



Public Health Act 1875

1875 CHAPTER 55

PART III

SANITARY PROVISIONS.

SCAVENGING AND CLEANSING.

Offensive Ditches and Collections of Matter.

48 Provision for obtaining order for cleansing offensive ditches lying near to or forming the boundaries of districts.

Where any watercourse or open ditch lying near to or forming the boundary between the district of any local authority and any adjoining district is foul and offensive, so as injuriously to affect the district of such local authority, any justice having jurisdiction in such adjoining district may, on the application of such local authority, summon the local authority of such adjoining district to appear before a court of summary jurisdiction to show cause why an order should not be made by such court for cleansing-such watercourse or open ditch, and for executing such permanent or other structural works as may appear to such court to be necessary ; and such court, after hearing the parties, or ex parte in case of the default of any of them to appear, may make such order with reference to the execution of the works, and the persons by whom the same shall be executed, and by whom and in what proportions the costs of such works shall be paid, and also as to the amount thereof, and the time and mode of payment, as to such court may seem reasonable.

49 Removal of filth on certificate of inspector of nuisances.

Where in any urban district it appears to the inspector of nuisances that any accumulation of manure dung soil or filth or other offensive or noxious matter ought to be removed, he shall give notice to the person to whom the same belongs, or to the occupier -of the premises whereon it exists, to remove the same ; and if such notice is not complied with within twenty-four hours from the service thereof, the manure dung

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soil or filth or matter referred to shall be vested in and be sold or disposed of by the urban authority, and the proceeds thereof shall be applied in payment of the expenses incurred by them in the execution of this section ; and the surplus (if any) shall be paid on demand to the owner of the matter removed.

The expenses of removal by the urban authority of any such accumulation, if and so far as they are not covered by the sale thereof, may be recovered by the urban authority in a summary manner from the person to whom the accumulation belongs, or from the occupier of the premises, or (where there is no occupier) from the owner.

50 Periodical removal of manure from mews and other premises.

Notice may be given by any urban authority (by public announcement in the district or otherwise) for the periodical removal of manure or other refuse matter from mews stables or other premises ; and where any such notice has been given any person to whom the manure or other refuse matter belongs who fails so to remove the same, or permits a further accumulation, and does not continue such periodical removal at such intervals as the urban authority direct, shall be liable without further notice to a penalty not exceeding twenty shillings for each day during which such manure or other refuse matter is permitted to accumulate.