

## SCHEDULE B. (S. 74.)

## FORM OF DECLARATION.

I, the undersigned, do hereby declare that I have examined and compared the several particulars set forth in the above estimate with the valuation list in force within the municipal limits of this town, under the authority of the Municipal Councils Law, 1882; and the several immovable properties therein rated are, to the best of my belief, rated according to the value appearing in such valuation list.

G. H.

*President of the Municipal Council of*

8 OF 1885.

TO REGULATE THE DUTIES AND POWERS OF MUNICIPALITIES.

ROBERT BIDDULPH.]

[March 26, 1885.]

## PART 1.

DUTIES AND POWERS OF MUNICIPALITIES <sup>(1)</sup>.

Duties of  
Municipali-  
ties.

1. Subject to the provisions of this Law it shall be the duty of every Municipality:—

To keep all roads, streets, squares and public places within the Municipal area clean and in good repair, and sufficiently drained, lighted, and clear of obstructions.

To provide for the removal of all night soil and refuse from every house within the Municipal area.

To provide that all drains, urinals, privies and cesspits within the Municipal area shall be so constructed and kept as not to be a nuisance or injurious to health.

To prevent any trade or business from being carried on within the Municipal area in such a manner as to be injurious to public health, or a source of public danger.

To prevent the accumulation, in any public or private place within the Municipal area, of any filth or refuse so as to be dangerous to the public health, and to take measures for the abatement of any public nuisance arising from any public or private cesspool or drain, or otherwise.

(1) And see pp. 348-352,

To provide, or cause to be provided, a good and sufficient supply of water for the use of persons dwelling within the Municipal area, and to keep, or cause to be kept, cleansed and in good repair all public fountains, drains and aqueducts, and to preserve the same from contamination.

To provide slaughter-houses and to regulate the slaughter of animals within the Municipal area.

To provide for the inspection of all flesh, fish, vegetables and other provisions exposed for sale within the Municipal area, and to seize and destroy all such provisions as are unfit for human food.

To prevent any hotel, khan, cook-shop, drinking-shop, coffee-house, bake-house, confectioner's shop or cakebakery of any kind, bath, or barber's shop and the various tools and objects used therein being in an uncleanly or injurious state. 11, 1913, 2.

To require any building wherein any person has died of any kind of contagious or infectious disease or consumption and the clothing and objects contained in such building to be disinfected.

To provide for the destruction of ownerless dogs.

To regulate funeral processions with the advice and assistance of the competent religious authorities.

To regulate the depth and length of graves.

To prevent begging, after establishing adequate poorhouses for the reception therein of disabled or crippled poor persons and work-places for giving work therein to such poor persons as may be able to work.

To prevent advertisements or notices being affixed to or inscribed on any building or wall by any person other than the owner of the building or wall without the consent of the owner. 15, 1917, 4.

To provide for the protection of avenues and trees the property of the Municipality.

To make regulations for the traffic in the streets.

Generally to do such acts as may be necessary for the conservancy of the town, and preservation of the public health therein.

2. Every Municipality may administer its affairs under the supervision of the Government, dispose of its moneys and undertake all or any of the following things:— Powers of Municipalities.

The paving, or improvement of any street or public place within the Municipal area.

The establishment and regulation of markets.

The allotment of special places within the Municipal area for the carrying on of particular trades dealing in perishable goods;

The construction and maintenance of public urinals and privies, ashpits and receptacles for the temporary collection and deposit of rubbish;

The fixing of the weights by which household bread exposed for sale is to be sold within the Municipal area, and providing that it shall not be sold otherwise than by weight.

Powers with consent of High Commissioner in Council.

3. Every Municipality may with the consent of the High Commissioner in Council undertake all or any of the following things:—

The arrangement and execution of general plans for the widening and straightening of roads and other public places within the Municipal area;

The building of public buildings, quays, piers, docks, or other public works within the said limits;

The establishment, maintenance and regulation of hospitals, dispensaries, poor-houses, and other philanthropic establishments;

Generally the doing of anything which may tend to promote the comfort and convenience of the people residing within the Municipal area.

Power to make bye-laws (1).

4. Every Municipality shall have power to make bye-laws for the carrying out of all or any of the objects hereinbefore mentioned, and for the fixing and regulation of the following rates and fees to be received by it:—

The fees to be taken for the slaughtering of animals at any Municipal slaughter-house.

