

Office of the Administrator,
Cape Town, 13th February, 1936.

THE Administrator has been pleased to approve of the subjoined Drainage Regulations, framed by the Municipality of Grahamstown, under the provisions of Ordinances Nos. 10 of 1912, 22 of 1917, and 13 of 1921.

F. VOIGT,
Provincial Secretary.

MUNICIPALITY OF GRAHAMSTOWN.

DRAINAGE REGULATIONS.

(Framed under Ordinance No. 10 of 1912 and Ordinance No. 22 of 1917 and Ordinance No. 13 of 1921.)

SECTION I.

GENERAL REGULATIONS.

Definitions.

1. For the purpose of these Regulations the term "Owner" shall have the meaning assigned to it in section two hundred and sixty of Ordinance No. 10 of 1912, as amended from time to time.

The terms "Combined Drain," "Sewer," "Dwelling" and "Street" shall have the meanings assigned to them in section five of Ordinance No. 10 of 1912, and the terms "Drain," "Maintenance" and "Authorised Drainage Contractor" shall have the meaning assigned to them in section one of Ordinance No. 22 of 1917.

The following terms shall have the meanings hereby assigned to them, unless another meaning appears clearly from the context to be intended:—

"Council" shall mean the Council of the Municipality of Grahamstown, and "Town Clerk," "Treasurer," "Engineer," "Medical Officer" and "Sanitary Inspector" shall, respectively, mean such officers duly appointed by the Council, or the person for the time being acting as such officer with the approval of the Council.

"Property" shall mean and include any "Dwelling," "Public Building," "Factory," "Workshop" or "Domestic Workshop" as defined in section five of Ordinance No. 10 of 1912, and the grounds thereof.

"Storm Water Drain" shall mean any drain used or intended to be used exclusively for conveying storm, sub-soll, or spring waters from private ground or from one building or from a group of buildings, as the case may be, and situated—excepting at its lower extremity where it may pass under a road so as to discharge into a street gutter or channel—entirely upon private property.

"Storm Water Sewer" shall include sewers and drains used or intended to be used exclusively for conveying storm, surface, sub-soll, or spring water, excepting only the storm-water drains described in the preceding paragraph.

"Engineer" shall mean the officer for the time being holding the office of City Engineer, or his authorised deputy.

"Owner" shall mean and include:

- The person or persons in whom from time to time shall be vested the legal title to any immovable property.
- In any case where the property has been leased for fifty years upwards, the lessee of such property.
- In cases where the person in whom the legal title is vested is insolvent or dead or is of unsound mind, or whose estate has been assigned for the benefit of his creditors, the person in whom the administration of such property is vested as trustee, executor, curator or assignee or administrator.
- In cases where the owner as above described is absent, the agent or person receiving the rent of the property in question.
- In any case where a property is beneficially occupied under a servitude or right analogous thereto, the occupier of such property.
- Any person or persons who shall have purchased immovable property from the Council, the purchase price being payable in instalments and who have not received transfer from the Council.

"Occupier" shall mean and include any person in actual occupation of any premises, without regard to the title under which he occupies, and in case of premises subdivided and let to lodgers or various sub-tenants, the person receiving the rent payable by such lodgers or sub-tenants, whether on his own account or as agent for any person entitled thereto or interested therein.

Kantoor van die Administrateur,
Kaapstad, 13 Februarie 1936.

DIET het die Administrateur behaag om sy goedkeuring te heg aan die volgende Dreineringsregulasies opgestel deur die Munisipaliteit van Grahamstown, kragtens die bepalings van Ordonnansies Nos. 10 van 1912, 22 van 1917 en 13 van 1921.

F. VOIGT,
Provinsiale Sekretaris.

MUNISIPALITEIT VAN GRAHAMSTOWN.

DREINERINGSREGULASIES.

(Opgestel kragtens Ordonnansie No. 10 van 1912, Ordonnansie No. 22 van 1917 en Ordonnansie No. 13 van 1921.)

AFDELING I.

ALGEMENE REGULASIES.

Woordbepalings.

1. Vir die doeleindes van hierdie regulasies het die woord "eienaar" die betekenis wat daaraan geheg word in artikel twee-honderd-en-sestig van Ordonnansie No. 10 van 1912, soos van tyd tot tyd gewysig.

Die uitdrukkings "Gesamentlike Dreineringspyp," "Riool," "Woning" en "Straat" het die betekenis wat daaraan geheg word in artikel vyf van Ordonnansie No. 10 van 1912, en die uitdrukkings "Dreineringspyp," "Onderhoud" en "Gemaagtigde Dreineringskontraakteur" het die betekenis wat daaraan geheg word in artikel een van Ordonnansie No. 22 van 1917.

Die volgende uitdrukkings het die betekenis wat hierby daaraan geheg word, tensy dit uit die sinsverband duidelik blyk dat 'n ander betekenis bedoel word:

"Raad" beteken die Raad van die Munisipaliteit van Grahamstown en "Stadsklerk," "Tesourier," "Ingenieur," "Gesondheidsbeampte" en "Sanitêre Inspekteur" beteken onderskeidelik sodanige beamptes wat deur die Raad behoorlik aangestel is, of die persoon wat vir die oomblik as sodanige beampte met die goedkeuring van die Raad optree.

