

By-laws
30/12/1884
1/1999

DRAINAGE OF LOTS

BY-LAWS

*made under the Public Health Ordinance for the City of
Georgetown and approved by the Governor and Court of Policy on
the 30th December, 1884, deemed to have been made under section
321 of this Act*

Citation. **1.** These By-laws may be cited as the Drainage of
Lots By-laws.

INTERPRETATION OF TERMS

Interpretation. **2.** In these By-laws—

"lot" means either a whole lot or any portion of a divided lot;

"lot drain" means any drain or trench on or adjoining any lot
required to be made and maintained by the owner or
occupier of such lot;

"main drain" means any drain or trench made and
maintained by the Town Council.

AS TO DRAINAGE

Drainage. **3.** Every lot exceeding fifty feet in width shall have
not less than two drains, and every lot under and up to fifty
feet in width shall have at least one drain.

Position of
drains **4.** Each drain shall be so placed—

 (a) That the centre thereof shall be not less than
two feet from the nearest boundary line of the lot unless the

City Engineer, the circumstances being exceptional, shall give permission in writing to place any such drain nearer to such boundary line.

(b) That such drain shall run clear from and outside of all buildings on the lot in a straight line without any bend or angle unless the City Engineer, the circumstances being exceptional, shall give permission in writing to place any such bend or angle in any such drain.

(c) That the tops of the sides of such drain shall be below the level of the surface of the lot and that the said sides shall be pierced at intervals of not less than ten feet with holes of not less than one square inch in area and being not less than two inches above the level of the bottom of the drain.

(d) That the bottom of such drain shall at the upper end or highest level thereof have a depth of not less than six inches and shall have a fall towards the point of discharge of not less than two inches in every one hundred feet.

(e) That such drain shall discharge into the main drain in rear of the lot in all cases where such drainage is provided; in all other cases, into the nearest main drain provided by the Town Council for the reception of the lot drainage of the district and every question as to which is such nearest main drain shall be determined by the City Engineer.

Length of
drains.

5. Each such drain shall run through the lot from end to end or side to side as may be necessary, having reference to the position of the main drain unless the City Engineer, the circumstances being exceptional, shall give permission in writing to construct any such drain for a shorter distance.

LAWS OF GUYANA

298 **Cap. 28:01**

Municipal and District Councils

[Subsidiary]

Drainage of Lots By-Laws

Width of
drains.

6. Each such drain shall have an internal width of not less than nine inches at the top and six at the bottom.

Materials for
construction of
drains.

7. Each such drain shall be constructed of stone, brick, concrete, hardwood or other suitable material and in such manner as the City Engineer shall approve.

Cleaning of
drains.

8. The drains on or adjoining any lot shall be kept clean and wholesome and free from obstruction by the parties hereinafter named —

- (a) The owner or, where there are more than one, each owner of the lot.
- (b) The occupier of the lot, or, where there are more occupiers than one, by each occupier.
- (c) The occupier of any building on the lot.

Common
drains.

9. The owner or owners of two adjoining lots may, having first obtained the permission in writing of the City Engineer, construct one drain common to such two adjoining lots.

Width of
common
drains.

10. Every such common drain shall be of not less than one and a half times the width required by these by-laws for the drain of the single lot.

Expense of
common
drains.

11. The expense of constructing any such common drain shall be divided between and be payable in equal proportions by the owners of the lots drained thereby unless the Town Council shall otherwise order in cases where the special circumstances show that one owner ought justly to pay more than the other.

Drains passing
through
adjoining lots.

12. If in the opinion of the City Engineer it is

necessary for the efficient drainage of a lot that the drainage shall pass through or over an adjoining lot the drains carrying off such drainage shall wherever practicable be made to pass through the side drains of the said adjoining lot hereinbefore provided for, and, if not so practicable, then such drainage shall be carried across such adjoining lot by means of a tunnel or covered drain of sufficient capacity constructed to the satisfaction of the City Engineer as regards position, size and material, and the expense of constructing such tunnel or covered drain and replacing the surface earth shall be borne wholly by the owner or owners of the lot from which the drainage comes.

Application of
by-laws.

13. If the City Engineer certifies that on the coming into operation of these by-laws any lot is or was sufficiently drained, these by-laws shall not be taken nor held to require the construction of new drains on such lot, unless the drainage of the lot subsequently becomes defective or insufficient.

Subsoil
drainage.

14. Efficient subsoil drainage, to the satisfaction of the City Engineer, may be permitted in lieu of the drains described in by-laws 4, 5 and 6.

Appeal.

15. The owner of any lot feeling aggrieved by the action of the City Engineer in any matter by these by-laws left to his decision may appeal to the Town Council whose decision shall be final.

Penalty.
[By-laws
1/1999]

16. Every person who shall offend against any of these by-laws shall be liable for every such offence to a fine of two thousand five hundred dollars, and in the case of a continuing offence to a further fine of five hundred dollars for each day after written notice of the offence from the Town Council:

Provided nevertheless that the magistrate, before

LAWS OF GUYANA

300

Cap. 28:01

Municipal and District Councils

[Subsidiary]

Drainage of Lots By-Laws

whom any complaint may be made or any proceedings may be taken in respect of any such offence, may, if he think fit, adjudge the payment as a penalty of any sum less than the full amount of the penalty imposed by this by-law.
