses summarily or by action.

Power to borrow subject to the Governor's sanction.

19.—(1.) The Board may, with the sanction of the Governor in Executive Council, from time to time borrow such sum or sums of money as they shall deem necessary for the execution of any permanent works, or of any works which they are authorised to execute under this Ordinance or any other Ordinance for the time being in force, or for any repayment of any loans or any part thereof, or for any other purpose whatsoever, whether of the same nature as those above specified or not.

Particulars to be given in application for leave to borrow.

(2.) Every application for the sanction of the Governor in Executive Council to the raising of any loan shall state the amount proposed to be borrowed, and the rate of interest proposed to be paid in respect of such loan, the purposes to which the proposed loan is intended to be applied, the period within which it is proposed that such loan shall be repaid, the method of repayment of such loan, whether by equal annual instalments of principal or of principal and interest combined on the annuity system, or otherwise, the security to be given, if any, for the repayment of the proposed loan, or, where no security is intended to be given, the provision intended to be made for the repayment of the loan and interest thereon from the ordinary revenue of the Board.

Power to alter allocation of loan funds.

20. The Governor in Executive Council may, from time to time, on the application of the Board, sanction the application of any loan funds, or any part thereof, to purposes other than those to which such funds are allocated under any Ordinance, or by the terms of any sanction given by the Governor under this Ordinance.

Temporary advances.

21. The Board may, with the sanction of the Governor in Executive Council, borrow, as temporary advances, such sum or sums of money as they think proper for defraying expenses included in the approved Estimates payable out of the ordinary revenue of the Board; and they may, with the like sanction, enter into arrangements with the Manager of any Bank with which they have a current account, for allowing the Board to overdraw their account to such extent as may, in each case, be specified in such sanction.

Provided always that every such advance shall be repaid before the expiration of the financial year in which the same shall have been borrowed. To be repaid within current financial year.

22. It shall be lawful for the Board to apply such portion of their ordinary revenue as they may think proper, or as may be required to give effect to the terms and conditions of any sanction given by the Governor under this Ordinance, in or towards the repayment of the principal of any loan or the interest thereon, or of both principal and interest. Power of Board to apply ordinary revenue in or towards re-payment of loans.

New Streets and Buildings.

23.—(1.) The Board may make alter or revoke bye-laws with respect to the following matters : (that is to say), Bye-laws.

- (a.) With respect to the level, width, and construction of new streets and the provisions for the drainage thereof.
- (b.) With respect to building sites and the drainage thereof.
- (c.) With respect to the materials with which new buildings shall be constructed, and the structure of walls, foundations, roofs, and of new buildings for securing stability and the prevention of fire, and for purposes of health.
- (d.) With respect to the sufficiency of the space about buildings to secure a free circulation of air, and with respect to the ventilation of buildings.
- (e.) With respect to the drainage of buildings and of all yards, open spaces and passages appurtenant to or used in connection therewith; with respect to waterclosets, earthclosets, privies, ashpits, and cesspools in connection with buildings; and with respect to the closing of buildings or part of buildings unfit for human habitation, and the prohibition of their use for such habitation.
- (f.) With respect to the paving of yards and open spaces in connection with buildings.
- (g.) With respect to the structure of floors and stair-cases, and the height of rooms intended to be used for human habitation.

(h.) With respect to the demarcation of the lands appurtenant to any building.

(2.) And they may further provide for the observance of such bye-laws by enacting therein such provisions as they think necessary as to the giving of notices, as to the form and contents of such notices, as to the deposit of plans and sections by persons intending to construct buildings, as to inspection by the Board.

(3.) All bye-laws made under this section shall, after confirmation by the Governor in Executive Council, and publication in the *Royal Gazette* have the same effect and operation as if they were enacted by and formed part of this Ordinance.

Power to dispense with observance of bye-laws on such terms as the Board may think fit.

24. In any case in which the Board shall think it expedient, they may dispense with the observance of any bye-laws made under the provisions of the next preceding section on such terms and conditions, (if any), as they may think proper, and in case of the non-observance of any terms and conditions upon which the Board may have dispensed with the observance of any such bye-laws or any part thereof, such proceedings may be taken and such liabilities shall be incurred as if such terms and conditions had been enacted by such bye-laws.

Provided always, that this power shall not be exercised except upon a motion notice of which shall have been given at some previous meeting of the Board, and unless such motion is carried unanimously by the members of the Board present at such meeting, and confirmed by the Governor in Executive Council.

What shall be deemed to be erection of new building.

25. For the purposes of this Ordinance, and the Building Ordinance for the time being in force, and any bye-laws made under this Ordinance and any other Ordinances amending or extending the same, each of the following operations, namely:—

(a.) The re-erection, wholly or partially, of any building of which an outer wall is pulled down or burnt down to or within ten feet of the surface of the ground adjoining the lowest story of the building, and of any frame building so far pulled down or burnt down as to leave only the framework of the lowest story;

- (b.) The conversion into a dwelling-house of any building not originally constructed for human habitation, or the conversion into more than one dwelling-house of a building originally constructed as one dwelling-house only ;
- (c.) The re-conversion into a dwelling-house of any building which has been discontinued as or appropriated for any purpose other than that of a dwelling-house ;
- (d.) The making of any addition to an existing building by raising any part of the roof, by altering a wall, or making any projection from the building, but so far as regards the addition only ; and
- (e.) The roofing or covering over of an open space between walls or buildings ;

shall be deemed to be the erection of a new building.

26.—(1.) The deposit of any plans or sections of any building, in pursuance of any Ordinance or bye-law in force in the town, may, by notice in writing to the person by whom the plans or sections have been deposited, be declared by the Board to be of no effect if the work to which the plans or sections relate is not commenced within twelve months from the deposit of such plans or sections.

Plans deposited to be of no effect if building is not commenced within 12 months.

(2.) The Board shall attach a notice of the provisions of this section to their approval of every such intended work in relation to which plans and sections have been deposited with them.

Board to attach notice of the above provisions of their approval of plans.

27. A person shall not alter any building which has been erected in accordance with bye-laws made under the provisions of this Ordinance or any other Ordinance in such a way that, if at first constructed as altered, such building would have contravened such bye-laws.

