

## CHAPTER 9

# NUISANCES

### 901 **DEPOSIT OF REFUSE, ETC.**

901.1 No person shall deposit, or permit or suffer to be deposited, or to accumulate any refuse or litter as defined in the Litter Act 1979 or rubbish of any description including sawdust, plastics materials, waste paper, shavings, filth, tins, glass, rags, straw, garden refuse, tree cuttings, iron, or steel on any land not being a place set apart for such purpose by the Council, unless in so doing he takes sufficient precautions to prevent the creation of a nuisance or anything offensive or likely to be injurious to health.

### 902 **BURIAL OF REFUSE**

902.1 No person shall bury, or permit or allow to be buried any refuse or offensive rubbish or matter in any garden, or other place not being a place set apart for such purpose by the Council, unless in so doing he takes sufficient precautions to prevent the creation of a nuisance or anything offensive or likely to be injurious to health.

### 903 **DEPOSIT OF NIGHTSOIL**

903.1 No person shall, without the prior permission in writing of the Authorised Officer of the Council, bury, or permit or allow to be buried, any nightsoil or cast or deposit, or allow such nightsoil to flow or enter into any sewer, or into any drain connected therewith, otherwise than by means of an approved sanitary fitting or fixture.

### 904 **DEPOSIT OF MANURE**

904.1 No person shall deposit or permit or offer to be deposited within 7 m from any public or private street, or public place, or dwellinghouse, or any premises in which food is manufactured, prepared, packed, refined or stored any dung, manure, fertiliser, or refuse, unless such dung, manure, fertiliser, or refuse when deposited shall be immediately incorporated with earth for garden purposes, or be satisfactorily covered over to prevent the escape of effluvia therefrom, or the establishment of a breeding place for flies or vermin.

### 905 **VEHICLES CONTAINING MANURE**

905.1 No person shall permit or suffer to remain overnight or for any unnecessary length of time during any part of the day or night in any street or public place or within 30m of any dwelling house or place of human habitation, a vehicle containing or which recently contained manure, offal, offensive matter or thing likely to be a nuisance, or offensive to or injurious to health.

### 906 **DEAD ANIMAL ON PRIVATE PREMISES**

906.1 No person shall throw or leave, or permit or suffer to remain, any dead animal or vermin on any private property, land, or premises.

### 907 **REMOVAL OF VEGETATION**

907.1 No occupier or any other person having the control of any land shall allow any vegetation to exist in such a condition on any land or frontage as to constitute a fire hazard to any building or adjoining land.

On the recommendation of the authorised officer the Council may, by written notice, require an occupier or person having control of any land to remove any dangerous vegetation within the time specified in the notice.

908 **ALL CLOSETS OTHER THAN WATER CLOSETS TO BE APPROVED PRIVIES**

908.1 No person shall use or permit, allow, or suffer to be used, or allow to remain on premises in his occupation any closet for the reception of nightsoil (not being a water closet), unless the same be an approved privy, and unless it be at all times provided with a proper seat and maintained in a flyproof and clean condition.

909 **OFFENSIVE DRAINAGE**

909.1 No person shall cause, permit, or suffer any waste or impure water or offensive liquid or matter to remain in any cellar or place within any building or premises; or cause, permit, or suffer the contents of any closet, privy, drain, cesspool, or other receptacles to soak therefrom so as to be offensive; or cause, permit or suffer any waste or impure water, or any offensive liquid or matter to run or flow from any closet, privy, drain, cesspool, or other receptacle, or from any building, upon or over any land or premises, or be in any gutter or water channel or on any right of way, carriage or footway, street or other place, whether public or private, otherwise than in an approved manner.

910 **CREATING NUISANCE**

910.1 No person shall cause, permit, or suffer any drain, water closet, pan closet, receptacle, material or thing, stable, fowlhouse or fowlrun, dog kennel, pigeon house, outhouse, or yard on any land or premises within the district of the Council to be or become a nuisance, or by any neglect or default on the part of such person to cleanse the same, to cause an offensive smell to be created therein or thereon, or arise therefrom.

911 **ENCOURAGING RATS, ETC.**

911.1 No person shall:

- (a) Cause, permit, or suffer any refuse, waste matter, material, or thing to remain or be kept in such a manner or for such a time as to afford shelter or likely harbourage for rats, or encourage rats or other vermin to visit and frequent, or be in such building, land, or premises;
- (b) Fail to protect from access of rats or other vermin as far as practicable any article which is or is likely to be food for rats;
- (c) Neglect in any such building, land, or premises where rats or other vermin exist or are harboured, or in which there is evidence of such existence, or harbouring, to destroy rats by poisoning or trapping, or such other means as the Inspector may direct; or
- (d) Fail to remove or obliterate nests, burrows, or habitual haunts of rats in any such buildings, land, or premises.

912 **FLIES, MOSQUITOES, ETC.**

912.1 The owner or occupier of any building, land, or premises whereon exist conditions giving rise, or likely to give rise, to the breeding of flies, mosquitoes, or other insects dangerous to health shall execute and do such disinfecting, spraying or applying of larvicide, cleansing, screening, removal or destruction of breeding grounds or places, as may be necessary to prevent the breeding of flies, mosquitoes or such other insects.

913 **REQUISITION OF INSPECTOR**

913.1 No person shall fail to keep all such buildings and premises and all cellars, outbuildings, and sanitary conveniences belonging thereto in a cleanly condition or fail, when required by the Authorised Officer of the Council, and within the time directed to cause the same or such of them as the Authorised Officer may order, to be effectually cleaned and as far as practicable, cause such house or building, to be so repaired, altered or reconstructed as to prevent the ingress or harbourage of rats or other vermin.

914 **SUBSOIL DRAINAGE**

914.1 The owner of any land on which is erected any building shall, where in the opinion of the Authorised Officer the dampness of the site renders such a precaution necessary, effectually drain subsoil by approved means so that no water or soakage shall lodge under such building.

915 **DRAINAGE OF STAGNANT WATER**

915.1 The owner of any land or premises upon which any stagnant water, drainage, or other impure water collects shall cause such land or premises to be effectually drained or filled up so as to prevent the collection of any such stagnant water, drainage, or other impure water thereon.

916 **INTRUDER ALARM SYSTEMS**

916.1 A person who is the owner, occupier, or authorised agent of the owner of any building shall not cause or permit the installation in that building of an alarm system or cause or permit any alarm system to remain installed in that building unless:

- (a) The alarm system is fitted with a control mechanism which ensures that the alarm system does not sound for a period exceeding 10 minutes, and does not reactivate unless manually reset;
- (b) The owner or occupier has made arrangements alternative to the provisions contained in sub-clause (a) to ensure that the alarm system does not sound for a period exceeding 10 minutes. Any alternative arrangements shall be to the satisfaction of the Authorised Officer.

916.2 No person who is the owner or occupier or authorised agent of the owner of any building in which an alarm system is installed shall operate such an alarm system and/or control mechanism unless such equipment is fitted and maintained in a proper and adequate manner and to the satisfaction of the Authorised Officer.

916.3 No person who is the owner or occupier of any building and who has made alternative arrangements in accordance with the provisions of Clause 916.1 (b) shall operate an alarm system to which those arrangements apply unless he has properly, adequately and regularly ensured that these arrangements will continue to operate effectively.

916.4 Every person being the owner or occupier of any premises commits an offence who does not comply with Clauses 916.1 to 916.3 hereof when an alarm system is fitted or, where there is an existing alarm system, within six months after this Part of this Bylaw has come into force.