ANGUILLA

REVISED REGULATIONS OF ANGUILLA

under

PUBLIC HEALTH ACT
R.S.A. c. P125

Showing the Law as at 31 December 2022

This Edition was prepared under the authority of the Revised Statutes and Regulations Act, R.S.A. c. R55 by the Attorney General as Law Revision Commissioner.

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Revised Regulations of Anguilla: P125-1

PUBLIC HEALTH ACT (R.S.A. c. P125)

COLLECTION AND DISPOSAL OF REFUSE REGULATIONS

Note: These Regulations are enabled under section 8 of the Public Health Act, R.S.A. c. P125.

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Interpretation

1. (1) For the purposes of these Regulations—

"Act" means the Public Health Act;

"disposal area" means any site or place designated as such by the Minister for the final disposal of refuse;

"dustbin" means a moveable receptacle that is metal or plastic or is metal-lined for the deposit of refuse;

"dwelling house" means a building used or constructed or adapted to be used wholly or principally for human habitation;

"fixed refuse receptacle" means any concrete or metal structure so made or placed on any street or public place to receive and store temporarily refuse for removal;

"garbage" includes animal or vegetable waste or other matter that attends the preparation, consumption, decay, dealing in or storage of meat, fish, poultry, fruit or vegetables including cans, containers or wrappers wasted along with such material;

"other building" means any room or building on or at which people congregate, work, attend or are housed or accommodated and includes, but is not limited to, barracks, common lodging houses, factories, hospitals, hotels, places of entertainment, places of worship, schools, stores, shops and supermarkets;

"refuse" includes all solid waste derived from garbage, rubbish, swill, trade refuse and other waste matter, but does not include human excrement;

"rubbish" includes house sweepings, wood, leaves, trimmings from shrubs, sawdust, paper, cardboard, grass, rags, cane and fruit peelings, old shoes, tyres and all other combustible material not included under the term "garbage";

"swill" includes such garbage which is, wholly or nearly so, edible and usable as a food having food value for animals or birds, accumulating from animals, vegetable or other matter wasted from clubs, hospitals, hotels, restaurants and public eating places;

"trade refuse" means the waste product of any trade or manufacture not specified as an offensive trade in the Offensive Trades Regulations, but includes the refuse from hotels and other business places;

"waste matter" includes material composed of soil, earth, stones, wasted concrete blocks, glassware, ashes, metals and other non-combustible material which is, has been or is to be discarded.

(2) The expressions "Minister", "occupier", and "premises" have the meanings assigned respectively to those expressions in the Act.

Operation of public cleansing service

2. (1) The public cleansing service shall as far as practicable be made available to every dwelling house and other building.

(2) Where a public cleansing service is provided, such service shall, if practicable, be operated daily and in any case not less frequently than once in every 7 days.

(3) The Minister shall publish in the *Gazette* and issue public announcements concerning—

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(a) the areas and districts for which a public cleansing service is provided, stating the days and the hours during which refuse collection shall be carried out and any alteration in any such service shall be notified in like manner; and

(b) any charges, whenever such become necessary, to be met by the owner or occupier of any dwelling house or other building for the collection and removal of refuse from such premises.

(4) The Minister shall cause to be provided sites convenient for the placing of fixed refuse receptacles for the deposit of refuse and may require owners and occupiers of dwelling houses or other buildings to cause the same to be deposited daily or at such times as the Minister may require and in such receptacles provided for the purpose.

(5) The Minister shall prescribe suitable sites for the proper disposal of refuse.

(6) The Minister shall cause to be disposed all refuse collected by public and other cleansing vehicles in such a manner as to prevent the breeding of flies, rodents or other vermin and to prevent the creation of a nuisance or of any situation likely to be injurious to the public health or public safety.

Duty to keep premises clean

3. The owner or occupier of every dwelling house and the owner or person in charge of every other building shall—

(a) at all times keep his premises in every respect clean and free from offensive matter or refuse and shall collect or cause to be collected all refuse and place it in the receptacle provided for the purpose;

(b) in respect of each such house or building, provide for the storage of refuse one or more dustbins suitably covered, of reasonable weight, and of at least 3 cubic feet capacity, but not exceeding 10 cubic feet; and

(c) in areas or districts where a public cleansing service is available, place for removal of its contents any receptacle provided under paragraph (b) as near to the adjoining road as possible (but not so as to impede vehicular traffic) on such days and between such hours as the Minister may specify.

Condition of dustbins

4. Dustbins shall be—

(a) provided with suitable covers;

(b) kept covered while in use;

(c) protected from being upset by animals;

(d) washed at least once a fortnight unless their condition requires more frequent washing; and

(e) kept in good repair.

Cardboard boxes and similar containers

5. Cardboard boxes, wooden boxes and boxes of any description must be flattened before being put out near dustbins for removal.

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Removal of excess refuse

6. Where the refuse shall exceed in amount that normally produced by the average household in the opinion of the Environmental Health Department, the occupier of the premises shall provide for the removal at his own expense.

Removal of derelict objects

7. An occupier shall at his own expense remove derelict vehicles, cookers, ovens, machinery, refrigerators, stoves, kitchen sinks and all such similar objects from his premises when in the opinion of the Environmental Health Officer they may be classified as refuse.

Private arrangements for disposal of refuse

8. Notwithstanding section 3(c), the owner or occupier of any dwelling house or the owner or person in charge of any other building may make his own arrangements for disposal of refuse from his premises if the method of disposal is approved by the Minister.