Alterations of buildings.

28.—(1.) If any building is commenced or completed, or any work to which any of the provisions of this Ordinance or any bye-laws made thereunder may apply is begun or done in contravention to any of the provisions of this Ordinance or of any bye-law made thereunder, the Board may, by a notice in writing served upon or delivered to the person

Power of Board to remove or pull down works executed contrary to Ordinance or bye-laws.

by whom such building shall be commenced or completed, or such work begun or done, require such person on or before a day to be specified in such notice, by a statement in writing under his hand and addressed to and duly served upon the Board, to show cause why such building or such work shall not be removed, altered, or pulled down; or require such person on such day and at such time and place as shall be specified in such notice to attend personally or by an agent duly authorised in writing in that behalf before the Board and show sufficient cause why such building or such work shall not be removed, altered, or pulled down.

(2.) If such person shall fail to show sufficient cause why such building or such work shall not be removed, altered, or pulled down, the Board may remove, alter, or pull down the same, and the expenses incurred by the Board in removing, altering, or pulling down such building or such work shall be repaid by such person, and shall be a debt due to the Board by the owner and, until repayment, shall be a charge on the premises on which such building shall have been commenced or completed, or such work executed, in contravention of the provisions of this Ordinance, or of any bye-laws made thereunder.

Power conferred by this section to be in addition to any other remedy for breach of any bye-law relating to new buildings.

(3.) The power conferred by this section shall be in addition, and without prejudice to any other remedy provided by this Ordinance or by any bye-law made thereunder, for the recovery of any penalties for breach of any bye-laws made under the authority of section 23 of this Ordinance.

Plans and documents delivered in pursuance of the Ordinance to be property of the Board.

29. Notices, plans, applications, and other documents delivered at the office of the Board or to the Town Engineer in pursuance of this Ordinance or of any bye-law of the Board thereunder shall on delivery thereof become the property of the Board.

Town Engineer and any other authorised officer may exercise powers of Board.

30. The Town Engineer, and any other officer authorised in that behalf by the Board are respectively empowered to perform all the duties and exercise all the powers of the Board for the purpose of carrying into effect the provisions of this Ordinance relating to new buildings and new streets.

Notice of intention to remove buildings.

31.—(1.) It shall not be lawful for any person to pull down or to remove any building from the site on which it stands unless he shall, not more than 14 days and not less than two days, before such removal, have given to the Board notice in writing of his intention to pull down or remove such building.

No building to be removed from its site except after notice to the Board.

(2.) The notice to be given under this section may be according to the form "A" in the second schedule hereto, or in such other form as may hereafter from time to time be prescribed by the Board.

Form of notice.

(3.) The owner of the land from which any house shall have been removed shall within seven days after such removal notify the Board thereof.

Owner of land to notify removal of house therefrom.

(4.) The notice to be given by such owner shall be according to the form "B" in the second schedule hereto.

(5.) Every owner of any land who shall fail or neglect to give such notice within the time prescribed by this section shall for every such offence be liable to a penalty not exceeding £5, and in default of payment to imprisonment with or without hard labour for any term not exceeding one month.

32.—(1.) Any person who shall pull down or remove any building from its site and any owner of any building who shall cause, permit, or suffer any building to be removed from such site without having first given the notice prescribed by the preceding section, shall be guilty of an offence, and shall be liable on conviction thereof to a penalty not exceeding £10, and in default to imprisonment with or without hard labour for any term not exceeding three months.

Penalty for removing a building without having given previous notice to the Board.

(2.) Every building pulled down or removed in contravention of this section shall be deemed to have been pulled down or removed by the owner.

Returns to be made by Owners of Properties.

33.—(1.) The owner of any lands, tenements or hereditaments within the town shall, on or before the first day of October, in the year 1910 send in to the Town Clerk and Treasurer a return in writing according to the form "C" in the second schedule hereto.

Return of ownership of houses in the town.

Return by persons coming into possession of premises.

(2.) Every person who at any time after the first day of October in the year 1910 comes into possession, whether in his own right, or as trustee for any other person or persons, or as personal representative of any person deceased, or committee of any other person, of lands, tenements or hereditaments within the said town shall within one month next after he comes into possession send in to the Town Clerk and Treasurer a return according to such form as may from time to time be prescribed by the Board describing such lands, tenements or hereditaments, in the manner indicated in such form, and stating the title under which such possession has been acquired.

Penalty for failure to make returns, or making incomplete or false returns.

(3.) If any owner or person who is required by this section to make a return of lands, tenements or hereditaments fails or neglects to make any such return as hereinbefore required, and in such form as may from time to time be prescribed by the Board, or makes a return thereof which is in any respect defective or incomplete, or is wilfully untrue in any particular, every such owner or person shall be guilty of an offence, and shall be liable on conviction of every such offence to a penalty not exceeding ten pounds (£10), and in default of payment to imprisonment with or without hard labour for a term not exceeding three months.

Carts.

Name of owner to be painted on every cart.

34.—(1.) No cart shall be used on any street in the town unless there is painted at full length in legible letters in white upon black, or black upon white, not less than one inch in length upon some conspicuous part of the right or off side of such cart or upon the off side shaft thereof, the name and surname and the place of business or abode of the owner of such cart.

Penalty on owner for using his cart or allowing it to be used, without having his name painted thereon.

(2.) Every owner of any cart who

- (a.) shall use or allow the same to be used on any street without his name and place of business or abode painted thereon as aforesaid, or
- b.) shall suffer the same to become illegible, or
- (c.) shall paint, or cause, or suffer to be painted, any false or fictitious name or place of business or abode on such cart,

shall be liable for every offence to a penalty not exceeding forty shillings and in default of payment to imprisonment with or without hard labour for any term not exceeding one month.

(3.) When an owner is charged with an offence under this section, the fact that the cart has been used without the name and place of business or abode of the owner having been painted thereon in the manner prescribed by this section, or that the same has become illegible, or that any false or fictitious name or place of business or abode has been painted on such cart, shall be *prima facie* evidence that the owner allowed such cart to be used without his name and place of business or abode being painted thereon as aforesaid, or has suffered the same to become illegible, or has caused or suffered to be painted such false or fictitious name or place of business or abode on such cart as the case may be.

