

MARKING AND FENCING OF LOTS, ETC.

BY-LAWS

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BY-LAW

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 26/7/1917
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made by the Town Council under section 192, of the Georgetown Town Council Ordinance, 1898, and approved by the Governor and Court of Policy on 26th July, 1917, and amended on the 20th March, 1922, and 9th January, 1946, deemed to have been made under section 321 of this Act.

Citation.

1. These By-laws may be cited as the Marking and Fencing of Lots By-laws.

COST OF PAALS

Cost of paals.

2. Where paals are necessary to mark the boundaries between contiguous lots or portions of a divided lot the cost of placing such paals shall be borne jointly by the owners thereof. Any dispute as to the cost or description of such paals shall be settled by the City Engineer.

FENCING OF LOTS

Fencing of
 lots.
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3. Continuous boundary fencing shall be erected between all lots or portions of divided lots owned by separate

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2/1968].

persons.

Costs of
fencing.
[By-laws
2/1968]

4. The cost thereof shall be borne jointly by the adjoining owners. Any dispute as to the cost or description of such fencing shall be settled by the Council.

Construction
of drains.
[By-laws
2/1968]

5. When a lot drain is constructed along a boundary line common to two adjoining lots and continuous boundary fencing is required to mark the same there shall either be a continuous fence on each side of such drain or one continuous fence erected in such position and in such manner as the Council may decide.

Fencing front
portion.
[By-laws
2/1968]

6. The owner of a lot or any portion thereof shall erect a continuous fence on any part of such lot, or portion thereof which faces a public street.

Fencing back
portion.
[By-laws
2/1968]

7. Where the back of a lot abuts on a public drain the lot-owner shall erect a continuous fence in order to fence in such lot from such drain.

Construction
of fences.
[By-laws
2/1968]

8. (1) Every fence erected under these By-laws shall, except the Council in special circumstances otherwise permits in writing, be not less than three feet nor more than six feet in height.

(2) Metal sheeting shall not be used to fence the street boundary of any lot or portion thereof.

(3) No advertisement shall be painted on or advertising hoarding affixed to any fence on any lot or portion thereof without the approval of the Council. An application for such approval shall be made in writing to the Council and shall include details of the size, colouring, lettering, shape, lighting and character of the proposed advertisement or hoarding and the materials to be used in the construction thereof.

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Notice to erect
and approval.
[By-laws
2/1968]

9. (1) Every person who desires to erect a fence required by these By-laws shall give notice in writing of his intention so to do to the Council and shall specify in such notice the design of the fence and the materials to be used in the construction thereof.

(2) No person shall erect any such fence unless the Council has approved of its design and the materials to be used in its construction.

Non-
compliance.
[By-laws
2/1968]

10. Where any owner fails to comply with any requirement to erect a fence under these by-laws the Council may erect such fence and may recover and enforce payment of any amount spent in pursuance thereof, in a Court of competent jurisdiction as a Civil debt.

Penalties.
[By-laws
2/1968
2/1999]

11. Every person acting contrary to the provisions of the fore-going by-laws relating to the fencing of lots or failing with any requirement therein shall be liable to a fine of one thousand dollars and further fine of five hundred dollars for each day's default.

NAMING OF STREETS AND NUMBERING OF LOTS

Naming of
streets and
numbering of
lots.
[Bylaws
3/1957]

12. (1) The Council shall cause to be placed in such conspicuous places therein as they may see fit the names of all the streets of the City.

(2) Every owner shall cause to be placed the number of any lots owned by him in the city, whether such lot is held under transport or by lease or otherwise, upon some conspicuous place on such lot and shall renew the said number from time whenever necessary.

GUTTERS AND PIPES TO ROOFS OF BUILDINGS

Gutters and
pipes, etc.

13. The owner of any lot and buildings, or of buildings

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alone, in the City adjoining any public street road or thoroughfare shall cause the roof of the buildings and of all sunshades and other coverings and projections to be supplied with sufficient gutters and pipes to be kept in good order and repair so as to prevent any water therefrom dropping upon or running into or over such public street, road or the thoroughfare, or injuring any public dam or parapet in the City.

Construction
And grading
of gutters to
buildings in
City of
Georgetown.
[By-laws
2/1999]

14. All gutters attached to buildings in the City of Georgetown shall be constructed and graded by the owners to the approval and satisfaction of the City Engineer in such manner as to prevent water settling therein and from time to time to keep the same in such like order and repair to the satisfaction of the City Engineer: it shall be imperative on the owners of all such gutters which at present are not so constructed and graded to have the said gutters so attended to as aforesaid within six months from the confirmation of these by-laws:

Provided that by-law shall not apply to buildings with gutters perforated in such a way as to prevent water settling therein. The owner of any such buildings failing to comply with the provisions of this by-law and by-law 13 shall be liable to a fine of five thousand dollars.

