

BERMUDA STATUTORY INSTRUMENT

BR 22/1994

HAMILTON (REGULATION OF CARRIAGES) ORDINANCE 1994

*[made under section 38 of the Municipalities Act 1923 [title 4 item 1] and
brought into operation on the 1 May 1994]*

ARRANGEMENT OF PARAGRAPHS

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Citation

1 This Ordinance may be cited as the Hamilton (Regulation of Carriages) Ordinance 1994.

Interpretation

2 In this Ordinance, unless the context otherwise requires—

"carriage" means any animal-drawn vehicle constructed for the conveyance of passengers;

"the Corporation" means the Corporation of Hamilton;

"street" includes any alley, highway, lane, public passage, public place, sidewalk, parking area, thoroughfare or wharf in Hamilton.

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Restrictions on operation of carriage

3 A person shall not operate a carriage for hire within the City of Hamilton unless—

- (a) there is attached to the animal drawing such carriage a device fitted in such a manner as to prevent the animal depositing manure or droppings [solid excreta] [faecal matter] onto a street; and
- (b) that person empties or causes to be emptied, either into a receptacle provided by the Corporation for the purpose or in some other appropriate place, the contents of the device referred to in sub-paragraph (a), at such intervals as is necessary to prevent the contents of the said device escaping onto a street.

Offences

4 A person who operates a carriage in contravention of paragraph 3(a) or (b) is guilty of an offence and is liable to prosecution for such offence in accordance with the provisions of the Municipalities Act 1923 [title 4 item 1].

Written Permission

5. Nothing herein contained shall be construed so as to prevent the Corporation giving written permission to any person including its own employees or agents to do any act which in the absence of such permission might constitute a contravention of this Ordinance and any such permission shall be good and valid authority to the holder thereof acting in accordance therewith: however in any court proceedings taken under this Ordinance the onus of proving that such permission has been granted shall lie with the person asserting that fact.