"Eiendom" beteken en sluit in enige "Woning," "Publieke Gebou," "Fabriek," "Werkwinkel" of "Huiswerkwinkel" soos omskryf in artikel vyf van Ordonnansie No. 10 van 1912, en die grond waarop dit staan.

"Stormwaterdreineringspyp" beteken enige dreineringspyp wat gebruik word of bedoel is om gebruik te word uitsluitlik vir die wegvoer van stormwater, ondergrondse of fonteinwater vanaf private grond of vanaf een gebou of 'n groep geboue, na gelang van die geval, en gehelemaal geleë is op private eiendom, behalwe by die laagste gedeelte daarvan waar dit onderdeur 'n pad gaan sodat dit in 'n straatvoor of -sloot uitloop.

"Stormwaterriool" sluit in riole en dreineringspype wat gebruik word of bedoel is om gebruik te word uitsluitlik vir die wegvoer van stormwater, oppervlaktewater, ondergrondse of fonteinwater, met uitsondering alleen van die stormwaterdreineringspype soos in die voorgaande paragraaf beskrywe.

"Ingenieur" beteken die beampte wat vir die oomblik die betrekking van Stadsingenieur beklee of sy gemagtigde plaasvervanger.

"Eienaar" beteken en sluit in:

- Die persoon of persone by wie van tyd tot tyd die eiendoms reg op enige vaste eiendom berus.
- In enige geval waar die eiendom vir vyftig jaar en langer verpact is, die huurder van daardie eiendom.
- In gevalle waar die persoon by wie die eiendomsreg berus, insolvent, dood of verstandelik gebrekkig is, of wie se bedoel oorgegee is ten behoeve van sy krediteure, die persoon by wie die beheer van sodanige eiendom as voog, eksekuteur, kurator, prokurasiehouer of beheerder berus.
- In gevalle waar die eienaar soos hierbo bedoel afwesig is, die agent of persoon wat die huur van die betrokke eiendom ontvang.
- In enige geval waar 'n eiendom nu'tig bewoon word kragtens 'n serwituut of soortgelyke reg, die bewoner van daardie eiendom.
- Enige persoon of persone wat vaste eiendom van die Raad gekoop het waarvan die koopprys in paalemente betaalbaar is en wat nog nie oordrag van die Raad ontvang het nie.

"Okkupeerder" beteken en sluit in enige persoon in werklike okkupasie van enige persele afgesien van die titel in gevolge waarvan hy die okkupeer, en in geval van persele wat onderverdeel is en aan loseerders of onderhuurders verhuur is, die persoon wat die huurgeld deur daardie loseerders of onderhuurders verskuldig ontvang, hetsy vir eie rekening, hetsy as agent vir enige persoon daartoe geregtig of wat daarby belang het.

The word "Connection" shall mean the connection between any drain and a Municipal sewer, except when used in section IV.

The words "drainage work" shall include any drain, water closet, lavatory, sink, water supplying apparatus, waste, or other pipe gully, or any work connected with the discharge of any liquid or solid matter into any drain or sewer or otherwise connected with the drainage of any premises.

The words "waste water" shall mean discharges of a non-excremental character from baths, lavatory basins, sinks, housemaids' sinks or butlers' sinks.

The words "waste water fittings" shall include baths, lavatory basins, sinks, housemaids' sinks and butlers' sinks.

The word "waste-pipe" shall mean any pipe for conveying waste water to a gully trap which is fixed on a drain, but shall not include such trap or any portion of the drain to which such trap is fixed.

The words "soil water" shall mean discharge from water closets, sloop hoppers, urinals, bidets and urinettes.

The words "soil water fittings" shall include water closets, sloop hoppers, urinals, bidets and urinettes.

The words "soil pipe" shall mean such portion of a drain as is constituted by any pipe fixed on a house for the purpose of conveying soil water.

The words "sloop hoppers" shall mean a fitting intended for the reception of sloop water from bedrooms or other dirty water containing any excremental liquid or substance.

The words "housemaids' sinks" shall mean a fitting intended for washing toilet-ware, but not intended for the reception of excremental liquid or substance.

Registration of Authorised Drainage Contractors, Plumbers and Drainlayers.

2. The Council shall keep at its office a register in which shall be entered the names of all persons, duly approved of by the Council to act as authorised Drainage Contractors, Plumbers or Drainlayers.

3. Any person desiring to be registered as an authorised Drainage Contractor, Plumber or Drainlayer, shall apply in writing to the Council, giving such particulars regarding qualifications and proof of previous experiences as the Engineer may require. The Council on being satisfied that the applicant is a fit and proper person to be registered, may approve of the application and direct the name of the applicant to be entered in the register as an authorised Drainage Contractor, Plumber or Drainlayer as the case may be. The Council may without assigning any reason refuse any such application.

4. The registration of any person as an authorised Drainage Contractor, Plumber or Drainlayer may be cancelled by the Council at any time, and the name of such Contractor, Plumber or Drainlayer removed from the register, on the Council being satisfied that the person so registered has neglected or refused to observe and comply with any of these regulations, or that such person is no longer a fit and proper person to be so registered.

5. Persons registered as authorised Drainage Contractors need not necessarily be skilled drainlayers and plumbers, but if not so skilled they shall be bound only to employ registered plumbers and drainlayers for all work undertaken or contracted for, and they shall be responsible for their employees.