Use of cart without owner's name, &c., to be *prima facie* evidence against owner.

(4.) Every person who shall drive on any street in the town any cart not having the name and place of business or abode of the owner thereof painted thereon in the manner required by this section shall be liable to a penalty not exceeding forty shillings and in default of payment to imprisonment with or without hard labour for any term not exceeding one month for every day on which he shall drive such cart.

Penalty on the driver of any cart not having the owner's name painted thereon.

(5.) In this section, "cart" includes hand-cart and "drive" includes any mode of propulsion.

Trees, Fountains, Monuments, &c.

35. The Board may, if they think fit, plant and maintain trees in any streets vested in them, or in any squares under their control, and may from time to time, as they think fit, cut down, trim or remove such trees or any of them, and may erect guards for the protection of any trees planted by them.

Board may plant trees on any streets vested in them.

36. The Board may also continue to maintain, trim and remove, as they shall think fit, all or any of the existing trees in any streets vested in them, or squares under their control.

Board may maintain, or cut down any existing trees.

37. The Board may from time to time authorise the erection in any street or public place in the town of any

Fountains, statues and monuments,

fountain, statue or monument, and may maintain the same as also any fountain, statue or monument erected within the said town before the passing of this Ordinance and may remove any fountain, statue or monument erected in the town.

Sanitary Conveniences.

Sanitary
conveniences.

38.—(1.) The Board may, if they think fit, provide and maintain in proper and convenient situations, sanitary conveniences in any street, square or public place vested in them, and may employ and pay attendants and make reasonable charges for the use of any sanitary convenience (other than a urinal) so provided.

(2.) The Board may make regulations with respect to the management of any sanitary conveniences provided by them, and may make bye-laws as to the decent conduct of persons using the same.

(3.) The expression "Sanitary Conveniences" in this section includes urinals, water closets, earth closets, privies, ashpits, and every similar convenience.

Existing
sanitary
conveniences.

39. The provision by the Board of the sanitary conveniences erected before the commencement of this Ordinance is hereby confirmed, and declared to be as valid and legal as if the same had been provided by the Board under the powers conferred by this Ordinance, and all the powers conferred on the Board by the preceding section with respect to sanitary conveniences that may be provided by the Board after the commencement of this Ordinance shall extend and apply to such existing sanitary conveniences.

Receptacles for Deposit of Rubbish.

Power to
provide
receptacles
for deposit of
rubbish.

40. The Board may, if they think fit, provide in proper and convenient situations receptacles for the temporary deposit and collection of house and street rubbish; and they may also provide buildings and places for the deposit of any rubbish collected by them.

Cleansing of Privies.

Bye-laws.

41. The Board may make bye-laws with respect to the following matters, namely:—

(a.) For prescribing the time for the removal or carriage through the streets of any faecal or

offensive or noxious matter or liquid, whether such matter or liquid shall be in course of removal or carriage from within or without or through the town;

(b.) For providing that the vessel, receptacle, cart or carriage used therefor shall be properly constructed and covered so as to prevent the escape of any such matter or liquid;

(c.) For compelling the cleansing of any place whereon such matter or liquid has been dropped or spilt in such removal or carriage.

42. The Board may, on the application of the owner or occupier of any premises, or the agent of the owner or occupier, themselves undertake the cleansing and disinfecting of privies, dustbins, and drains, and the collection, removal and disposal of nightsoil upon such charges and on such terms as to payment as the Board may in each case think fit, and they may before undertaking such work, require the deposit of such sum as they may deem sufficient and requisite to cover the charge made in each case.

Board may undertake cleansing, etc.

43.—(1.) No faecal matter and no offensive or noxious matter or liquid shall be conveyed through the town in any vessel or receptacle except such as shall have been previously approved by the Board.

Conveyance of faecal matter.

(2.) Any person who shall carry or convey along any street in the town any faecal matter or other offensive or noxious matter or liquid in any vessel or receptacle not previously approved by the Board for the purpose shall be liable to a penalty not exceeding £5, and in default of payment to imprisonment for any term not exceeding one month.

(3.) No person shall engage in the business of carrying or removing faecal matter or offensive or noxious matter or liquid from any premises in the town without a permit from the Board.

(4.) Any permit issued by the Board under this section may be granted for a year or for any less period as the Board may think fit, and may be suspended or revoked whenever the Board shall deem such suspension or revocation to be necessary or desirable in the interests of the public.

(5.) Every such permit whensoever issued shall expire on the first January next following the date of its issue, and may contain conditions as to the badge which the holder of such permit shall wear.

(6.) Any person who shall act in contravention of this section shall be liable to a penalty not exceeding £5 for every offence, and in default of payment to imprisonment with or without hard labour for any term not exceeding one month.

Stoppage of traffic during repairs of streets, &c.

Stoppage of traffic during repairs and for public safety.

44.—(1.) It shall be lawful for the Chief Commissioner from time to time to order that during the execution of works and repairs in any street, or bridge, or any part thereof respectively, the traffic on any such street or bridge or part thereof shall cease and that such street or bridge or any part thereof shall be closed to traffic during such time as the Chief Commissioner may deem requisite for the public safety or for the proper and efficient performance of such works or repairs and notice of such order shall be publicly posted in or near the street or bridge to which such order relates.

(2.) Any person who shall pass over, or be in or upon any such street or bridge or any part thereof in contravention of such notice shall be guilty of an offence and shall on conviction thereof be liable to a penalty not exceeding 40/- and, in default of payment, to imprisonment with or without hard labour for a term not exceeding one month.

Acquisition of lands.

Power to acquire land with the approval of the Governor.

45. The Board may, with the approval of the Governor in Executive Council, purchase or otherwise acquire any land in such manner and on such terms and condition as the Governor in Executive Council may approve, and the same may be conveyed to and held by the Board accordingly.

Recovery of charges for Stock and Carriages.

Charges for stock and carriages recoverable by sale of premises.