Operation of incinerators

9. The Minister may, on an application made to him for the purpose, allow the installation and operation of incinerators of a type and size approved by him and shall specify the conditions under which such incinerators may be operated.

Procedure in areas without cleansing service

10. The owner or occupier of every dwelling house and the owner or person in charge of every other building situated in any area or district for which no cleansing service is provided shall at least once in every 7 days dispose of all refuse from his premises in a manner approved by the Minister.

Restriction on disposal of certain items

11. No person shall under any circumstances deposit or place or cause to be deposited or placed any discarded fluorescent lighting tubes or aerosol containers in any refuse intended or likely to be burnt, but shall dispose of the same by burial or in any other manner at a place approved by the Minister.

Restriction on disposal of refuse in a public place

12. No person shall deposit or cause to be placed or deposited any refuse on any pavement, street, road, lane, path, ghaut, ravine, beach or other public place or on or about the premises of another person or in any prohibited area defined by the Minister by official notice or sign, except on such sites and in such manner and during such hours as the Minister may approve for the purpose.

Removal of refuse by unauthorised persons prohibited

13. No person shall, except with the authority of the Minister—

(a) disturb, remove or carry away any refuse placed in any receptacle for removal by the public cleansing service; or

(b) remove any refuse from a disposal area.

Obstruction of persons removing refuse

14. No person shall hinder or obstruct any person lawfully engaged in cleaning or removing refuse in any public place or cause obstruction by parked vehicles, push carts, trailers, trolleys or in any way whatsoever.

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Transportation of refuse

15. (1) No refuse shall be transported along any public street, alleyway, lane or highway unless such vehicle be so constructed or loaded so that no refuse can fall through or out of such vehicle and unless such vehicle is protected by a closed-in top or canvas cover or such refuse is placed in a container or containers kept tightly closed.

(2) If in the process of removal anything contained in it escapes or falls from the vehicle, the driver of such vehicle shall cause it to be removed immediately from the public street, alleyway, lane or highway.

Sale of refuse prohibited

16. (1) No driver in charge of a public cleansing vehicle shall sell or give away or permit to be sold or given away any refuse without the permission of the Minister, or place or deposit or cause to be placed or deposited any refuse in any place other than at a disposal area approved for the purpose by the Minister.

(2) No person shall take or receive any refuse from a public cleansing vehicle or induce by any means whatsoever any person to deal with any refuse otherwise than as prescribed by these Regulations.

Dumping at disposal area

17. No person shall dump or deposit or cause to be dumped or deposited any refuse at a disposal area except in a manner and at such place within the disposal area as may be approved by the Minister.

Deposit of refuse prohibited

18. No person shall deposit any refuse or cause or permit it to be deposited upon any street, alleyway, park, beach or other public place or deposit it in or upon any premises or vacant lot or in any drain or waterway.

Discharge liable to affect drain prohibited

19. No person shall, without the approval of the Minister, discharge or cause to be discharged from any factory, bakery, distillery, workshop or workplace or from any building or place in which steam, water or mechanical power is employed, into any drain any hot water, steam, fumes or any liquid liable to affect the proper working of the drain.

Deposit of disused vehicle or other matter prohibited

20. No person shall, except with the approval of the Minister, place or deposit in any street or on any land or into any drain, ghaut, or ravine any disused vehicle or part thereof or any disused household appliance or part thereof or any trunk or cut branches of trees.

Lighting of fires in refuse receptacle or disposal area prohibited

21. No person shall, without the approval of the Minister, cause any fire to be lit in any fixed refuse receptacle or in any disposal area.

Removal of waste matter from construction, repair or demolition

22. Every owner, agent, building contractor or sub-contractor engaged in the construction, repair or demolition of any building or structure or part thereof shall—

(a) remove and dispose of in a manner approved by the Minister from any street, drain, alleyway, gutter, park, sidewalk, kerb or any premises all waste matter or rubbish deposited thereon in connection with the construction, repair or demolition work under his special or general supervision; and

(b) clean up and remove such waste matter and rubbish within 7 days of the final cessation of work.

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Restriction on burning of refuse and other material

23. No person shall—

(a) burn refuse at any place or in any manner likely to create a health hazard or a nuisance; or

(b) burn any material likely to cause excessive smoke or produce a noxious odour or to liberate any toxic substances on combustion likely to affect the occupants of any premises, except under conditions approved by the Minister.

Disposal of spoiled or condemned remains or carcass

24. Every person who is the owner or custodian of any animal, bird, livestock or game which has died other than by slaughter for food, any offal or putrescible waste derived from any place where meat, fish, fowl or poultry are handled or discarded as unfit for food or spoiled or condemned, shall dispose of the remains, carcass or parts of entrails thereof immediately after such death or accumulation in a sanitary manner and in accordance with all requirements and orders of the Minister.

Power to hold, impound or dispose of animals

25. The Minister or any person authorised by him for the purpose may hold, impound or dispose of any animal which interferes in any way with refuse deposited or disposed of in a manner and at a site approved by the Minister.

Offence and penalty

26. Any person who contravenes the provisions of these Regulations is guilty of an offence and is liable on summary conviction to a fine of $1,250 or to imprisonment for a term of 6 months or to both.

Citation

27. These Regulations may be cited as the Collection and Disposal of Refuse Regulations, Revised Regulations of Anguilla, P125-1.

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