6. (a) No authorised Drainage Contractor shall act as an operative drainlayer or plumber, unless he is registered as such. Persons registered as plumbers only shall not lay stoneware drains or chambers, and persons registered as drainlayers only shall not do plumbers' work.

(b) No person shall carry out, and no one shall cause any person to carry out the work of an operative drainlayer or operative plumber unless such person is in lawful possession of a licence obtained from the Council duly authorising him thereto. Any person contravening this regulation shall be liable to a penalty not exceeding £5 for the first offence and to a penalty not exceeding £20 for every subsequent offence.

(c) No authorised drainage contractor as mentioned in these regulations shall employ any person other than a licensed operative drainlayer or operative plumber for the execution of any work which under these regulations is required to be done by a licensed operative drainlayer or plumber, and shall not cause or allow any such work to be done save by a licensed operative drainlayer or plumber as the case may be.

Maintenance of Drains.

7. Except as is otherwise provided for in section *seventeen* of Ordinance No. 22 of 1917, the owner of any property shall at his own expense maintain, repair, cleanse and remove any obstruction from the drain of such property and keep all

Die woord „aansluiting” beteken die aansluiting tussen er pyp en 'n munisipale riool, behalwe wanneer gebr in afdeling IV.

Die woord „dreineringswerk” sluit in enige dreineringspyp, watersekket, sekreet, wasbak, watertoevoerapparaat, loop- of ander pyp, sinkput of enige werk in verband met die uitloop van enige vloeibare of vaste stowwe enige dreineringspyp of riool of andersins in verband staan met die dreinerings van enige persele.

Die woorde „vull water” beteken die uitvloeielsels van bidens, was- of spoelkomme en die wasbakke van huishoudelikes sonder enige uitwerpsels daarin.

Die woord „vullwatertoebere” sluit in baddens, was- spoelkomme en die wasbakke van huishoudelikes.

Die woord „afvoerpyp” beteken enige pyp vir die wegvoer van vull water na 'n sinkput wat aangesluit is met dreineringspyp, maar sluit nie in sodanige sinkput enige gedeelte van die dreineringspyp waaraan so sinkput verbind is nie.

Die woord „gemakhuiswater” beteken die uitvloeielsel van watersekkete, vullwaterstortbakke, urinale, „bidets” en „urinettes.”

Die woord „gemakhuistoebere” sluit in watersekkete, vullwaterstortbakke, urinale, „bidets” en „urinettes.”

Die woord „vullwaterpyp” beteken sodanige gedeelte van dreineringspyp wat bestaan uit enige pyp wat ingesluit is in 'n huis vir die wegvoer van vull water.

Die woord „vullwaterstortbakke” beteken 'n apparaat bedoel vir die opvang van vull water van slaapkamers of ander vull water wat vaste of vloeibare uitwerpsels bevat.

Die woord „wasbakke” beteken 'n apparaat wat bedoel is vir die opwas van toiletartikels, maar nie bedoel is vir die opvang van vloeibare of vaste uitwerpsels nie.

Registrasie van Gemagtigde Dreineringskontraakteurs, Loodgieters en Rioollêers.

2. Die Raad moet op sy kantoor 'n register aanhou waar die name opgeteken moet word van alle persone wat behoort deur die Raad goedgekeur is om op te tree as gemagtigde dreineringskontraakteurs, loodgieters of rioollêers.

3. Enige persoon wat geregistreer wil word as 'n gemagtigde dreineringskontraakteur, loodgieter of rioollêer, moet skriftelik aansoek doen by die Raad en sulke besonderhede verskaf by treffende kwalifikasies en bewys van vorige ondervinding soos die Ingenieur mag vereis. Wanneer die Raad daarvan oortuig is dat die applikant 'n geskikte persoon is om geregistreer te word, kan hy die aansoek goedkeur en gelas dat die naam van die applikant ingeskryf word in die register as 'n gemagtigde dreineringskontraakteur, loodgieter of rioollêer soos die geval mag wees. Die Raad kan enige sodanige aansoek van die hand wys, sonder om enige rede op te noem.

4. Die registrasie van enige persoon as 'n gemagtigde dreineringskontraakteur, loodgieter of rioollêer, kan te eniger tyde deur die Raad ingetrek word, en die naam van sodanige kontraakteur, loodgieter of rioollêer kan uit die register geskrap word wanneer die Raad daarvan oortuig is dat die aldus geregistreerde persoon versum of geweer het om enige van hierdie regulasies na te kom, of dat sodanige persoon nie langer 'n geskikte persoon is om aldus geregistreer te wees nie.

5. Persone wat geregistreer is as gemagtigde dreineringskontraakteurs, hoef nie noodwendig ervare rioollêers en loodgieters te wees nie, maar as hulle nie aldus ervare is nie, is hulle verplig om slegs geregistreerde loodgieters en rioollêers in diens te neem vir alle werk wat onderneem word of waarvoor 'n kontrak aangegaan word, en hulle is verantwoordelik vir hul werksmense.

6. (a) Geen gemagtigde dreineringskontraakteur mag as 'n werkende rioollêer of loodgieter optree nie tensy hy as sodanige geregistreer is. Persone wat alleen as loodgieters geregistreer is, mag nie erdewerkriole of sluiskolke oprig nie, en persone wat alleen as rioollêers geregistreer is, mag nie loodgieterswerk verrig nie.

