

THE ROADS PROTECTION ACT

Cap. 345.

[7th January, 1937.]

1. This Act may be cited as the Roads Protection Act. Short title.

2. In this Act—

Interpreta-
tion.

“owner” means the person who is for the time being entitled to receive the rent of any land, or who, if the same were let to a tenant at a rack rent, would be entitled to receive such rent.

“road” means any main or parochial road.

“road authority” in relation to any road, means the authority (being the Chief Technical Director, or the Council of the Kingston and St. Andrew Corporation or a Superintendent of Parochial Roads and Works) responsible for the maintenance of the road.

G.N.
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3.—(1) No person, notwithstanding he may be the owner of the land, shall dig or remove any sand, gravel or other material, in or from any gully, watercourse or beach within a distance of 132 feet from any road, or any bridge, culvert, wall, drain or other structure pertaining to the road, without the consent in writing of the road authority first had and obtained.

Prohibition
to dig or to
remove
materials
from water-
courses.

(2) Any person who contravenes the provisions of this section shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding twenty dollars.

Road
Authority
may fell
trees grow-
ing in
watercourses
and on
banks of
water-
courses.

4.—(1) The road authority, on notice under his hand, or where the road authority is the Council of the Kingston and St. Andrew Corporation, the Mayor, on notice under his hand, may cut, fell or burn any tree or underwood whatsoever growing, or that shall grow, in any gully or watercourse or within a distance of twenty feet of the edge of the bank of any gully or watercourse.

(2) The notice under this section shall state the date from which such notice is to operate and shall be addressed to, and served on, the owner of the land; and where the land is let to a tenant such notice shall be addressed to, and served on, the tenant. Where personal service of the notice cannot be effected the notice shall be deemed to have been properly served if affixed on some conspicuous place on the land.

(3) Compensation shall be made to any person who suffers any loss of timber under the provisions of this section and, in case of difference, the amount of such compensation shall be assessed in the manner provided by the Lands Clauses Act for settling cases of disputed compensation.