

Liability of Port Authority.

14. It shall be a condition of any permission for the use of any inland waterway for navigation or water skiing given or impliedly given by the Port Authority or any other person deriving any title or interest in any inland waterway from the Port Authority that no liability shall attach to the Port Authority or such other person by reason only of having given or impliedly given such permission.

Penalty.

15. Any person who contravenes or fails to comply with any provision of these Bye-laws shall be guilty of an offence against the Act and shall be liable on summary conviction to a fine not exceeding one hundred and forty Bahamian dollars (B\$140.00) or imprisonment not exceeding three months.

Saving.

16. These Bye-laws shall be without prejudice to the operation of any other laws in force in the Port Area and in particular shall not be deemed to exempt any boat plying, offered or let for hire in any inland waterway or any master thereof from compliance with the requirements of the Boat Registration Act.

S.I. 51/1967
S.I. 87/1976

FREEPORT (REMOVAL OF REFUSE) BYE-LAWS

(SECTION 10)

[Commencement 28th September, 1967]

Title.

1. These Bye-laws may be cited as the Freeport (Removal of Refuse) Bye-laws.

Interpretation.

2. In these Bye-laws, unless the context otherwise requires —

“can” means a movable receptacle for refuse of approximately twenty to thirty gallons capacity;

“the Company” means the Grand Bahama Utility Company Limited (being a licensee of the Port Authority entrusted with the duty of removing refuse in the Port Area and approved for the purpose by the Minister);

“container” means a movable receptacle for refuse of three or six cubic yards capacity designed and fitted for attachment to the rear of a refuse removal truck for the purpose of tipping its contents into such truck;

“garbage” means all kitchen and similar refuse of an animal or vegetable nature which is subject to decay or putrefaction;

“house refuse” means any garbage or trash normally accruing for disposal in or upon residential premises;

“owner” means the person for the time being receiving the rent of the premises in connection with which the word is used, whether on his own account or whether as an agent or a trustee for any other person, or who would so receive the same if such premises were left;

“refuse” means house or trade refuse;

“trade refuse” means any refuse other than house refuse and in particular includes building materials left on a building site, trees, shrubs, plants, bushes, leaves, loose soil and any vegetable refuse arising from gardening or landscaping activities;

“trash” means any waste material of a nature not subject to decay or putrefaction.

3. Save as otherwise may be specifically provided in these Bye-laws, no person other than the Company shall remove for disposal any refuse from any premises in the Port Area.

Exclusive right of Company to remove refuse.

4. The occupiers of premises in the Port Area shall make such arrangements for the purpose of complying with the provisions of these Bye-laws as will facilitate the removal by the Company —

Periodical removal of refuse by the Company.

- (a) not less frequently than twice in every week, of house refuse from all occupied residential premises within the Port Area; and
- (b) of trade refuse on such occasions or with such frequency as may be mutually agreed between the Company and the occupier of any trade premises.

5. (1) The occupier of any residential building comprising a single family unit shall provide or cause to be provided a can or cans fitted with a suitable close-fitting cover or covers of a pattern approved by the Company in which shall be placed and kept all house refuse which has

Obligation of occupiers of single family unit buildings.

accumulated in or upon such premises since the preceding removal thereof by the Company.

(2) On each day specified by the Company for the removal of house refuse in any part of the Port Area, the occupier of every single family unit building in such part shall at or before such hour of such day as the Company shall fix and notify (by public announcement or by written notice served upon the occupier of the building) place or caused to be placed the can or cans containing any house refuse in such conveniently accessible position upon or adjacent to such building as may be required by the Company for the purposes of collection thereof.

(3) The provisions of this bye-law shall apply *mutatis mutandis* to buildings comprising two family units (commonly known as duplexes) and the occupiers thereof as if each of the two portions of the building were single units.

6. (1) The occupier of every separate dwelling in any building comprising more than two dwellings (commonly known as an apartment house) shall have for his use a can or cans having a suitable close-fitting cover or covers of a pattern approved by the Company in which shall be placed and kept all house refuse arising in his dwelling.

(2) Every such occupier shall cause such house refuse to be made available for collection by the Company on such days as may be specified by the Company by —

- (a) placing or causing to be placed the can or cans in such accessible position upon or adjacent to the building as may be required by the Company for purposes of collection; or
- (b) placing or causing to be placed the contents or such can or cans in a container or containers situated in a central location or in several central locations in or adjacent to the building, such containers being of such number and pattern as may be approved by the Company.

(3) Where the house refuse from dwellings in an apartment house is delivered into a container through a hopper or chute, it shall be the duty of the owner of the apartment house to provide such number and pattern of containers as may be provided by the Company and to locate the same in a position which is readily accessible to any refuse removal truck belonging to the Company.

Refuse of
apartment
houses.

7. The manager or person in charge of any premises used as an hotel shall provide at a central location, or at several locations in the said premises as the Company may require, a refuse storage container or containers of such number and pattern as may be approved by the Company and shall take or cause to be taken all reasonable steps to ensure that all house refuse arising on the premises is deposited therein for periodical collection by the Company.

Refuse of hotels.

8. (1) No person shall permit or suffer any trade refuse to accumulate upon any unbuilt portion of any parcel of land of which he is the occupier unless such refuse is placed and kept in a receptacle suitable for the purpose.

Disposal of trade refuse.

(2) The occupier of any premises on or in which trade refuse shall accumulate may arrange with the Company for the removal and disposal of such refuse on such occasions or with such frequency as may be mutually agreed between such occupier and the Company.