(b) Niemand mag die werk van 'n werkende rioollêer of werkende loodgieter uitvoer nie, en niemand mag 'n persoon die werk laat doen nie tensy sodanige persoon in die wettige besit is van 'n lisensie wat van die Raad verkry is en hom behoortlik daartoe magtig. Iedereen wat hierdie regulasie oortree, is strafbaar met 'n boete van hoogstens £5 vir die eerste oortreding en 'n boete van hoogstens £20 vir elke daaropvolgende oortreding.

(c) Geen gemagtigde dreineringskontraakteur, soos genoem in hierdie regulasies, mag 'n persoon, behalwe 'n gellisensieerde en werkende rioollêer of werkende loodgieter, in diens neem om werk uit te voer wat ingevolge hierdie regulasies vereis word om uitgevoer te word deur 'n gellisensieerde en werkende rioollêer of loodgieter nie, ook mag hy geen sodanige werk laat doen of toelaat dat dit gedoen word behalwe deur 'n gellisensieerde en werkende rioollêer of loodgieter, na gelang van die geval.

Onderhoud van Dreineringspyppe.

7. Behalwe waar dit anders bepaal is in artikel *sewentien* van Ordonnansie No. 22 van 1917, moet die eienaar van enige eiendom die dreineringspyp van sodanige eiendom op sy eie onkoste onderhou, repareer, skoonmaak en enige verstopping

drainage works upon such property and the drain for such property in a proper condition to the satisfaction of the Council.

8. Except as is otherwise provided for in section *seventeen* of Ordinance No. 22 of 1917, in all cases where the properties of more than one owner are served by any drain, such owners shall be jointly and severally responsible for the duty of maintaining, repairing, cleansing and removing obstructions from such drain, excepting where the Engineer definitely traces the cause of such obstruction, in which case the owner, or owner particularly concerned shall be responsible.

Defects.

9. Should any drain, pipe, gully or any other fitting connected with any drainage system of any property prove to be in a defective condition, or if there shall be any interruption to or inadequacy of the necessary water supply to such drain or fitting owing to defective condition of the drainage fitting or of such water supply fitting, the owner or authorised agent of such property on receiving written notice from a duly authorised official of the Council to cause such defect to be removed, repaired, renewed or made good within a reasonable time to be specified in such notice, shall comply with such notice within the time specified therein, and in default thereof shall be deemed to be guilty of an offence under these regulations; and further the Council shall be empowered to carry out the necessary work to remedy the defect, and the cost of so doing shall be recoverable from the owner or authorised agent of such property unless the occupier shall be liable for the same in terms of section *seventeen* of Ordinance No. 22 of 1917.

Power of Council to deal with cases of unlawful connection of drains, etc.

10. In all cases where any person shall make, alter, or otherwise deal with any connection or drainage work in such a way as to contravene any of the Municipal Regulations, or shall allow or cause any connection or drainage work, for the proper maintenance of which he is responsible, to fall into a bad or defective condition, or to become obstructed, such person on receiving notice from the engineer, shall immediately re-make, alter, repair, cleanse or remove any obstruction from such connection or drainage work.

Person bound to perform work of repairs, etc.

11. In all cases where any person is required under these regulations to effect any connection or drainage work or to do any other work in the way of construction, alteration or repairs to any connection or drainage works, such person shall be bound and obliged to do and perform or execute such work, and to give notice of the date of commencement of such work to the Engineer.

Council may compel connection with sewer.

12. (a) The Council may require the owner of any property which is in the opinion of the Engineer at a suitable level for drainage into a sewer to construct and instal drainage works in or for such property to the satisfaction of the Engineer, and within such time as the Council may prescribe, but not less than thirty days.

Council may compel construction of lot portion.

(b) The Council may further at such time as in any particular case it deems necessary or advisable, require the owner of any building in which any drainage works or any portion thereof have been installed at his own expense, to provide, construct and lay in such position and manner as the engineer may approve, such portion of the drain for such building as will lie upon the property on which such building is situated, to such point thereon and at such depth as the engineer may prescribe or approve.

(c) The Council may require any portion or instalment of such drain as is referred to in sub-section (b) to be completed, in advance, and may permit the completion of the remainder thereof to remain over until such time in the future as it shall by notice require the same to be completed.

Connection with sewer within 400 feet obligatory in cases of new and rebuilt houses.

13. Subject to the provisions of section *four* of Ordinance No. 22 of 1917, no person shall erect any building or rebuild any building which has been pulled down to or below the ground floor, or occupy or permit any persons to occupy any building so newly erected or rebuilt in any case where there is within 400 feet of such a building a sewer which

daarin verwyder, en alle dreineringswerke op sodanige eiendom en die dreineringspyp van sodanige eiendom in 'n behoorlike toestand hou tot bevrediging van die Raad.

8. Behalwe waar dit anders bepaal is in artikel *sewentien* van Ordonnansie No. 22 van 1917, is in alle gevalle waar 'n dreineringspyp diens doen vir die eiendomme van meer as een eienaar, sodanige eienaars gesamentlik en afsonderlik verantwoordelik vir die instandhou, repareer en skoonmaak van sodanige dreineringspyp, en vir die verwydering van alle verstopping daarvan, behalwe waar die Ingenieur definitief die oorsaak van sodanige verstopping vasstel, en in so 'n geval is die eienaar of die eienaar wat besondere belang daarby het.

Gebreke.

