

Municipal Town Council of Curepipe (Environmental Health) Regulations 2014

GN No. 172 of 2014

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THE LOCAL GOVERNMENT ACT

Regulations made by the Municipal Town Council of Curepipe under Sections 50, 158 and 163 of the Local Government Act

1. These regulations may be cited as the **Municipal Town Council of Curepipe (Environmental Health) Regulations 2014**.

2. In these regulations —

“Council” means the Municipal Town Council of Curepipe;

“fence” means any structure, approved by Council that enclose the perimeter of any bareland and/or any premises to prevent unauthorised access and dumping on this land;

“flat” means an apartment or a block of flats;

“occupier” means any person in actual use and occupation of any premises independently of his title, right or capacity;

“officer” means an officer of the public health department or any officer appointed by the Council;

“owner” means any person or entity in whose name the deed is registered and includes any person who receives or is entitled to receive rent in respect of occupation of any premises;

“premises” means any immovable property, whether wasteland or constructed upon and

whether vacant or used for residential, commercial, professional, industrial, trade and/or agricultural purposes and situated within the township of Curepipe;

“property” means immovable property;

“receptacle” means any container, bin or recipient, whether fixed or movable, intended to collect waste;

“trade premises” means premises in the township of Curepipe on which a trade, profession, manufacture or industry is carried out, even though part of the premises may be also used for residential purposes;

“waste” includes household waste as well as garden or yard waste, whether solid or otherwise, including hazardous waste, clinical waste and pharmaceutical waste, litter or anything which is being get rid of;

“waste chamber” means a concrete bin intended for the storage of waste and situated by the roadside easily accessible by the municipal waste collection lorry.

3. No person shall dispose of or deposit or cause or permit to be deposited any household or trade waste, litter, vehicle wreck or part thereof, excavation or builder’s rubble, furniture, animal’s dead body/carcass, packages, wrappings, bottle, can, container, paper, box, barrel or any other part constituting litter on any road, footpath, street, roadside, public pavement, bareland, vacant premises, drain, canal, river, stream or any other unauthorized place. -

4. The occupier/owner of any premises, vacant premises, bareland or flat shall —

(a) at all times keep the premises clean and free from all under grown vegetation and waste;

(b) not dump or cause or permit the dumping of any waste, vehicle wreck, excavation or builder’s rubbles or any other waste material on the premises;

(c) secure household and kitchen waste in appropriate bags;

(d) deposit or cause to be deposited any bags or any waste in a receptacle;

(e) not allow any fetid water/used water to run or flow on any footway, road, street or any passage way from his yard/ premises.

5. The owner of a flat, multi-storeyed residential building, commercial or commercial cum residential building shall provide at the ground floor, a refuse chamber or an approved refuse shed in the yard where shall be deposited refuse from all individual premises and shall be readily accessible to the scavenging vehicles.

6. Every occupier of premises shall deposit or cause to be deposited all house and garden sweepings and house refuse from such premises in receptacles which he/she shall provide for that purpose.

7. Every occupier shall segregate or cause to be segregated at source all waste in separate receptacles designated for that specific purpose as per instruction of the council.

8. No person shall deposit or cause or allow to deposit any dung, human excretes, industrial waste and animal refuse in such receptacle.

9. The occupier of any premises shall be held responsible for the contravention to these regulations whenever any unburied matter of animal origin with fetid or filthy smell is detected to exist on such premises.

10. The owner or occupier of any premises shall not put in any receptacle, any toxic refuse which is likely to be a health hazard to the handlers or cause any inconvenience to the neighbouring areas or neighbours.

11. For the purpose of regulations 4 and 5, the receptacle shall be of such materials, size and construction acceptable by the Council and shall be provided with a close fitting lid; and periodically shall be kept clean and washed by occupier as may be requested by the officer.

12. The Council may provide from time to time such plastic receptacles against payment of a fee as the Council may decide.

13. The Council may, however, alter, modify and/or amend any decision as to the category of premises and/or areas to be supplied with such receptacles and/or also stop to supply such receptacles to any area.

14. The receptacles, for the purpose of being emptied on such days and hours as may from time to time be fixed by the Council shall be placed on the premises at a spot which shall be readily accessible to the scavenging vehicles.

15. The owners or co-owners or the "*Syndicatdes Co-proprietaires*" or "*Syndic*" of a block of flats and the owner or co-owners of a commercial premise shall provide a waste chamber for the common use of all occupiers.