Neglect of
comply with
notice.
[By-laws
2/1999]

15. Every person who shall neglect to comply within seven days with a notice from the City Engineer to have the said gutter cleaned shall be guilty of an offence under these by-laws, and shall be liable to a fine of one thousand dollars and further fine of five hundred dollars for each day's default.

PROTECTION OF BUILDINGS FROM FIRE

Materials for
roofing of
certain
buildings.

16. It shall not be lawful to cover the roof of any building within the City with thatch or leaves. The roof of every building on any lot abutting on either side of High

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Street, from Lamaha Street to Broad Street, Saffon Street, or of any street in continuation thereof and of every building to the west of such street shall be covered with tiles, slates, metal, or other material approved by the City Engineer.

Materials for guttering, etc.

17. All gutters and spouts attached to any such roof shall be of tin or other metal and be constructed to the satisfaction of the City Engineer.

Penalties.
[By-laws
2/1999]

18. Any roof covered contrary to these by-laws may be pulled down and removed by order of the Council and the person liable thereof shall be liable to a fine of ten thousand dollars.

Kitchen to have separate roof from main building.

19. Every dwelling-house within the City shall be provided with a kitchen, having a separate roof from that of the main building, in which there shall be an open fire-place with a brick chimney or a stove and pipe. Provided that any existing kitchen under the same roof as the main building shall be allowed to remain, if it otherwise complies with the requirements of these by-laws. Every chimney shall be of sufficient height not to endanger the neighbourhood or to annoy it with smoke. In case any brick oven be required the same shall be connected with and ventilated by a brick chimney.

Kitchen floors.

20. The portion of the floor of every kitchen on which any fire-place or stove is placed and the space on all sides for two feet beyond shall be covered with concrete, stone, tiles, brick or solid earth and if such kitchen is attached to the dwelling-house or to any other building the outer sides and end of such kitchen shall be of stone, tiles, brick, metal or some other incombustible material or lined therewith.

Exemptions.

21. The foregoing provisions with respect to kitchens as contained in by-laws 19 and 20 shall not be construed as applicable to each separate room in any tenement range.

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Penalties.
[By-laws
2/1999]

22. Any person acting contrary to the provision of by-laws 19 and 20 shall be liable to a fine of ten thousand dollars.

Use of coal-pots, etc.

23. It shall not be lawful to use or kindle fire in any coal-pot or other holder of fire, within any dwelling-house in any lot of the City, except in a kitchen, or in coal-pots or other holders of fire used for laundry purposes placed at a distance of not less than six feet from any building on said lot, or if such coal-pot or holder of fire is used within a building for like purposes the same shall be placed on a box in a receptacle containing water constructed to the satisfaction and approval of the City Engineer.

Chimneys.
[By-laws
2/1999]

24. All chimneys attached to kitchens belonging to dwelling-houses in the City shall be kept in good repair, and well and properly cleaned, and the City Engineer or any Officer of the Council shall be at liberty at any time to enter upon the premises and inspect them; and the owner or occupier of any such dwelling-house neglecting to comply herewith shall be liable to a fine of four thousand dollars for every such neglect.

Right to enter premises.
[By-laws
3/1975]

24A. (1) A local government officer may enter premises at any reasonable time to ensure that there is compliance with by-laws 16 to 24 (inclusive).

(2) At the request of the owner, occupier, or person in charge of the premises, a local government officer shall produce proof of his appointment as a local government officer before exercising the powers conferred by paragraph (1).

Penalties.
[By-laws
2/1999]

25. In case of fire originating from any chimney attached to any building in the City, the owner or occupier of such building shall be liable to a fine of five thousand dollars.

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Power to
prosecute.

26. In case of any breach of the foregoing by-laws under this heading the City Engineer shall be empowered to institute proceedings and prosecute for any breach hereof or he may delegate his authority thereto in each case to any officer of the Council he may think fit.

DANGEROUS BUILDINGS, ETC.

Dangerous
buildings.

27. If any building or anything affixed thereon is deemed by the City Engineer to be in a ruinous state and dangerous to persons residing therein, or to passers-by, or to the occupiers of neighbouring buildings, he shall, if he thinks fit, immediately cause a proper hoard or fence to be put up for the protection of passers-by, and shall cause notice in writing to be served on the owner of such building, requiring him forthwith to take down, secure, or repair such building or other thing.