9. As dit blyk dat enige dreinerings- of ander pyp, sinkput of enige ander toebehore wat verbind is met enige dreineringsstelsel van enige eiendom in 'n gebrekkige toestand verkeer of as daar enige onderbreking of ontoereikendheid van die nodige watertoevoer plaasvind na sodanige dreineringspyp of toebehore weens die gebrekkige toestand van die dreineringsapparaat of van sodanige watertoevoerapparaat, moet die eienaar of gemagtigde agent van sodanige eiendom by die ontvangs van 'n skriftelike kennisgewing van 'n behoorlik gemagtigde beampte van die Raad sodanige gebrek laat verwyder, repareer, hernuwe of regmaak binne 'n redelike tyd wat in sodanige kennisgewing vasgestel moet word en moet aan sodanige kennisgewing voldoen binne die daarin bepaalde tyd en by gebreke daarvan, word hy beskou as skuldig te wees aan 'n oortreding kragtens hierdie regulasies; en die Raad besit tewens die mag om die nodige werk uit te voer, die fout te herstel en die koste daaraan verbonde te verhaal op die eienaar of gemagtigde agent van sodanige eiendom tensy die okkuperder aanspreeklik is daarvoor kragtens artikel *sewentien* van Ordonnansie No. 22 van 1917.

Bevoegdheid van Raad om stappe te doen in gevalle van onwettige aansluiting van dreineringspype, ens.

10. In alle gevalle waar iemand enige aansluiting of dreineringswerk op so 'n wyse uitvoer, verander of andersins daarmee handel dat enige van die Munisipale Regulasies oortree word of enige aansluiting of dreineringswerk, vir die behoorlike instandhouding waarvan hy verantwoordelik is, toelaat of oorsaak is dat dit in 'n slegte of gebrekkige toestand verval of verstop raak, moet sodanige persoon onmiddellik by die ontvangs van 'n kennisgewing van die Ingenieur sodanige aansluiting of dreineringswerk hernuwe, repareer, skoonmaak of enige verstopping daarvan verwyder.

Persoon verplig om reparasiewerk, ens., uit te voer.

11. In alle gevalle waar iemand kragtens hierdie regulasies verplig is om enige aansluitings—of dreineringswerk uit te voer of enige ander werk te doen in die vorm van aanleg, verandering of reparasie van enige aansluitings—of dreineringswerke, is sodanige persoon gebonde en verplig om sodanige werk te doen en te verrig of uit te voer, en aan die Ingenieur kennis te gee van die datum waarop daardie werk 'n aanvang sal neem.

Raad kan aansluiting met riool verpligtend maak.

12. (a) Die Raad kan van die eienaar van enige eiendom wat volgens die mening van die Ingenieur op 'n geskikte hoogte geleë is vir dreinerings in 'n riool, verlang om dreineringswerk in of vir sodanige eiendom tot bevrediging van die raad te maak en te installeer, en binne 'n tydperk deur die Raad vasgestel.

Raad kan die bou van erfgedeelte verpligtend maak.

(b) Die Raad kan verder op sodanige tyd as wat hy in enige besonder geval nodig of wenslik ag van die eienaar van enige gebou waarin enige dreineringswerke of enige gedeelte daarvan op sy eie koste geïnstalleer is, verlang om sodanige gedeelte van die dreineringspyp vir sodanige gebou te voorsien, te bou en aan te lê op sodanige plek en wyse as wat die Ingenieur mag goedkeur en wat op die eiendom aangebring sal word waarop sodanige gebou geleë is, tot op sodanige plek daarop en tot op so 'n diepte as wat die Ingenieur mag bepaal of goedkeur.

(c) Die Raad kan verlang dat enige gedeelte van sodanige dreineringspyp waarna in subartikel (b) verwys word, vooraf voltooi word en kan toelaat dat die voltooiing van die enige gedeelte daarvan oorsaak tot tyd en wyl hy deur kennisgewing mag verlang dat dit voltooi moet word.

Aansluiting met riool binne 400 voet verpligtend in gevalle van nuwe en herboude huise.

13. Onderworpe aan die bepalings van artikel *vier* van Ordonnansie No. 22 van 1917, mag niemand enige gebou oprig of enige gebou herbou wat afgebreek is tot op onderkant die grondvloer, of enige gebou wat pas opgerig of herbou is, gebruik of toelaat dat enige persoon dit gebruik in enige geval

the opinion of the Engineer, at a suitable level, unless such building is drained into such sewer by means of drains laid in conformity with these regulations.

Any person contravening this regulation shall be liable to a penalty not exceeding £20.

Council shall itself construct street portion of drain.

14. The Council shall at such time as it thinks fit carry out the construction, laying and provision of the portion of the drain for any property from the point of connection with the Municipal sewer to a point on the boundary of the erf or property and also of any junction which the City Engineer, under Clause 24 (d) of the regulations may consider necessary at its own expense. Where the properties of several owners are to be served by any such drain the proportion of the cost payable by each owner shall be assessed by the Engineer in such a manner as he may deem just, in accordance with principles determined by the Council, and such assessment shall be considered final in every case and the Council may in its discretion, instead of carrying out such work all at once, carry out the same in instalments, at such times as it thinks fit, and recover the cost thereof from the owner immediately upon completion of any instalment. The Council may, if it thinks fit, in any case prior to the commencement or during the contiguance of the work, recover the cost of the work as estimated by the Engineer. The owner shall in every case upon demand pay the amount shown in the account certified by the Engineer on the cost estimated as aforesaid immediately upon the receipt thereof, provided always that the Council may, if it wishes, advance any portion of the cost of such drain as it thinks fit, in any individual case, provided further that in cases where the estimated cost is paid as aforesaid before the completion of the work an account for the actual cost shall be rendered after completion thereof duly certified by the Engineer, and if the estimated cost shall be found to be in excess of actual cost and expenses the overplus shall forthwith be repaid to the owner by the Council, but if the actual cost and expenses shall exceed the estimated cost, then the owner shall be liable for such expenses and shall upon demand pay the Council the difference between the estimated and the actual cost.