46. It is hereby declared that the power of sale conferred by Section 21 of the Port-of-Spain Waterworks (Amendment) Ordinance, 1905, is and has always been applicable for the recovery of any sums due to the Board under Section

13 of the said Ordinance for charges levied by the Board for any stock or carriages kept on any tenement or premises supplied with water by the Board.

Waterworks.

47.—(1.) The Board, whenever they shall think necessary, or upon the application of any owner of any premises supplied or about to be supplied with water by the Board, shall furnish and from time to time renew repair or alter such cisterns, pipes, valves, ferules, taps, cocks, apparatus, fittings and appliances in connection with such supply as are required or permitted to be used by any Ordinance for the time being in force or by any bye-laws or regulations made thereunder, and shall provide all materials and do all work necessary or proper in that behalf. The cost of all materials and things furnished by the Board, with 5 per cent. in addition, and the cost of all labour furnished by the Board shall be a debt due to the Board by the owner of such premises, and, until repayment, shall be a charge on such premises.

Supply and repair of water fittings.

(2.) Provided that, in cases where water taps of the pattern approved by the Board are used, the Board shall bear the cost of re-leathering the same.

48. The waterworks district as defined in the Port-of-Spain Waterworks Ordinance No. 283 may be extended or varied from time to time by the Board with the approval of the Governor in Executive Council. A plan shewing the limits of such extension or variation prepared by the Board shall be deposited with the Sub-intendant of Crown Lands.

Extension of district.

Unlawful use of water.

49. The owner or occupier of any premises supplied with water from the Port-of-Spain waterworks who shall use such water or permit or suffer the same to be used for the purposes of any other premises, or who shall supply or dispose of such water to any other person shall be guilty of an offence, and shall upon conviction thereof be liable to a penalty not exceeding £20, and in default of payment to imprisonment with or without hard labour for a term not exceeding six months.

Water to be used only for purposes of premises supplied therewith.

Amendment of section 3 of Ordinance No. 24 of 1906.

“Governor in
Executive
Council.”

50. In Section 3 of the Port-of-Spain Waterworks (Amendment) Ordinance No. 24 of 1906, in lieu of the words “Governor and Legislative Council” wherever the same occur, shall be read the words “*Governor in Executive Council.*”

Sewerage.

Chokes and
obstructions in
house sewers—
Recovery of
expenses.

51. Any sum or sums due to the Board for the expenses incurred by the Board in removing any chokes or obstructions in the house sewers in any premises, or for any other work executed by the Board in connection with the house sewers in such premises, shall be a debt due to the Board by the owner of such premises and until repayment thereof shall be a charge on the premises in which such chokes or obstructions were found, or where such works have been executed.

House sewer
constructed to
serve 2 or more
premises—
Apportion-
ment of cost
among
premises.

52. Where a house sewer is constructed by the Board to serve two or more houses, under Section 17 of the Port-of-Spain Sewerage Ordinance, 1905, (No. 32 of 1905), or section 2 of the Port-of-Spain Sewerage Ordinance, 1907, (No. 17 of 1907), the expenses of such construction are hereby declared to be and to have always been a charge upon each and every such house, including the land whereon such house stands and any land appurtenant to or used or occupied therewith, and the Board may at any time thereafter apportion in such proportions as to the Board shall seem just the total cost of such house sewer among the premises charged therewith.

Apportion-
ment of cost.

53. Where any premises have been connected with the sewerage system under the Port-of-Spain Sewerage Ordinance, 1905, and (a), the owner of such premises has sold or has agreed to sell a portion of such premises, or, (b), such premises have been, or are about to be divided into separate premises, the Board may, on the application of the owner, and upon such terms and conditions as to the Board shall seem fit, apportion the cost and charges payable to the Board and charged on such premises in such proportions as to the Board shall seem just.

54. Whenever a house sewer originally constructed to serve two or more houses ceases to be available for use by the occupier of any one or more of such houses, it shall be the duty of the owner or owners of the last mentioned house or houses forthwith to connect the same with the sewerage system, and the Board may by notice under Section 14 of the Port-of-Spain Sewerage Ordinance, 1905, (No. 32 of 1905) require such owner or owners to construct house sewers therein, and if at the expiration of the period mentioned in such notice such owner or owners shall have failed or neglected to proceed with the works prescribed in such notice it shall be lawful for the Board to execute such works, and the cost thereof, together with 10 per centum added thereto shall be a debt due to the Board by the owner for the time being, and until repayment to the Board shall be a charge on such house or houses and upon the lands appurtenant thereto.

House sewer serving two houses.

55. Every apportionment made under Sections 52 and 53 of this Ordinance shall be binding on all parties, and shall be conclusive for all purposes.

Apportionment to be binding.

Rates, Charges, &c., under the Waterworks and Sewerage Ordinances charged on premises.

56. All rates and charges, and any sums of money due and payable to the Board for works or repairs executed by the Board under or by virtue of the provisions of any Ordinance, together with the statutory increase thereof, shall until payment thereof to the Board be a charge on the premises in respect whereof the same are respectively due.

Rates and sums due to be charge on premises.

Expenses of abating nuisances on private premises.

57. The expenses incurred by the local authority in the execution of any works with the execution whereof the authority are charged under Section 21 of the Public Health Ordinance No. 187, and any sums for which the local authority are liable, or which they may pay to the Receiver-General, under the provisions of Section 25 of such Ordinance for the expenses incurred by the Director of Public Works in removing or remedying any nuisance as in the said section provided, shall be a debt due to the

Expenses incurred by the local authority in abating nuisances in private premises to be a charge on the premises.

Board by the owner of the premises in which such works were executed by the Board or the Director of Public Works, and the case may be, and until repayment thereof to the Board shall be a charge upon such premises.

Statutory Increases.

Increase of
10 per cent. on
sums due and
unpaid for 3
months.

58. Every rate, charge or sum of money due to the Board under or by virtue of this Ordinance or of any other Ordinance now in force, if unpaid for a period of three months after the same shall have become due, shall be increased at the rate of ten per centum.

Provided always that this section shall not apply to house rates in respect of which such statutory increase shall accrue if such rates are unpaid for one month after they become due.

