

## CHAPTER 69.

## FREETOWN WATERWORKS.

## ARRANGEMENT OF SECTIONS.

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**CHAPTER 69.**

**FREETOWN WATERWORKS.**

35 of 1901.  
 7 of 1906.  
 8 of 1909.  
 30 of 1928.  
 26 of 1930.  
 21 of 1949.  
 5 of 1954.  
 P.N.  
 150 of 1959.

**An Ordinance to enable the Government of Sierra Leone to Make and Construct Waterworks for the purpose of providing Freetown with a supply of water, proper and sufficient, for public and private purposes.**

[16TH DECEMBER, 1901.]

Short title  
 and  
 construction.  
 Cap. 65.

1. This Ordinance may be cited as the Freetown Waterworks Ordinance, and shall be read and construed as one with the Freetown Municipality Ordinance (hereinafter called the principal Ordinance), or any Ordinance replacing the same.

Interpreta-  
 tion.

2. In this Ordinance, unless the context otherwise requires—  
 “ Chief Justice ” includes a Judge of the Supreme Court of the Colony of Sierra Leone;

“ domestic supply ” means water from the waterworks, used in any tenement for any purpose of domestic life;

“ Engineer ” means any person for the time being acting under the authority of Her Majesty’s Secretary of State for the Colonies, or the Governor, in superintending the construction and establishment of waterworks;

“ gathering ground ” means any surface of land, or otherwise, which collects the rainfall for the purposes of the waterworks, or from which water flows into the waterworks;

“ Government ” means the Governor in Council of the Colony;

“ lands ”, besides its ordinary meaning, means messuages and all other corporeal hereditaments;

“ meter ” means any appliance used to measure, ascertain, or regulate the amount of water taken, or used from the waterworks, by means of any service, as well as any appliance used in estimating the flow of water, in or from any part of the waterworks;

“ Minister ” means the Member of Executive Council charged for the time being with responsibility for the subject of lands; P.N.  
150 of 1959.

“ non-domestic supply ” means any water from the waterworks used for the purpose of, or in carrying on, any trade or manufacture, or for cattle, horses or other animals, or for watering fields or gardens, cultivated or occupied as a means of pecuniary profit, or private fountains, or for any ornamental purpose, or for the supply of ponds or tanks, or for laundries or public wash-houses, or public baths, vessels, ships or boats, and shall include the water used or consumed by any person, resident in or occupying any premises where a non-domestic supply is given, as well as any water taken or used from the waterworks by Imperial or Colonial, Military, Naval, or Civil establishments;

“ owner ” means the holder of any tenement direct from the Crown, whether under grant, lease, licence or otherwise, or the immediate landlord of any tenement, or the agent of any such holder or landlord, who is absent or under disability, or if there be no such agent, the occupier of the tenement;

“ prescribed waterworks area ” means such areas within or without the city as may be, from time to time, declared by the Government to be areas supplied with water from the waterworks;

“ public fountain ” means any fountain, standpost, valve, tap, or appliance used, or intended to be used, for, or in connection with, the supply of water to the public from the waterworks, and erected, or hereafter to be erected, by the Water Authority, and which belongs to, or is vested in, the Water Authority;

“ service ” means all pipes, valves, cisterns, cocks, fittings and other appliances (excepting any meters as hereinafter defined) by, or through, which water flows, or is intended to flow, from the waterworks, or which are, or may be used for the purpose of supplying any tenement with water from the waterworks, and which is situated in the tenement and which is the private property of the owner or occupier thereof;

“ tenement ” means any land, with or without buildings, which is held, or occupied as a distinct or separate holding or tenancy, or any wharf, or pier in the waters of the Colony;

“ Water Authority ” means the City Council of Freetown or any Water Authority constituted under the provisions of this Ordinance;

“waterworks” includes all streams, springs, wells, reservoirs, dams, weirs, tanks, cisterns, tunnels, filter-beds, conduits, aqueducts, pipes, fountains, sluices, valves, pumps, steam engines, and all other structures or appliances used or constructed for the storage, conveyance, supply, measurement or regulation of water, by or on behalf of the Water Authority, or which may hereafter be used or constructed for the purposes aforesaid by the Water Authority, and which belong to, or are managed by, or vested in, the Water Authority.

Power to establish waterworks.

3. Notwithstanding anything to the contrary in the principal Ordinance, it shall be lawful for the Governor, instead of the Council, to provide the City with a supply of water proper and sufficient for public and private purposes, and for those purposes to construct and establish waterworks:

Provided always that when the waterworks authorised by this Ordinance shall be completed the Governor shall hand them over to, and they shall thereupon vest in, the Council, who shall be the Water Authority.

Expenses of the Government to be paid by Council.

4. All expenses incurred by the Governor in the execution of this Ordinance, including the principal and interest of any money advanced or borrowed by the Governor for the purposes of this Ordinance, shall be refunded to the Governor by the Water Authority:

Provided that such expenses shall not exceed the sum of thirty-one thousand and five hundred pounds, without the previously obtained consent of the Council.

Water Authority to pay capital value of waterworks with interest.  
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5. The Water Authority shall repay the capital value of the waterworks with interest thereon in such instalments, and at such times, as shall be prescribed by the Government so as to enable the Governor to pay such sums of money as shall become due and payable under the provisions of the General Loan and Inscribed Stock Ordinance.

Such payments shall commence from the date the waterworks are completed and handed over to the Water Authority.

Sources of revenue.

6. For the purpose of paying such instalments as may be prescribed by the Government under the provisions of the last

\* The General Loan and Inscribed Stock Ordinance was No. 19 of 1913 (as subsequently amended). It was repealed by No. 15 of 1950, now Chapter 268, whose section 41 is a saving section.

preceding section, as well as for the purposes hereinafter prescribed, the Water Authority shall be entitled to levy and demand the following rates and payments—

(a) a general water rate, payable upon all tenements situated within the prescribed waterworks area, whether provided with services or not;

(b) a water supply rate, payable with respect to all tenements provided with services, in addition to the aforesaid general water rate;

(c) payments for water supplied by meter;

(d) payments for water supplied to shipping.

7. (1) The Water Authority shall annually assess the general water rate, payable by the owner of each tenement situated within the prescribed waterworks area, and the said general water rate shall be such percentage or poundage, upon the assessed annual rental of lands, houses and buildings, as the Water Authority shall determine. The actual amount payable with respect to each individual tenement shall be assessed by the Water Authority, according to the method of assessment provided for the collection of municipal taxes in Freetown:

Assessment of general water rate.

Provided that this section shall not apply to any prescribed waterworks area wholly without the City for which a special rate for the supply of water shall be made by an order of the Government.

(2) Notwithstanding anything in this Ordinance contained, it shall be lawful for the Water Authority to exempt from the payment of the general water rate the owners of tenements situated in streets which are two hundred yards distant from the nearest standpipe and in which, owing to the rocky nature of the ground, it is impracticable to erect at a reasonable cost standpipes with adequate drainage.

Exemption of tenements in streets with no water supply from payment of water rate.

(3) Notwithstanding anything in this Ordinance contained, the Water Authority may, if satisfied by any applicant by evidence on oath that on the ground of poverty it is desirable so to do, exempt from payment of the general water rate any tenement liable for payment of the same, or reduce the amount for which the tenement is liable for such rate.

Exemption on ground of poverty. 21 of 1949.

8. The Water Authority shall levy a water supply rate on all tenements; the said rate shall be proportioned to the facilities for the use and enjoyment of water which exist in the tenement in question, and the water supply rate shall be assessed in accordance with the schedule of water supply rates prescribed

Assessment of water supply rate.