(3) Trade refuse arising on any premises in the Port Area which is not removed by the Company shall only be disposed of by the occupier of such premises —

- (a) by incineration upon the premises where the refuse has accumulated; or
- (b) by removal during the hours of daylight to a suitable location in the Port Area for the purposes of incineration; or
- (c) by removal at such times during the hours of daylight as may be fixed by the Company to any place within the Port Area appointed by the Company as a refuse dump.

(4) Every person disposing of trade refuse by fire shall act in such a way as not to cause any danger or nuisance to persons or property and shall use an incinerator which shall comply with the following requirements —

- (a) The incinerator shall be sited in such a position as will not cause a nuisance;
- (b) The incinerator shall be constructed in accordance with the requirements of the Freeport Building Code with a furnace of suitable grate area, a combustion chamber adequate in size and all other equipment and apparatus necessary effectually to incinerate all refuse placed therein and consume all combustible gases or matter evolved from the incineration of such refuse;

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- (c) The incinerator shall be provided with a suitably constructed smoke flue carried to such a position in the outer air as will afford an outlet for smoke and gases without causing nuisance; and
 - (d) The incinerator shall, if constructed for use with a chute for conveying or discharging refuse into the furnace box, be provided with a suitably designed and constructed hopper connected in such manner that the chute cannot be used as a smoke flue and such chute shall be constructed in a manner approved by the Company.

(5) Every person who disposes of any trade refuse by means of an incinerator shall, during use, maintain or cause to be maintained (if necessary by the addition of fuel) a sufficient fire in such incinerator so that speedy and complete incineration of any refuse when deposited therein and the consumption of any combustible gases and matter evolved from such refuse shall be secured and the accumulation of unburned or crude refuse in the furnace box or chute prevented.

(6) Notwithstanding the other provisions of this bye-law, no person shall dispose of trade refuse by means of fire other than by fire in an incinerator on any parcel of land in the Port Area on which there are, erected or in course of erection, any buildings.

9. (1) No person shall drop, throw or deposit or cause to be dropped, thrown or deposited any refuse from any vessel moored or under way in any inland water within the Port Area.

(2) It shall be the duty of the person in charge of any such vessel as is mentioned in paragraph (1) of this bye-law to provide a suitable can or cans having a close-fitting cover or covers in to which shall be placed and kept any refuse arising in such vessel.

(3) Unless any such refuse as aforesaid is deposited within a reasonable time in the ocean outside the territorial waters of The Bahamas, it shall be the duty of the person in charge of the vessel to make such arrangements as will ensure that such refuse is removed as occasion may arise either directly from the vessel by the Company or from some other suitable can or container located within reasonable distance of such vessel and from which under the other provisions of these Bye-laws refuse is removed by the Company.

Refuse from
vessels in inland
waters.

10. No person shall transport or cause to be transported within the Port Area refuse of any kind unless such refuse is in a receptacle closed with a tight-fitting lid or is completely covered with adequate protective covering or is transported in a suitably constructed vehicle which is entirely enclosed.

Transport of refuse.

11. (1) Where in conformity with these Bye-laws a can or container has been provided in or in connection with a building, no person shall deposit the house refuse accumulating in or on such building in any place other than in such can or container.

Use of cans or containers.

(2) No person shall deposit any liquid or matter other than house refuse in any can or container intended for house refuse.

(3) No person shall deposit any box made of cardboard or similar material in any can unless such box is broken down and crushed before removal by the Company.

(4) Whenever house refuse is deposited in any can or container, the lid or cover thereof shall be effectively closed by the person depositing such refuse.

(5) Where a container is provided in connection with a chute for house refuse, the owner of the building shall adopt such precautions as may be necessary to prevent any refuse from being spilled from such container or falling elsewhere than in the container.

(6) Where in conformity with these Bye-laws a can or container has been provided by the owner or occupier of any premises, such owner or occupier as the case may be shall cause every such can or container to be thoroughly cleansed as often as may be necessary for the purpose of keeping such can or container in clean condition.

12. The Company shall be entitled to charge the owners or occupiers as the case may be of premises within the Port Area fees at such rates as are prescribed in the Schedule hereto in respect of the removal of house and trade refuse.

Scale of fees.

Offences.

13. Any person who contravenes or fails to comply with any of the provisions of these Bye-laws shall be guilty of an offence under the Act and shall be liable on summary conviction to a fine not exceeding one hundred and forty Bahamian dollars (B\$140) or imprisonment not exceeding three months.

S.I. 87/1976.

**SCHEDULE (Bye-Law 12)
SCALE OF FEES AND CHARGES**

Service:	Rate to be charged:
Single residence and duplexes	
1. Two collections each week-one can per collection	\$6.75 per month for each family unit
2. Two collections each week-one can per collection	\$10.10 per month for each family unit
Service:	Rate to be charged:
Apartment Houses	
3. Two collections each week-one can per collection	\$6.00 per month for each apartment unit
Businesses	
4. Two collections each week-one can per collection	\$6.75 per month
5. Two collections each week-two cans per collection	\$10.10 per month
6. Collection from containers of 3 cubic yards or 6 cubic yards owned by the Company	\$2.35 per cubic yard per collection
7. The fees for dumping at the Company's dump from a customer's vehicle shall be as follows—	
(a) Car or station wagon	\$3.00
(b) Pick-up or flat-bed truck	\$5.00 per load
(c) Septic tank waste	\$10.00 per load
(d) Large dump trucks	\$10.00 per load