Provided also that this section shall not apply to sums due to the Board in respect of which interest is payable to the Board under this or any other Ordinance.

Provided also that the Board, in any case in which they shall be satisfied that by reason of any omission on the part of the Board or of any Committee thereof, it would be inequitable to require payment of any statutory increase, may by resolution relieve any person liable to the payment of any such statutory increase from the payment thereof.

Distress.

List of
defaulters—
Power to
distrain for
arrears of
rate.

59.—(i.) Where by this Ordinance or by any other Ordinance for the time being in force any rate charges or sums of money due and payable to the Board are recoverable by distress, it shall be lawful for the Chief Commissioner at any time after one month shall have elapsed since the same became due and payable to levy or cause to be levied by distress the rates charges or sums of money so in arrear and unpaid, together with any statutory increases thereof, upon any goods and chattels found on the hereditaments in respect of which such rates, charges or sums of money are payable.

(ii.) Provided always that it shall not be necessary to issue a separate warrant in respect of every sum to be recovered by distress for rates, charges or other moneys

due to the Board, but the authority to levy by distress any sums due for rates charges or other moneys to the Board and so in arrear and unpaid, or any of them with the statutory increases thereon, may be given by one warrant, the sums to be so levied by distress with the statutory increases, to be specified in a list to be attached to and to form part of such warrant.

60.—(i.) The warrant to be given by the Chief Commissioner to the Town Bailiff under the preceding section may be according to the form marked "D" in the second schedule hereto, and such warrant shall be sufficient authority to such Town Bailiff and his assistants to levy by distress the amount of the rates, charges or sums of money, with the statutory increases thereof, specified in such warrant in like manner as if a separate distress warrant had been issued for the recovery of such rates, charges and sums of money with such statutory increases thereof respectively. Authority to levy.

(ii.) Provided that no misdescription or error in the name of any owner or reputed owner shall in any way invalidate such warrant or any distress levied under the authority thereof.

61. The distress so taken shall be kept by the Town Bailiff for at least 10 days, and if at the expiration of that time the rates, charges, or sums of money in respect whereof such distress is levied together with such statutory increase as aforesaid, and the costs and charges of and incident to the distress and the keeping thereof are not paid, such distress may at any time thereafter be sold at public auction to the highest bidder. Distress may be sold.

62. Out of the proceeds of such sale there shall be paid in the first place the cost and charges of and incidental to the sale and keeping of the distress, and in the next place the rates, charges and sums of money so in arrear and unpaid with such statutory increase as aforesaid and the residue, if any, shall be payable on demand to the owner of the goods and chattels distrained upon. Application of proceeds of sale of distress.

Sale for recovery of rates and other sums charged on premises.

Power of sale for rates, etc.

63. Where by this Ordinance or by any other Ordinance for the time being in force any rates or charges or any sums of money whatsoever payable to the Board are declared to be a charge upon any premises, the Board shall have, in addition and without prejudice to the remedy by action and distress power to sell such premises for the purpose of recovering the rates, charges or sums charged thereon and the statutory increases thereof.

Not to be exercised for 3 months after rate due.

64. The Board shall not exercise any power of sale conferred by this Ordinance or by any other Ordinance for the time being in force unless and until the rates, charges or other sums of money for the recovery of which any premises are authorised to be sold shall be in arrear and unpaid for three months after becoming due.

Warrant for sale.

65.—(1.) Where any premises are liable to be sold in pursuance of any power conferred upon the Board for the recovery of any rates charges or sums of money, the Chief Commissioner may from time to time and at any time after the power of sale has become exercisable by warrant or warrants under his hand addressed to some officer of the Board order the sale of such premises or any of them on some day to be named in such warrant, unless the amounts of such rates charges or sums of money together with any statutory increase and the costs of and incidental to such sale be paid to the Board before such sale.

(2.) The warrant for such sale may be according to the form marked "E" in the second schedule hereto.

Sales by the Board to be by public auction, after public notice.

66.—(1.) Every sale made in pursuance of any power conferred on the Board, shall be by public auction before the doors of the Town Hall or at such other place as may be appointed by the Chief Commissioner, and notice of such sale shall be published in one local newspaper circulating in Port-of-Spain once at least in each of three consecutive weeks before the day of such sale.

(2.) Provided that the Chief Commissioner may, at any time after advertisement for sale and before such sale, postpone the sale of all or any of the premises so put up for sale either generally or to some subsequent day.

Chief Commissioner may postpone sale.

(3.) Provided also that before any premises, the sale whereof has been postponed pursuant to the provisions of this section, are again put up for sale, at least ten days' notice of sale shall be given by public advertisement in at least one local newspaper.

Procedure on sale after postponement.

67.—(1.) The Town Clerk and Treasurer, or other officer conducting any sale under the provisions of this Ordinance, shall report to the Board the result of any such sale stating the amount of the highest bid received for each property put up for sale, and the name and address of the highest bidder; and the Board may by resolution declare the highest bidder to be the purchaser of the premises so put up for sale, and shall direct that upon payment of the purchase money or the balance thereof remaining unpaid, the Common Seal of the Board be affixed to the deed conveying the premises to the purchaser.

Report of result of sale—Board may confirm sale and direct conveyance to highest bidder.

(2.) Where, before the passing of the resolution directing the conveyance to the highest bidder, the Board is satisfied that there has been some fraud or improper conduct with reference to the sale of any premises, or that there has been some material error in the description of the said premises, or that the rate, charge or sum for the non-payment of which such premises were sold was paid at the time when the bid was made, the Board may by resolution declare such sale to be, and thereupon such sale shall be null and void; and, except where such debt or sum was paid at the time when the bid was made, the Board may order such premises to be re-sold.

Board may declare sale null and void in certain cases.

(3.) The provisions relating to sales by the Board, and the procedure prescribed for the conduct of such sales, except in so far as the same shall have been expressly modified by the resolution ordering such re-sale, shall be applicable in all respects to any re-sale carried out pursuant to the provisions of this section.

Procedure on resale, after resolution declaring previous sale null.

