

TRINIDAD AND TOBAGO.

Sewerage.

E.

R. G. 1904
1698.

No. 14—1904.

8th August.

AN ORDINANCE to amend the Sewerage Ordinances, 1901-4.

[L.S.]

H. M. JACKSON,

GOVERNOR.

29th September, 1904.

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 Sewerage (Amend- Short Title.
ment) Ordinance 1904.

It shall be read as one with the Port-of-Spain Sewerage Construction.
Ordinance 1901 (No. 23-1901), hereinafter called the Principal Ordinance, and the Sewerage Rates Ordinance 1904
(No. 5-1904).

The said Ordinances and this Ordinance may together be cited as the Port-of-Spain Sewerage Ordinances 1901-1904.

2. The Sewerage Rates Ordinance 1902 (No. 17 of 1902) Repeal.
is hereby repealed.

The repeals by this Ordinance enacted shall not affect the validity or invalidity of anything done or suffered or any right accrued or liability incurred before or any proceeding pending at the commencement of this Ordinance.

"Engineer"—
definition of. 3. The definition of the term "the Engineer" in Section 2 of the principal Ordinance is hereby repealed and in lieu thereof shall be read the following :—

"The Engineer" means the Engineer appointed under the provisions of Section 5 of the Port-of-Spain Waterworks Ordinance 1904.

Repeal. 4. Section 17 of the Principal Ordinance is hereby repealed and in lieu thereof shall be read the following :—

Constitution
of Board. The Board shall consist of such persons as may from time to time constitute the Water Authority under the provisions of the Port-of-Spain Waterworks Ordinance 1904.

Appeal against
assessment. 5. The period within which an appeal may be made under Section 32 of the Principal Ordinance is hereby extended to thirty days.

Repeal. 6. Section 23 of the Principal Ordinance is hereby repealed and in lieu thereof shall be read the following :—

Employment
of officers and
servants. The Board may employ for the purposes of this Ordinance such assistant engineers, constructors, artificers and workmen, secretary, managers, clerks, collectors and other servants as may be necessary for the carrying out of the purposes of this Ordinance and for the inspection maintenance and repair of any works hereby authorized or any part thereof.

Repeal. 7. Section 37 of the Principal Ordinance is hereby repealed and in lieu thereof shall be read the following :—

Advance to pay
for house
connection in
cases of
poverty. Whenever it shall be made to appear to the Board on the application of the owner of any house or land and on due investigation of the circumstances that such owner is from poverty or other inability unable to defray the expenses of any works to be constructed or provided in respect of such house and land which by this Ordinance is directed to be done at the expense of such owner, it shall be lawful for the Board to direct that such expenses be advanced by the Board from an account to be called "The House Connection Account," and the amount so advanced and paid shall be a first

charge on such house or land and a debt to the Board from such owner, which shall bear interest from the date of the same being incurred at the rate of 5 per cent. per annum, and for the payment of such amount with interest such tenement shall be charged with such equal payments annual or otherwise as the Board shall think fit as will repay the amount so advanced and interest for the same in such time not exceeding fifteen years as the Board shall direct, and the payment of each instalment of principal and interest shall at the discretion of the Board be enforceable either by action in the Port-of-Spain District Court (which for the purposes of this section shall have jurisdiction without limit as to the amount claimed) or as a Public Land Charge under the Land Charges and Land Taxes Ordinance 1893.

Provided that before any works are constructed under the provisions of this section the Board shall from time to time submit for the approval of the Governor in Council a list of the houses and lands in which it is proposed to construct any such works and an estimate of their cost, and shall show from what source it is proposed to provide the funds necessary for the construction of such works.

8. Section 39 of the Principal Ordinance is hereby repealed Repeal. and in lieu thereof shall be read the following :—

39. If after the expiration of the period of time, not being less than thirty days, to be allotted by the Board in any notice given in pursuance of this Ordinance the owner of any premises shall have failed or neglected to construct add to alter or repair any house sewers or water-closets and other appliances to the satisfaction of the Board and in accordance with the Regulations, it shall be lawful for the Board by its officers, servants and workmen to enter on such premises and execute the works prescribed in such notice, and the cost thereof together with ten per centum added shall be recoverable and be a charge till recovered on such premises in manner herein provided. Owner failing to comply with notice.

