

TRINIDAD AND TOBAGO.

No. 26—1928.

I ASSENT,

[L.S.]

H. A. BYATT,
Governor.

15th November, 1928.

AN ORDINANCE to authorise the Corporation of Port-of-Spain to undertake sanitary works in the bed of the Dry River.

[15th November, 1928.]

WHEREAS the state of the water-course in the City of Port-of-Spain known as the Dry River is a nuisance and a danger to the public health, and it is expedient to repress such nuisance, and that the said water-course and the banks thereof should be repaired and placed under proper control:

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

Short title.

1. This Ordinance may be cited as the Dry River Ordinance, 1928.

2. In this Ordinance "Corporation" means the Mayor, Interpretation.
Aldermen and Citizens of the City of Port-of-Spain.

3. It shall be lawful for the Corporation with all Corporation may enter and construct works.
necessary workmen and other servants at all times to enter upon any lands in that portion of the Dry River which lies between the bridge known as Chaytor's Causeway and the sea and to erect or cause to be erected upon any part of such lands such works as they may deem fit for the purpose of repairing, making, preserving or maintaining the said portion of the Dry River as a fit and proper channel for the passage of surface water to the sea.

4. Plans of such works as may from time to time be Plans to be deposited.
authorised by the Corporation and approved by the Governor for the better carrying out of the provisions of this Ordinance shall be made and deposited in the Office of the Town Clerk of Port-of-Spain and shall be open to inspection by any person between the hours of 10 a.m. and 3 p.m. on any week day.

5. It shall not be lawful without a licence from the Town Licences to dig gravel, &c.
Clerk of Port-of-Spain to dig, win, take or carry away any sand, stone or gravel from the Dry River at any part of such river between the bridge on the Belmont Circular Road known as Chaytor's Causeway and the sea.

Every person contravening the provisions of this section shall be guilty of an offence against this Ordinance and on conviction before a Magistrate shall forfeit and pay for every such offence a sum not exceeding twenty-five pounds.

6. No action shall be brought against the Corporation or Protection of Corporation against actions and injunctions.
any of their authorised servants or agents for anything done in furtherance of the purposes of this Ordinance, and no injunction or order restraining the execution or maintenance of any of the works authorised by this Ordinance shall be granted by any Court of Justice.

7. No authorised servant or agent of the Corporation Protection of servants and agents of Corporation.
shall be liable to prosecution for anything done by him *bona fide* in furtherance or intended furtherance of any of the purposes of this Ordinance.

Assault or
obstruction.

8. If any person shall assault or hinder or obstruct or cause or procure to be hindered or obstructed the Corporation or their agents or servants or any workman or any person authorised by them or employed in doing or performing any works by this Ordinance authorised to be done or performed or in the exercise of any of the powers and authorities in this Ordinance contained, every such person shall be guilty of an offence against this Ordinance, and on conviction thereof before a Magistrate shall forfeit and pay any sum not exceeding twenty-five pounds.

Power to
make
bye-laws and
regulations.

9. The Corporation may make bye-laws and regulations for all or any of the following purposes :—

- (a) for ensuring and regulating the use of the said portion of the Dry River as a fit and proper channel for the passage of surface water to the sea ;
- (b) empowering such person or persons as they may appoint to do all such acts and things in over or upon the bed of such River as may be deemed necessary for placing or keeping such River under proper control ;
- (c) forbidding absolutely or regulating the drainage from any public or private sewer or drain into the said River ;
- (d) for the prevention of the deposit of filth or rubbish in the bed or on the banks of the said River between the limits aforesaid ;
- (e) for the regulation and maintenance of the said watercourse in such a manner as to prevent any nuisance arising therefrom ; and
- (f) generally for the more effective carrying out of the provisions of this Ordinance.

Penalties—
recovery of.

10. Any person who shall contravene or fail to comply with any of such bye-laws or regulations shall be guilty of an offence and on summary conviction before a Magistrate shall be liable to a penalty not exceeding ten pounds for each offence, and in the case of a continuing offence to a further penalty not exceeding two pounds for each day during which such offence shall continue after written notice thereof from the Corporation.

11.—(1) Bye-laws and regulations made by the Corporation under this Ordinance shall not take effect unless and until they have been confirmed by the Governor in Executive Council.

Confirmation,
publication
and
commence-
ment of
bye-laws and
regulations

(2) All such bye-laws and regulations 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 come into force.

12. Two-thirds of the cost of the works authorised by this Ordinance, as certified on an account submitted by the Town Clerk to the Governor on the thirty-first day of December in each year during which the work continues, and approved by the Director of Public Works, shall be paid from funds in the hands of the Corporation, and the remaining one-third shall be paid to the Corporation from the public funds of the Colony by the Treasurer on the warrant of the Governor.

Payment of
cost of works.

13. The Dry River Ordinance (being No. 155 of the 1905 edition of the laws of the Colony) is hereby repealed.

Repeal.

Passed in Council this ninth day of November, in the year of Our Lord one thousand nine hundred and twenty-eight.

JOHN DE NOBRIGA,
Clerk of the Council.