68. Upon the execution of the deed of conveyance to the purchaser in accordance with any resolution of the Board, the premises described in such conveyance shall

Effect of conveyance by Board to purchaser.

Application of
proceeds of
sale.

become the property of the purchaser absolutely freed and discharged from all estates charges and incumbrances whatsoever, save and except any charge thereon in respect of any debts due to His Majesty the King, and save and except also any charge thereon in respect of any rates charges debts and sums of money due or accruing due to the Board; and the purchase money shall in each case be applied, in the first place in or towards payment of the costs and expenses of and incidental to such sale and any previous abortive sales, and in the next place in or towards payment of any rates charges or sums due to the Board at the date of such conveyance and any statutory increases thereof respectively, and the surplus, if any, shall be paid to the person or persons who shall be entitled thereto.

Surplus
balance of
proceeds of
sale under
statutory
powers.

69. Where upon any sale by the Board pursuant to any power there remains in the hands of the Board any surplus after applying the proceeds of such sale in or towards payment of any rates, charges, debts, costs, and expenses to which such proceeds are applicable the Board may, if they shall think fit, pay such surplus into the Supreme Court, to an account to be entitled "In the matter of the Port-of-Spain Town Board Amendment Ordinance, 1910," and of the premises, (specifying them by reference to the number and the street in which they are situated), sold under the provisions of this Ordinance; and the Supreme Court, or any judge thereof may, on the petition of any person entitled or claiming to be entitled to such monies or any part of the same, make order for the payment of the same or any part thereof to the person or persons entitled thereto.

Board may
make regula-
tions with
respect to
procedure at
sales by
auction.

70. The Board may from time to time, make, alter and repeal regulations with respect to the procedure at sales by public auction under the power of sale conferred on them by this or any other Ordinance, and may by such regulations fix the amount of the deposit to be made by the highest bidder, and prescribe the time within which such deposit shall be made and the events in which such deposit shall be forfeited; and they may further provide that in the event of the highest bidder in respect of any premises failing to make the prescribed deposit or to complete the purchase

within the time fixed therefor respectively, the next highest bidder shall be deemed to be the highest bidder and purchaser of such premises.

Any regulations purporting to be made under this section shall be submitted for the approval and confirmation of the Governor in Executive Council, and, when so approved and confirmed, shall have the same force and effect as if such regulations were enacted by and formed part of this Ordinance.

71. It shall be lawful for the Board upon the application of the highest bidder at any sale to rescind and annul such sale upon such terms and conditions as to the payment of any rates charges or other sums due to the Board and any statutory increases thereof in respect of the premises sold and of any costs of and incidental to such sale and any previous abortive sales or otherwise as the Board may think fit.

Board may on application of highest bidder at sale annul the sale on condition.

72. The conveyance to the purchaser of any premises sold by the Board may be according to the form "F" in the second schedule hereto.

Form of conveyance.

73. The power of sale conferred by this Ordinance shall be in addition to and independent of the remedy by action or distress or any other remedy, and may be exercised whether such other remedy or remedies have been resorted to or not, provided that at the time of such sale the rates, charges or sums of money or any part thereof, or any statutory increases thereof, or any part thereof respectively for the recovery of which the power of sale is sought to be exercised are due and in arrear for not less than three months.

Power of sale to be in addition to any other remedy.

74. The provisions of Sections 63 to 73 of this Ordinance shall extend and apply to any sale by the Board for the recovery of any rates, charges, or sums of money which became due to the Board before the commencement of this Ordinance.

Bye-laws.

75.—(1.) The Board may, by any bye-laws made by them impose on offenders against the same such penalties as they think fit, not exceeding the sum of £10 for each offence,

Power to impose penalties on breach of bye-laws.

and in the case of a continuing offence a further penalty not exceeding 40/- for each day during which such offence shall continue after written notice thereof by the Board.

Confirmation
of bye-laws.

(2.) Bye-laws made by the Board after the commencement of this Ordinance, shall not take effect unless and until they have been confirmed by the Governor in Executive Council.

(3.) Where any bye-laws are confirmed by the Governor in Executive Council a statement to that effect shall be appended to such bye-laws, together with the date as from which such bye-laws shall take effect.

Publication of
bye-laws in
Royal Gazette.

(4.) All bye-laws made by the Board shall, when confirmed by the Governor in Executive Council be published in the *Royal Gazette*, with a statement of the confirmation thereof by the Governor and of the date on which they shall take effect, and production of a copy of the *Royal Gazette* purporting to contain such bye-laws with such statement as aforesaid shall be conclusive evidence of the tenor, due making and confirmation of such bye-laws and of the date on which such bye-laws take effect.

Power to
make different
bye-laws for
different parts
of the town.

76. Where by this or any other Ordinance now in force the Board are empowered to make bye-laws, affecting lands, tenements or hereditaments, or imposing any obligation on the owners thereof, the Board may make such bye-laws for the whole or for any part of the area under their jurisdiction, and may make separate and different bye-laws for separate parts of such area.

Power to attach conditions to consents given by the Board.

Where Board
may refuse
consent to any
act or
omission, they
may give their
consent there-
to, subject to
conditions.

77. In any case where the Board are authorised under this Ordinance or any other Ordinance for the time being in force or any bye-laws made by the Board to refuse their sanction or consent to the doing or omitting to do any act or thing, by the owner of any premises the Board may, if they think fit, instead of refusing such sanction or consent grant the same subject to such terms and conditions in relation to the subject matter of such sanction or consent as the Board think fit. Any such term or condition when accepted shall be binding on the owner of the premises to which the sanction or consent relates, and if at any time

any term or condition so accepted is not observed or fulfilled such owner shall be liable to a penalty not exceeding £10, and to a further penalty not exceeding 40/- for every day during which such default is continued after notice thereof by the Board.

78. The word "*premises*" so far as regards declarations of charge and sales under this Ordinance, includes all buildings whatsoever and the lands on which the same are erected, and also any lands appurtenant to or occupied with the same.

Expression "*Premises*"—
What it includes in sales under this Ordinance

Committees—Delegation of powers to.