16. Every occupier of trade premises shall deposit his receptacle by the roadside as close as possible to his trade premises at the usual time of collection of waste by the council and remove the receptacle after it has been emptied.

17. Any dealer in cakes, foodstuffs or other perishable goods shall secure any waste in an appropriate bag before depositing it in a receptacle.

18. (1) The Council may remove garden, trade or industrial refuse of non-metallic and non-toxic nature, and solid waste upon request.

(2) The Council shall claim the fees as prescribed in the schedule for the removal of house waste, trade/industrial waste, vehicles wrecks, excavation or builder's rubble, household furniture and bulky wastes,

19. On account of the condition, construction or location of the refuse receptacles, and having due regard to the situation of the premises, an officer may serve a notice on the occupier/owner of such premises, requiring him to have his receptacle —

(a) constructed with concrete or other impervious material;

(b) adequately ventilated;

- (c) placed at the proximity of the main entrance;
- (d) provided with a means of access for cleaning and removing its contents without having it to be carried through any building and other obstacle.

20. The occupier/owner/co-owner shall comply with the notice under regulations 19 within one month of the service of the notice. If the occupier/owner fails to comply with such notice within the prescribed delay, he shall thereafter pay a fee of 200 rupees weekly to the Council for disposal of his waste until he complies with the requirements of the notice.

21. Every owner and/or occupier of premises shall keep clean —

- (a) the space extending from the wall or other enclosure of the premises down to the gutter of ditch;
- (b) any courtyard and building and not allow same to be in a filthy or dirty state or to be overgrown with rank and noisome vegetation and not allow to be kept therein any basin, receptacle or used tyres with fetid or filthy water;
- (c) the roof of his building or any part thereof and not allow stagnation of water.

22. Where any premises is —

- (a) partly or wholly covered with overgrown vegetation;
- (b) dumped with or contains any waste, vehicle wreckage or part thereof, excavation or builder's rubble, debris, animal carcasses or any other material
- (c) not properly fenced or enclosed or bordered with overgrown hedges,

an officer shall be empowered to serve a notice on the owner/s requiring the latter, within 2 weeks of the service thereof, to trim the overgrown hedges to a height lesser than three metres, to lop trees and to clear the land of the overgrown vegetation, of the waste, debris and of any other material found thereon and to have the premises fenced or properly enclosed at a height

of not less than two metres.

23. In case of non-compliance to regulation 22, the Council shall be empowered to enter in the said land/premises and cause all works necessary for the cleaning of the land, the removal and disposal of all noxious undergrowth, waste, rubble, furniture and other materials thereupon to be done and recover all expenses incurred by it for that purpose as a civil debt from the owner or occupier as per the schedule.

24. Any officer may enter on any property, upon producing an evidence of his identity, for the purpose of surveying it environmentally, in connection with these regulations.

25. The Council may, by notice, require the owner of any property in the Town of Curepipe, within 21 days from the date of service of the said notice, to clean and/or paint the frontage and such other parts of the property as may be specified by Council.

26. A notice under regulation 25 may, at the discretion of Council, be served on the occupier of the property in question where the owner is not the occupier or may be served on both the owner and the occupier.

27. Any person guilty of a breach to these regulations shall, on conviction, be liable to a fine not exceeding 25,000 rupees.

28. Any person who willfully obstructs an officer in the exercise of his duties under these regulations shall commit an offence and shall, on conviction, be liable to a fine not exceeding 25,000.00 rupees.

29. Chapter III (Paving and Cleaning of the Town) of Curepipe Ordinance, Chapter 244, Article 8 - Bye Laws (GN 135 of 1895) is revoked.

30. The Curepipe (Environmental Health) Regulations 2010 are revoked.

Made by the Municipal Council of Curepipe on 10 July 2014.

SCHEDULE

[Regulations 18 and 23]

A. Special Service upon request	(Rs)
1. For the removal of refuse resulting from general cleaning of household premises -	
(a) for every lorry load/ or fraction thereof with Municipal Labour	1,500
(b) for every lorry load/ or fraction thereof without Labour	1,000
(Municipal & driver only)	
(c) for every lorry load/ or fraction thereof with (Municipal Labour & Plant)	4,000
2. For removal of trade/ commercial/industrial waste-	
(a) for every lorry load/ or fraction thereof with Labour	2,000
(b) for every lorry load/ or fraction thereof without Labour	1,200
(c) for every lorry load/ or fraction thereof with Municipal Labour & Plant	4,000
3. For the cleaning of land -	
(a) For every 50 square metre or part thereof	1,000