Openings to be sealed if required.

15. The Council may further require the owner at his own expense to seal up and close the opening of any drain, pipe or drainage work situate upon or at the boundary of his property, and in such event the said owner shall keep the same property closed and sealed until such time as the Council may by written notice permit such seal to be removed. The occupier of any property shall at once notify the Council of any breach or removal of the said seal.

Any person breaking or removing or causing or suffering the breakage or removal of any seal or the opening of any such drain, pipe or drainage work, and any owner or occupier failing to comply with the provisions of this clause shall be liable to a penalty not exceeding £20, and to make good such damage or loss as may be caused to the Council, or as the Council may be required to make good to any person in consequence of such breach.

Council may prescribe sewer for any property.

16. The Council shall in every case prescribe to which portion of the sewer any drain is to be connected, and at what depth below the surface of the ground the portion of such drain which lies outside the boundary of any property is to meet the drain upon such property.

Charge to cover cost of work.

17. In all cases where any work is carried out by the Council in respect of which it is entitled to recover the cost from any person under these regulations, there may be included in the cost so claimed and recoverable such sum as the Engineer shall incur to cover the cost of such work, plus ten per centum administrative charges, which shall include the use of tools and plant, and there may also be included in such cost any expenditure or labour involved in disturbing, making good and re-making any of the street surfaces affected.

*Sewage not to be passed into drains without permission.
Seals not to be broken.*

18. No person shall cause or permit any material, liquid or solid, to enter any drain until the owner of the property has received written notice from the Council as prescribed in Clause 15 that the seals described in that section may be removed, provided always that even after such notice such matter only shall be passed or suffered to be passed into such

volgens die mening van die Ingenieur op 'n geskikte hoogte is tensy sodanige gebou aangesluit is met sodanige riool deur middel van dreineringspyp wat in ooreenstemming met hierdie regulasies aangelê is.

Enige persoon wat hierdie regulasie oortree, is strafbaar met 'n boete van hoogstens £20.

Raad moet self straat gedeelte van die dreineringspyp aanleë.

14. Die Raad sal, wanneer hy dit wenslik ag, die gedeelte van die dreineringspyp vir enige eiendom maak, aanleë en voorsien vanaf die plek van aansluiting met die Munisipale riool tot 'n plek op die grenslyn van die erf of eiendom, en ook van enige aansluiting wat die Stadsingenieur, volgens klousule 24 (d) van die regulasies, nodig mag ag, op sy eie koste. Waar die eiendomme van verskeie elenaars deur enige sodanige dreineringspyp bedien sal word, moet die Ingenieur die deel van die koste wat deur elke elenaar betaal moet word op sodanige wyse aanlaan as wat hy regverdig mag ag ooreenkomstig die beginsels neergelê deur die Raad, en sodanige aanslag moet in elke geval as finaal beskou word; en die Raad kan volgens sy goedvinding, in plaas van alle sodanige werk tegelyk uit te voer, dit stuksgewys doen op sodanige tye as wat hy goeddink, en die koste daarvan invorder van die elenaar onmiddellik nadat enige gedeelte voltooi is.

Die Raad kan, as hy dit wenslik ag, in enige geval voor die aanvang of gedurende die uitvoering van die werk die koste van die werk, soos beraam deur die Ingenieur, invorder.

Die elenaar moet in iedere geval op aanvraag die bedrag betaal wat aangetoon word op die rekening soos gesertifiseer deur die Ingenieur op die koste beraam, soos voornoem, onmiddellik na ontvangs daarvan, met dien verstande altyd dat indien die Raad dit wenslik ag hy enige deel van die koste van sodanige riool as wat hy mag goeddink in enige individuële geval mag voorskiet, met dien verstande verder dat in gevalle waar die beraamde koste betaal word, soos voornoem, voor die voltooiing van die werk 'n rekening van die werklike koste uitgemaak moet word na voltooiing daarvan, behoorlik gesertifiseer deur die Ingenieur, en as dit blyk dat die beraamde koste hoër is as die werklike koste en uitgawes, moet die bedrag wat te veel is onmiddellik deur die Raad aan die elenaar terugbetaal word, maar as die werklike koste en uitgawes meer is as die beraamde koste, dan is die elenaar aanspreeklik vir sodanige uitgawes en moet op aanvraag aan die Raad die verskil tussen die beraamde en die werklike koste betaal.

Openings moet verseël word indien verlang.

15. Die Raad kan verder van die elenaar verlang om op sy eie koste die opening van enige dreinerings- of ander pyp, of dreineringswerk wat op of by die grens van sy eiendom geleë is, te verseël en te sluit, en in sodanige geval moet die elenaar dit behoorlik toe en verseël hou totdat die raad deur skriftelike kennisgewing toelaat dat sodanige seël verwyder word. Die okkupeerder van enige eiendom moet die Raad onmiddellik in kennis stel van die oopbreek of verwydering van genoemde seël.

