

SECONDARY LEGISLATION

Pamplemousses / Rivière du Rempart (Disposal of Refuse) Regulations 1995

GN No. 161 of 1995

Regulations made by the District Council of Pamplemousses/Rivière du Rempart made under sections 51, 141 and 142 of the Local Government Act 1989

Abstract

1. No person shall deposit, drop or throw or cause, allow or permit to be deposited any dust, dirt, paper, ash, carcass, refuse, box, barrel, bale, household or trade refuse, vehicle wreck, excavation or builder's rubble, household furniture or any other materials on a street pavement wasteland, vacant premises, drain, canal, on road sides or any other public place or beaches.
2. The owner or occupier of any premises or flat shall -
 - (a) at all time keep the premises clean and free from undergrowth; and
 - (b) not dump, or cause, or permit the dumping of, any refuse vehicle wreck, excavation, or builder's rubble, or any old waste materials on the premises.
3. Every occupier of residential premises shall deposit or cause to be deposited, any refuse, or any other waste material, in a receptacle.
4. Every occupier of a flat shall deposit, or cause to be deposited, all refuse at ground level in a receptacle, whether used exclusively by him or in common to all occupiers of the flat.
5. Any dealer in cakes, foodstuffs or other perishable goods shall secure such refuse in a plastic bag before depositing it in a receptacle.
6. Every Occupier of trade premises shall -
 - (a) dispose of his refuse as directed by the officer;
 - (b) deposit his receptacle as described under regulation 7, in a place not further than 5 metres from the road in his premises;
 - (c) any Occupier of trade premises may, upon request, have his refuse disposed of in accordance with an agreement to be made with the Officer;
 - (d) the arrangement under paragraph (b) shall be made in writing signed by the Occupier and shall include the appropriate fees under regulation 13.
7. An Officer may -
 - (a) where on account of the condition, or location of the receptacle, there exists, or is likely to be, pollution or a threat to public health; and
 - (b) having due regard to the situation of the premises, whether residential or commercial, serve a notice on the occupier, requiring him to have this receptacle -
 - (i) constructed with concrete or other impervious material;
 - (ii) adequately ventilated;
 - (iii) placed at proximity of the main entrance;
 - (iv) provided with a means of access for cleaning and removing its content without having it to be carried through any building; and
 - (v) provided with an outlet to a covered drain.
8. Where any vacant premises are -
 - (a) partly, or wholly covered with undergrowth; or

- (b) dumped with any refuse, vehicle wreck, excavation or builder's rubble, household furniture or any other materials prejudicial to public health or conducive to pollution,

an officer may serve on the owner a notice requiring him cut down, remove, or dispose of, the undergrowth or material. The owner shall comply with the requirements of the notice within one month of the service of the notice or within 48 hours in the case of refuse constituting a health hazard.

9. On the failure of the owner or occupier to comply with the requirements of the notice presented in [regulations](#) 12 and 13, the Council shall -
 - (a) be empowered to enter upon the said land/premises and cause all works necessary for the cleaning of the land and removal and disposal of all undergrowth, refuse, wreck, rubble, furniture and any other material thereupon to be done; and
 - (b) recover all sum spent by it for that purpose as a civil debt from the owner or occupier.
10. For the removal of any kind of household or trade refuse, vehicles, wrecks, or parts thereof, furniture, agricultural, excavation or builder's rubbles and animal carcasses or any other waste, the Council shall claim the fees as prescribed in the Schedule.
11. Any person contravening any of these [regulations](#) shall commit an offence and shall, on conviction, be liable to a fine not exceeding Rs 10,000 and in case of a continuing offence to all additional fine not exceeding Rs 100 for each day during which the offence continues after conviction. The Court may, in addition to a fine, make any order it thinks just, having regard to the circumstances of the case and the situation of the person, to secure compliance with the [regulations](#) infringed.