Exemption
from con-
structing house
connection.

Provided that if the Board is satisfied that any contrivance or arrangement in actual operation for the removal of faecal matter is inoffensive and sanitary, the Board may in their discretion suspend for such time as they shall continue to be satisfied with the working and efficiency of such contrivance or arrangement, the construction of any water-closets or house sewers in connection with water-closets on such premises which they may deem to be unnecessary while such contrivance or arrangement remains in effective and sanitary operation.

Repeal.

9. Section 40 of the Principal Ordinance is hereby repealed and in lieu thereof shall be read the following:—

Recovery of
house con-
nection costs.

40. An account under the hand of the Secretary of the Board of the expenses incurred by the Board under Section 39 hereof together with ten per centum added shall be delivered to the owner of such premises or his agent or attorney in the Colony, or if he or they are not known or cannot be found then to the occupier thereof, and if in such case there is no occupier then a notice of the amount of such expenses and the percentage added with the name of the street in which such premises shall be situated and the number if any of such premises shall be published in the *Royal Gazette*, and in at least one local newspaper, and if the amount of such expenses and the percentage added shall not be paid to the Board within twenty-one days after the delivery of such account or the publication of the same as the case may be, the Board may at its discretion sue the owner for the amount of such expenses and percentage in the Port-of-Spain District Court, which for the purposes of this section shall have jurisdiction without limit as to amount claimed, or may enforce the same as a Public Land Charge under the provisions of the Land Charges and Land Taxes Ordinance, 1893.

New houses to
be sewered.

10. Every new house which shall be erected within 150 feet of a street sewer within any part of any district which

may be proclaimed in pursuance of Section 13 of the principal Ordinance shall be connected with the sewerage system.

Every person who occupies any new house erected as aforesaid and which shall not be connected with the sewerage system shall be guilty of an offence punishable on summary conviction and shall be liable to a penalty not exceeding £20.

For the purposes of this section the expression "new house" means any house erected after the commencement of this Ordinance, and any house which has been taken down to an extent exceeding one-half of its cubical measure and re-erected after the commencement of this Ordinance.

11. The Sewerage Board may out of moneys to be voted for that purpose by the Legislative Council instal the sewerage system in any premises within any district proclaimed under Section 13 of the principal Ordinance now occupied or used as an assisted elementary school under the Education Ordinances 1890-1901. Elementary
Schools.

Provided that after the sewerage system shall have been installed as aforesaid the owner of such premises shall maintain and keep the same in proper order and condition.

The expenses incurred in installing the sewerage system in any such premises shall be a charge on such premises and shall rank in priority to all other charges and incumbrances thereon save debts due to His Majesty the King, and shall be repayable in the event of such premises being used for any other purpose than that of an assisted elementary school as aforesaid.

A memorandum of such charge in which shall be stated the amount of the expenses incurred in such installation and the description of the premises in respect of which the same were incurred shall be signed by the Chairman of the Board and shall be registered free of charge in the office of the Registrar-General. Such memorandum may be in the form in the Schedule hereto.

Passed in Council this 8th day of August, in the year of Our Lord one thousand nine hundred and four.

C. J. ROOKS,
Clerk of the Council.

SCHEDULE.

MEMORANDUM OF CHARGE UNDER SECTION 11.

THE premises (description of premises) in the town of Port-of-Spain now used as an assisted elementary school under the provisions of the Education Ordinances 1890-1901 are charged under the provisions of Section 11 of the Sewerage Amendment Ordinance 1904 with the payment of the sum of being the amount of the expenses incurred in installing the sewerage system in the said premises.

Dated this day of

(Sgd.)

Chairman Sewerage Board.