Enige persoon wat enige seël oopbreek of verwyder of laat oopbreek of verwyder of enige sodanige dreinerings- of ander pyp of dreineringswerk oopbreek en enige elenaar of okkupeerder wat versuim om aan die bepalings van hierdie klousule te voldoen, is strafbaar met 'n boete van hoogstens £20, en moet sodanige skade of verlies vergoed as wat aan die Raad veroorsaak is of wat die Raad mag verlang dat aan enige persoon as gevolg van so 'n oortreding vergoed moet word.

Raad mag riool voorskryf vir enige eiendom.

16. Die Raad kan in iedere geval bepaal aan watter gedeelte van die riool enige dreineringspyp aangesluit moet word en op watter diepte onderkant die oppervlakte van die grond die gedeelte van sodanige dreineringspyp wat buite die grens van enige eiendom geleë is, met die dreineringspyp op sodanige eiendom aangesluit moet word.

Rekening moet koste van werk insluit.

17. In alle gevalle waar enige werk deur die Raad uitgevoer word ten opsigte waarvan hy geregtig is om die koste kragtens hierdie regulasies van enige persoon in te vorder, kan in die aldus gevorderde en terugbetaalbare koste sodanige som ingesluit word as wat die Ingenieur mag beloof ten einde die koste van sodanige werk te dek, plus 10 persent vir administrasiekoste wat die gebruik van gereedskap en masjinerie moet insluit en sodanige koste kan ook insluit enige uitgaaf of arbeid wat nodig is vir die opbreek, regmaak en repareer van enige van die betrokke straatoppervlaktes.

Rioolstowwe mag nie in dreineringspyp gespoel word sonder toestemming nie. Seëls mag nie oopgebreek word nie.

18. Niemand mag enige materiaal, hetsy van 'n vloeibare of vaste aard, in enige dreineringspyp laat loop totdat die elenaar van die eiendom skriftelik kennis van die Raad, soos in klousule 15 bepaal, ontvang het dat die seëls, soos in daardie artikel beskrywe, verwyder mag word nie, met dien verstande altyd dat selfs na sodanige kennisgewing dit toegelaat is om

drain as is permitted under the other terms of these regulations. Further, no person shall complete the connection between the drain upon his property and such portion of the drain for the property as lies outside the boundary of such property without the permission of the Engineer. Any person committing a breach of this regulation shall be liable to a penalty not exceeding £20.

Council and owners may agree to construction by Council.

19. It shall be lawful for the Council to agree with any owner or occupier of any property, that any drains which such owner or occupier desires or is required by the Council to make shall be constructed by the Council, and the cost of making such drains, as certified by the Engineer, shall be repaid by such owner or occupier to the Council.

Combined system of drainage in cases of groups of adjacent houses.

20. If, in the opinion of the Council in the case of any group or block of houses or buildings, which are to be connected with any sewer either voluntarily or compulsory, a combined system of drainage for the whole group or block, or any part thereof would be more economical than an independent system for each house or building, the Council may require the drains of such houses or buildings to be connected with the sewer in such a way that such drains shall empty into it through a common drain, or may itself carry out the work or any portion thereof, and the expense of the construction of such combined drainage system, by whomsoever carried out, shall be apportioned among the owners of the several houses or buildings by the Engineer in such a manner as he may deem just in accordance with the principles determined by the Council, and the cost of any work carried out by the Council so apportioned shall be payable by and recovered from the said owners.

Re-opening of unauthorised work.

21. If any person shall neglect or refuse to deliver or send any notice required under these regulations to the Engineer or cover up any work without inspection by the Engineer, and if the Engineer on inspecting any work finds that such work is so far advanced that he cannot ascertain whether anything has been done or omitted to be done contrary to these regulations, and if, on receiving 24 hours' notice from the Engineer to cut into, lay open or pull up such work to enable the Engineer to ascertain whether anything has been done or omitted to be done as aforesaid, such person shall fail or neglect to comply with such notice, the Engineer may cause the said work to be cut into, laid open or pulled up or otherwise dealt with to facilitate inspection, and the expenses of so doing shall be recoverable from the person so offending, who shall in addition be liable to the penalties for breach of these regulations.

Brewery, manufacturing or other trade sewage.

22. The Council may, in its absolute discretion, refuse to admit into its sewerage system any trade, brewery or manufacturing waste water, sewage or effluent, unless such has been freed of the grosser objectionable matters, and then only if the sewers in the vicinity are, in the opinion of the Engineer, of sufficient capacity to convey the trade, brewery or manufacturing waste water, sewage or effluent in addition to the ordinary domestic sewage flow of the area served by such sewers.

Power to make inspection chamber in manufacturing premises.

23. The Council shall, at its discretion, have the power of constructing on any pipe or channel conveying trade or manufacturing waste water, sewage or effluent to a Municipal sewer, an inspection chamber of such dimensions as they may think fit on any property from which the waste water, sewage or effluent is derived, at the expense of the Council without payment of any compensation to the owner or occupier of such property. The Council's duly authorised officials shall at all times have access to such chamber, and may examine the character, gauge the flow and take samples of the discharge from such property.

Drainage works in streets.