The rates and fees to be paid by way of stallages, rents and tolls in respect of the use by any person of the Municipal markets.

11, 1913, 3.

The fees to be paid by hawkers.

The fees to be paid by owners of dogs.

The rates to be taken in respect of trades and professions carried on within the Municipal area, hitherto known as trade rates.

The rates on the issue of permits for building within the Municipal area and the fees taken on the legalisation of contracts within the Municipal area.

13, 1911, 2.

The fees to be taken for the removal of night-soil, dung, excreta, and any other insanitary solid or fluid matter from latrines, houses and places situated within the Municipal limits.

(1) See also ss. 22, 38, 40 and 71 *infra*.

5. Every bye-law made by any Municipality shall be subject to the approval of the High Commissioner, and shall not come into force until it shall have been approved by him and published in the *Cyprus Gazette*, and shall have the force of Law from the date of such publication.

Bye-laws to be approved by High Commissioner.

## PART 2.

### NUISANCES.

6. For the purposes of this Law, the following shall be deemed to be nuisances liable to be dealt with summarily in manner provided by this Law:—

Nuisances.

- (1) Any premises in such a state as to be a nuisance or injurious to health.
- (2) Any pool, ditch, gutter, water-course, privy, urinal, cesspool, drain or ashpit, so foul or in such a state as to be a nuisance or injurious to health.
- (3) Any animal so kept as to be a nuisance or injurious to health.
- (4) Any accumulation or deposit which is a nuisance or injurious to health.
- (5) Any house or part of a house so overcrowded as to be dangerous or injurious to the health of the inmates.
- (6) Any factory, workshop, or workplace not kept in a cleanly state, or not ventilated so as to render harmless, as far as practicable, any gases, vapours, dust or other impurities generated in the course of the work carried on therein, which are a nuisance or injurious to health, or any such premises so overcrowded as to be dangerous or injurious to the health of those employed therein.
- (7) Any chimney (not being the chimney of a private dwelling-house) sending forth black smoke in such quantities as to be a nuisance.
- (8) Any brothel or disorderly house which, either from its situation or from the manner in which it is conducted, it is desirable in the interests of the public to close or remove.
- (9) Any roofing, awning, gutter, pipe, channel, overflow or other outlet for water which discharges water in or upon any street or road within the Municipal limits in such a manner as to be the cause of damage thereto.

13, 1911, 3.



(10) Any unpaved frontage, path or place attached to any premises and forming part of or adjacent to any road within the Municipal limits, provided that the person responsible for the abatement of such nuisance shall be the owner or occupier of such adjacent premises.

Provided that a penalty shall not be imposed on any person in respect of any accumulation or deposit necessary for the effectual carrying on of any business or manufacture if it is proved to the satisfaction of the Court that the accumulation or deposit has not been kept longer than is necessary for the purposes of the business or manufacture, and that the best available means have been taken for preventing injury to the public health.

Inspection of  
nuisances.

7. It shall be the duty of every Municipality from time to time to cause inspection to be made of all places within the Municipal area with a view to ascertain what nuisances exist which call for abatement, and to enforce the provisions of this Law in order to abate the same.

Notice to  
abate  
nuisance.

8. On the receipt of any information respecting the existence of a nuisance, the Municipality shall, if satisfied of the existence of a nuisance, serve a notice on the person by whose act, default or sufferance the nuisance arises or continues, or if he cannot be found, on the owner or occupier of the premises on which the nuisance arises, requiring him to abate it within a time to be specified in the notice, and to execute such works and do such things as may be necessary for that purpose.

Provided that where the person causing the nuisance cannot be found, and the nuisance does not arise or continue by the act, default or sufferance of the owner or occupier of the premises, the Municipality may themselves abate it without further order.

On non-com-  
pliance with  
notice legal  
proceedings to  
be taken.

9. If the person on whom a notice to abate a nuisance has been served makes default in complying with any of the requisitions thereof within the time specified, or if the nuisance is in the opinion of the Municipality likely to recur on the same premises, the Municipality shall thereupon commence proceedings in the District Court for obtaining an order compelling him to abate the nuisance.

Power of  
Court to make  
order dealing  
with  
nuisance.

10. If the Court is satisfied that the alleged nuisance exists, or that although abated it is likely to recur on the same premises, the Court shall make an order on such person requiring him to comply with all or any of the requisitions of the notice, or otherwise to