79. The Board may delegate to any committee or committees appointed by them any of the powers or duties vested in or imposed upon the Board by this, or any other Ordinance for the time being in force, and may, if the Board think fit, direct that the acts and proceedings of such committee need not be submitted to the Board for approval. In every such case, the acts done and proceedings taken by the committee in relation to the powers and duties so delegated to such committee shall be done and instituted in the name of the Board, and shall be as valid and binding against all parties as if such acts had been done and such proceedings taken by the Board.

Delegation of powers of Board to committees.

80. The reasonable travelling expenses of every committee incurred for the purpose of inspecting premises and places in connection with the matters referred to such committee shall be paid out of the ordinary revenue of the Board.

Travelling expenses of committees.

Power of Entry.

81.—(1.) The Board and the Town Engineer and any other officer and any person or persons acting under the authority of the Board or under the orders of the Town Engineer, may at all reasonable times during the day enter upon any premises for the purpose of ascertaining whether there exists in such premises anything constituting an infringement of any of the provisions of this Ordinance or of any bye-law made thereunder; for the purpose of inspecting any works that are being or have been carried out by the owner or occupier with the view of ascertaining whether such works are being or have been carried out in accordance with the requirements of this Ordinance or of any bye-laws

Power of entry by Board and its officers.

made by the Board; and for the purpose of ascertaining whether the terms and conditions, subject to which the observance of any such bye-laws has been dispensed with, have been complied with; for the purpose of taking levels and measurements for the preparation of plans and for the purpose of executing any works which under the provisions of this or any other Ordinance the Board are authorised to execute in such premises.

(2.) Any person who prevents the Board or the Town Engineer or any such other officer or persons as aforesaid from entering any premises for any of the purposes specified in this section or for any other purposes of this Ordinance, or refuses to give to the Board or to the Town Engineer or to such other officer or persons as aforesaid the means of access to any premises for any of the purposes aforesaid, or who obstructs or impedes the Board or the Town Engineer or such other officers or persons as aforesaid in carrying into execution the provisions of this Ordinance, or who wilfully damages or injures any work executed or in course of execution by the Board in any premises under the authority of this Ordinance, shall be liable for every such offence to a penalty not exceeding £10, and in default of payment to imprisonment with or without hard labour for any term not exceeding three months.

Service and authentication of notices, orders, &c.

Service of
notices, etc.

82. Notices, orders and accounts, and any other documents required or authorised to be given, served, or delivered by this Ordinance or by any other Ordinance, or by any bye-laws or regulations made under the authority of any such Ordinance for the time being in force may be either in print or in writing or partly in print and partly in writing, and shall be sufficiently authenticated by the name of the Town Clerk and Treasurer or any other duly authorised officer of the Board being affixed thereto in print or in writing; and it shall be sufficient in all cases where any such notices, orders, accounts or other documents are required to be given to or served on or delivered to the owner or occupier of any premises to address the same to such owner or occupier by his description as "owner" or "occupier" (as the case may be), of the premises, (naming them), in respect of which

such notices, orders, accounts or other documents are to be given or served or delivered without further name or description; and if required to be given served or delivered under this Ordinance or any other Ordinance for the time being in force or any of such bye-laws or regulations, may be given or served or delivered by delivering the same or a true copy thereof to or at the residence of the person to whom they are respectively addressed, or where addressed to the "owner" or "occupier" thereof, to some person on the premises, or, if there is no person on the premises who can be so served, by fixing the same on some conspicuous part of the premises; and they may also be served by sending the same through the post.

Penalties.

83.—(1.) All offences under this Ordinance, or any bye-laws made by the Board shall be deemed to be offences punishable under the "Summary Conviction Offences (Procedure) Ordinance," and all such offences and all penalties, forfeitures, costs, and expenses under this Ordinance directed to be recovered in a summary manner, on information or complaint, or the recovery of which is not otherwise provided for, may be prosecuted and recovered in a summary manner on complaint before any Stipendiary Justice of the peace, and the procedure in all such cases shall be according to the Summary Conviction Offences (Procedure) Ordinance.

Recovery of penalties.

(2.) All penalties, fines and costs recovered for offences under this Ordinance, or under any bye-laws made by the Board shall be paid to the stipendiary justice of the peace for Port-of-Spain for the use of the Board.

Penalties to be payable to Board.

(3.) Any complaint or information for any offence against the provisions of this Ordinance or of any other Ordinance for breach of the provisions whereof the Board may institute proceedings or for breach of any bye-laws made by the Board, may be made or laid in the name of the Board by any officer or officers of the Board authorised in that behalf either generally or in respect of offences against the provisions of specified enactments or of specified bye-laws; and any officer or officers of the Board authorized in

Complaints or information for offences may be made or laid by officers of the Board duly authorised.

that behalf by the Board may conduct the proceedings before the Stipendiary Justice of the Peace in all cases in which the Board are complainants.

Estimates of Revenue and Expenditure to be approved by Legislative Council. Supplemental Estimates to be approved by Governor in Executive Council.

84. Section 16 of the Port-of-Spain Town Board Ordinance is hereby repealed and in lieu thereof it is enacted as follows :—

16. The Board shall, on or before the 1st day of March, in each year, prepare and submit to the Governor a true estimate of the income receivable and the expenditure to be incurred during the financial year commencing on the 1st April next following, and the Governor shall submit the same to the Legislative Council which may approve or amend the same; and no further sums shall be expended in any year thereafter than as provided in such estimates, unless the same shall have been included in a supplemental estimate of expenditure to be from time to time submitted to and approved by the Governor in Executive Council.

Provided that the Board may at any time during the year authorize a saving under any sub-head of expenditure in such estimates to be applied to meet an excess under another sub-head.

Provided always that in respect of any portion of such year as may have elapsed before the sanction of the estimate for such year it shall be lawful for the Board provisionally to expend in each week in respect of any matter any sum not exceeding one fifty-second part of the estimate for similar work, services or salaries in the previous financial year, or by leave of the Governor any such further sum as the Governor may sanction.

Powers of Ordinance to be cumulative.

Powers of Ordinance, cumulative.