Notice to
repair, etc.

28. If such owner do not begin to repair, take down, or secure such building or other thing within three days after such notice has been served and complete such repairs, or take down or secure such premises as speedily as the nature of the case will admit, the City Engineer may make complaint thereof before a magistrate of Georgetown, and it shall be lawful for such magistrate to order the owner or in his default the occupier (if any) of such building or other thing, to take down, rebuild, repair, or otherwise secure to the satisfaction of the City Engineer the same or such part thereof as appears to the magistrate to be in a dangerous state within a time to be fixed by him.

Repairs, etc.
by Council

29. In case the same be not taken down, repaired, rebuilt, or otherwise secured within the time so limited, or if no owner or occupier can be found on whom to serve such order, the Council shall with all convenient speed, cause all or so much of such buildings, or other thing, as shall be in a ruinous condition and dangerous as aforesaid to be taken down, repaired, rebuilt, or otherwise secured in such manner

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as shall be requisite; and all the expenses of putting up every such board or fence and of taking down, repairing, rebuilding, or securing such building, or other thing, shall be recovered by the Council by summary execution and the said property shall be executable for the expenses and costs.

Precautions
against
accident to be
taken by City
Engineer.

30. The City Engineer, shall, during the construction or repair of any of the streets, thoroughfares, bridges, trenches or drains in the City, take proper precaution for guarding against accident, and shall cause such bars or chains to be fixed across or in any of the streets, thoroughfares, or bridges to prevent the passage of carriages, carts, and animals while such works are carried on as to him shall seem proper; and the City Engineer shall cause any such works during the construction or repair thereof to be lighted and guarded during the night.

Penalties.
[By-laws
2/1999]

31. Every person who shall take down, alter, or remove any of the said bars or chains or extinguish any light without the authority or consent of the City Engineer shall for every such offence be liable to a fine of four thousand dollars.

Lights to be
fixed to show
danger.

32. When any building materials, rubbish or other things are laid, or any hole made in any of the streets, thoroughfares or bridges of the City, the City Engineer shall direct sufficient light to be fixed in a proper place upon or near the same, and shall direct such light to be continued every night from sunset to sunrise while such materials or hole remain, and shall direct such materials or other things and such hole to be sufficiently fenced and enclosed until such materials or other things are removed or the hole filled up or otherwise made secure.

Repairs to
streets, etc. by
City Engineer.

33. If any building or hole or bridge or any other place near any thoroughfare or street of the City be for want of sufficient repair, protection, or enclosure dangerous to the passengers along such thoroughfare or street, the City Engineer shall cause or direct the same to be repaired,

protected, or enclosed, so as to prevent danger therefrom and the expenses of such repair, protection or enclosure shall be repaid to the Council by the owner of the premises so repaired, protected, or enclosed, or by the party making such repairs, or digging such hole or excavating in any street in the City, and shall, in default of payment, be recoverable by summary execution.

“Residential
Districts”.

34. The Council may by order declare an area a “Residential District”. No spirit shops, provision shops, manufactories, bakeries or other such business premises, no theatre, dancing hall, school, assembly hall, tenement room, ranges, stables, cow-pens, or other building or buildings used for similar purposes, shall erected, nor shall any premises or part of premises be converted to be used for such a purpose as above within a residential district save by consent of the Council. Any building in a residential district used for such a purpose as above-mentioned at the time the order is made by the Council may continue to be so used, but the Council may if petitioned by the owners of two-thirds of the area declared give them notice to all or any owners of buildings so used to cease using them for such purpose, compensation being paid at such rate shall be determined by agreement or, failing agreement, by arbitration, such compensation being provided by special compensation rate levied upon the property of this area.

OFFENCES AND PENALTIES

Penalties.
[By-laws
2/1999]

35. Every person who shall offend against any of these by-laws shall be liable for every such offence to a fine of one thousand dollars, and in the case of continuing offence to a further fine of five hundred dollars for each day after written notice of the offence has been served by the City Engineer:

Provided nevertheless that the magistrate before whom any complaint may or any proceedings may be taken in

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respect of any such offence may, if he think fit, adjudge the payment of any sum less than the full amount of the penalty imposed by this by-law.

Special
penalties.
[By-laws
2/1999]

36. Any person acting contrary to the provisions of these by-laws shall, where no special penalty has been provided, be liable to a fine of seven thousand five hundred dollars.
