

CHAPTER 199.

GRENADA.

Ordinance
Cap. 148-1934
Revision.

AN ORDINANCE TO MAKE PROVISION FOR THE ERADICATION OF NOXIOUS WEEDS.

[1st April, 1912.]

Short title.

1. This Ordinance may be cited as the
NOXIOUS WEEDS ORDINANCE.

Interpreta-
tion.

2. In this Ordinance and any regulations made there-
under —

“ inspector ” shall mean an inspector appointed under
this Ordinance ;

“ noxious weed ” shall mean any plant which the
Governor may, from time to time with the consent of
the Legislative Council, signified by a resolution to that
effect, declare by Order published in the *Gazette* to be
a noxious weed, either throughout the whole Colony
or in one or more districts or portions of districts
thereof.

Appoint-
ment of
inspectors.

3. The Governor may from time to time appoint
inspectors for the purposes of this Ordinance, and may assign
to them their duties and salaries or allowances.

Power to
make
regulations.

4. (1) The Governor may from time to time, with the
consent of the Legislative Council, make, alter, or rescind
regulations —

(a) imposing upon the occupier of land, or in the
case of unoccupied land, upon the owner thereof or
his agent in this Colony, the duty of clearing and
keeping cleared that land of noxious weeds ;

(b) prescribing the manner in which any noxious weed shall be eradicated by persons subject to the duty of clearing and keeping land clear of it ;

(c) empowering any inspector to enter upon any land and inspect the same and to give directions by written notice or otherwise to persons subject to the said duty to clear that land of any noxious weed ;

(d) prescribing the forms of any such notice, the particulars of directions to be given therein, and the manner in which it shall be served upon occupiers, owners, or agents of such owners ;

(e) empowering inspectors to eradicate noxious weeds in default of compliance with the requirements of any such notice by a person upon whom the same has been served ;

(f) providing for the recovery of the cost of eradication of noxious weeds from any such person who is so in default and the mode of such recovery ;

(g) preventing the introduction into this Colony or the sale of any plant, seed or grain, which is likely to propagate or spread the growth of noxious weeds ;

(h) generally for preventing the spread of noxious weeds in this Colony or any district or portion of a district thereof.

(2) Until any such regulations shall be made the regulations contained in the Schedule to this Ordinance shall be in force.

5. Any person who shall —

Penalties.

(a) violate the provisions of any regulation made under this Ordinance, or

(b) refuse or neglect to act in obedience to any such regulations, or

(c) resist, oppose or obstruct the lawful execution thereof,

shall for every such offence be liable, on summary conviction, to a fine not exceeding twenty-four dollars.

THE SCHEDULE.

(Section 4 (2)).

REGULATIONS.

1. In these regulations the following terms shall have the meanings respectively assigned to them :—

“clear” shall mean to dig up and burn, or to pull up and burn, noxious weeds ; or to employ other means of destruction prescribed by an Inspector ;

“persons responsible” shall, in relation to land, mean the occupier of land or, in the case of unoccupied land, the owner thereof or his agent in this Colony.

2. It shall be the duty of every person responsible to clear or cause to be cleared any noxious weed on the land in respect of which he is responsible. It shall further be the duty of the person responsible to report the occurrence on any land of any noxious weed to a Justice of the Peace, Magistrate, or Inspector, or at the nearest police station, or direct to the Superintendent of Agriculture.

3. An Inspector may at all reasonable times enter upon any land, whether enclosed or not, for the purpose of ascertaining if any noxious weeds exist thereon.

4. If an Inspector finds any noxious weed upon land, he may by notice in writing to the person responsible require him to clear the land within the time specified in the notice, and it shall be the duty of the person responsible to do so. Such notice shall indicate the particular noxious weed which has been found upon the land, and, as nearly as practicable, the portion or portions of the land on which that noxious weed is found.

5. Any person responsible who fails, after notice, to clear his land of a noxious weed specified in that notice shall be liable on conviction to the penalty provided for a breach of these regulations. The Court may also order the person so convicted to pay the cost of the clearing of the land by an Inspector, and every such order may be enforced in the same manner as the judgment of a Magistrate's Court is enforceable in civil cases.

6. If the person responsible fails to clear the land as aforesaid, an Inspector may enter upon the land with or without assistants and eradicate any noxious weed found thereon, but nothing herein contained shall relieve the person responsible from any penalty to which he may be liable under these regulations :

Provided that if no such penalty be imposed the Inspector may recover the cost, charges, and expense of clearing the land as aforesaid by action in the proper court.

7. Any notice under these regulations shall be in writing and may be served,

- (a) personally upon the person responsible ; or
- (b) by leaving it addressed to the person responsible at his usual or last known place of abode ; or
- (c) by post in a registered letter addressed to the person responsible at his last known place of abode or business.

8. Any person who obstructs or hinders an Inspector in the exercise of his duty under these regulations shall be liable on conviction to the penalty provided for a breach of these regulations.