85.—(1.) All powers given to the Board under this Ordinance shall be deemed to be in addition to and not in derogation of any other powers conferred upon the Board by

Ordinance, law or custom and such other powers may be exercised in the same manner as if this Ordinance had not been passed.

(2.) Nothing in this Ordinance shall exempt any person from any penalty to which he would have been liable if this Ordinance had not been passed, but no person shall be liable, except in the case of a daily penalty for a continuing offence, to more than one penalty in respect of the same offence.

Passed in Council this Sixth day of June, in the year of Our Lord one thousand nine hundred and ten.

HARRY L. KNAGGS,
Clerk of the Council.

SCHEDULE I.

Enactments Repealed.

No. of Ordinance.	Short Title.	Extent of Repeal.
150	... The Port-of-Spain Hucksters, Porters and Carters Ordinance	Sections 11 and 12.
201	... The Port-of-Spain Streets Management Ordinance	Section 11.
33 of 1905	... The Port-of-Spain Waterworks (Amendment) Ordinance, 1905.	Sections 16 and 22, and Sub-sections (2), (3), (4), (5) of Section 20.
10	... The Municipal Corporations Ordinance ...	Section 52, in so far as it relates to the Town of Port-of-Spain.
32 of 1905	... The Port-of-Spain Sewerage Ordinance, 1905	Sections 12 and 13 and Sub-sections (3), (4) and (5) of Section 11.
207	... The Port-of-Spain House Tax Ordinance ...	Section 19.

SCHEDULE II.

FORM "A."

Removal of house—Notice by owner of house.

(Port-of-Spain Town Board (Amendment) Ordinance 19

To the Town Clerk and Treasurer.

I the undersigned, the owner of the house now numbered and assessed as No. _____ standing on lands belonging to _____ do hereby give you notice that I intend to remove (or pull down as the case may be), the said house from its present site on or before the _____ day of _____ 19____.

Signature of owner of house.....

Address.....

Dated.....

FORM "B."

Removal of house—Notice by owner of land on which house stood.

(Port-of-Spain Town Board (Amendment) Ordinance 19

To the Town Clerk and Treasurer.

I the undersigned, the owner of the land on which stood the house heretofore numbered and assessed as No. _____ hereby notify you that the said house was removed (or pulled down, as the case may be,) from my said land on or about the _____ day of _____ 19 _____.

Signature of owner of land.....

Address.....

Dated.....

FORM "C."

Return of ownership.

To be made by every owner of rateable property in the Town of Port-of-Spain Town Board (Amendment) (Ordinance, No. _____ of 19 _____.

PARTICULARS

No.	DESCRIPTION OF PREMISES. street.	STATE WHETHER OWNER OF HOUSE ONLY, OR OF HOUSE AND SITE. (If owner of house only, give the name of the owner of the land on which the house stands.)	NATURE OF INTEREST. (State wheter absolute owner, life tenant, leaseholder or trustee.) N.B.—If not sole owner, give names of other co-owners.	TITLE. (Give registered number and date of deed or other instrument under which your title is derived.) If held under Real Property Ordinance give registered number of certificate of title or crown grant.

DECLARATION.

I hereby declare that I am the owner of the premises described in the first column of the above schedule of particulars, and that the several particulars in such schedule are in every respect justly and truly stated to the best of my knowledge and belief.

Signature in full of owner.

Dated this _____ day of _____ 19 _____

Owner's address

FORM "D."

Distress Warrant.

To the Town Bailiff.

I, Chief Commissioner, by virtue of the powers vested in me by the Port-of-Spain Town Board (Amendment) Ordinance, 1909, do hereby authorise you and your assistants to collect and recover the several amounts respectively due for *(State the particular rate, charge or other matter for which the sums are due)* in respect of the several premises contained in the list hereto attached together with the statutory increase thereof; and for the recovery thereof I further authorise you and your assistants to destrain on such goods and chattels as are liable to be destrained on, and for the levying of such distress and for the sale thereof this shall be your warrant.

Given under my hand at the town hall, this day of 19

.....
Chief Commissioner.

List attached to the Distress Warrant issued by the Chief Commissioner dated.....19

Premises.	Owner or reputed owner.	Rate, charge, &c. in respect of which levy is to be made.	Amount.		Statutory increase.		Total.	
			\$	c.	\$	c.	\$	c.

FORM "E."

Warrant for Sale.

I Chief Commissioner of the Port-of-Spain Town Board, in pursuance of the powers vested in me by do hereby order you, to sell or cause to be sold by public auction before the doors of the Town Hall, Port-of-Spain, on the day of 19 between the hours of and , the several premises enumerated in the list attached hereto in respect of which the sums set opposite the description of such premises are respectively due and payable for *(House Rates, Belmont Improvement Rates, Water Rate, Sewerage Rate, Charges for Stock and Carriages; Charges for Works and Repairs, (Water Works), &c., as the case may be)*, under the provisions of *(State the Ordinance under which the rates, charges or sums are due and payable)* and have been for more than three months in arrear and unpaid; save and except those of the aforesaid premises in respect of which there shall have been paid to the Port-of-Spain Town Board before such sale the sums so due and payable, together with the statutory increases thereof and the costs and expenses of and incidental to such sale.

.....
Chief Commissioner.

Dated this day of 19

FORM "F."

TRINIDAD.

THIS deed made the day of in the year 19 between the Port-of-Spain Town Board, (hereinafter referred to as "the Board") of the one part, and of of the other part, Witnesseth that in consideration of the sum of \$ paid by the said to the Board on or before the execution of these presents, (the receipt whereof the Board hereby acknowledge), the Board, under and by virtue of the powers conferred by the Port-of-Spain Town Board (Amendment) Ordinance, 1910 and of every other power enabling them in that behalf, and in pursuance of a resolution of the Board of the day of 19 Hereby Convey unto the said the premises known as No. of street in the town of Port-of-Spain, To Hold the same unto and to the use of the said in fee simple.

In witness whereof the Board have caused their Common Seal to be hereto affixed the day and year first herein written.

The Common Seal of the Port-of-Spain Town Board was hereto affixed by in pursuance of the resolution of the Board of the day of 19 in the presence of