24. Any work required for the laying of drains in streets or other public places shall, if the Council does not elect to carry it out, be executed in accordance with the following regulations:—

alleen sulke stof in sodanige dreineringspyp te laat loop as wat kragtens die ander bepaling van hierdie regulasies veroorloof is. Tewens mag niemand die aansluiting tussen die dreineringspyp op sy eiendom en sodanige gedeelte van die dreineringspyp vir die eiendom wat buite die grens van sodanige eiendom geleë is, sonder die toestemming van die Ingenieur voltooi nie. Enige persoon wat 'n oortreding van hierdie regulasie begaan, is strafbaar met 'n boet van hoogstens £20.

Raad en eienaars kan ooreenkom dat die Raad werk uitvoer.

19. Die Raad het die reg om met enige eienaar of okkupeerder van eiendom ooreen te kom dat enige dreineringspyp wat so 'n eienaar of okkupeerder verlang of wat deur die Raad verplig word om aangelê te word, deur die Raad aangelê word en die koste in verband met die aanlê van sodanige dreineringspyp, soos deur die Ingenieur gesertifiseer, moet deur sodanige eienaar of okkupeerder aan die Raad terugbetaal word.

Gesamentlike dreineringsstelsel in gevalle van groepe van aangrensende huise.

20. Indien volgens die mening van die Raad in die geval van enige groep of blok huise of geboue wat verbind moet word met 'n riool, hetsy vrywillig of verpligtend, 'n gesamentlike dreineringsstelsel vir die hele groep of blok of enige gedeelte daarvan voordeliger is as 'n afsonderlike inrigting vir elke huis of gebou, kan die Raad vereis dat die dreineringspyp van sodanige huise of geboue verbind word met die riool op so 'n wyse dat sodanige dreineringspyp daarin uitloop deur middel van 'n gesamentlike dreineringspyp, of kan self die werk of enige gedeelte daarvan uitvoer, en die koste in verband met die aanlê van sodanige gesamentlike dreineringsstelsel deur wie ook al uitgevoer, moet deur die eienaars van die verskillende huise of geboue deur die Ingenieur op so 'n wyse verdeel word as wat billik beskou word volgens die beginsels deur die Raad neergelê, en die koste van enige werk deur die Raad uitgevoer en aldus verdeel moet betaal word deur, en ingevorder word van genoemde eienaars.

Blootlegging van ongeoorloofde werk.

21. Indien enigeen versuim of weier om enige kennisgewing wat kragtens hierdie regulasies vereis word, aan die Ingenieur af te lever of te stuur of enige werk te bedek sonder dat dit deur die Ingenieur ondersoek is, en as die Ingenieur by die ondersoek van enige werk vind dat sodanige werk te ver gevorderd is om te kan uitvind of enigiets gedoen of versuim is in stryd met hierdie regulasies, en indien by die ontvangs van kennisgewing van 24 uur van die Ingenieur of sulke werk oop te kap, bloot te lê of af te breek ten einde die Ingenieur in staat te stel om uit te vind of enigiets gedoen of versuim is soos voornoem, sodanige persoon nalatig of versuim om aan sodanige kennisgewing te voldoen, kan die Ingenieur die genoemde werk laat oopkap, blootlê of afbreek of sulke ander stappe doen ten einde die ondersoek daarvan te vergemaklik, en die koste daaraan verbonden ingevorderbaar van die persoon wat die oortreding begaan, wat boonop strafbaar is met die boetes vir 'n oortreding van hierdie regulasies.

Rioolvullis van brouerye, fabriek of ander nywerhede.

22. Die Raad kan volgens sy absolute goedvinding weier om toe te laat dat enige vuil water, rioolvullis of vloeiwater van enige nywerheid, brouery of fabriek in sy rioolingsstelsel loop, tensy dit gesuiwer is van die meer walglike stowwe, en dan alleen indien die rirole in die nabyheid volgens die mening van die Ingenieur van voldoende grootte is om die vuil water, rioolvullis of vloeiwater van nywerhede, brouerye of fabriek te behalwe, nog die gewone rioolvullis van huise in die gebiede deur sodanige rirole bedien, weg te voer.

Mag om inspeksieput in fabriekspersone te maak.

23. Die Raad besit die mag om volgens sy goedvinding inspeksieput te maak in verband met enige pyp of voorwerk van die afvoer van die vuil water, rioolvullis of vloeiwater van nywerhede of fabriek na 'n Munisipale riool en wat van sulke afmetings is as wat hy nodig mag ag op enige eiendom waarvan die vuil water, rioolvullis of vloeiwater afkomstig is op koste van die Raad sonder betaling van enige vergoeding aan die eienaar of okkupeerder van so 'n eiendom. Die behoorlik gemagtigde amptenare van die Raad is te allen tyde geregtig om in so 'n inspeksieput te gaan en kan die toestande ondersoek, die stroom meet en monsters neem van die vloeiwater vanaf so 'n eiendom.

Dreineringswerke in strate.

24. Enige werk wat nodig is in verband met die lê van dreineringspyp in strate of ander publieke plekke moet, indien die Raad nie self verkies om dit uit te voer nie, uitgevoer word ooreenkomstig die volgende regulasies:

- (a) All surface materials from roadways or pavements shall be carefully removed and preserved for reinstatement in their original place, the excavations shall be carried on with all possible expedition, and the work shall be continued night and day, if required by the Engineer.
- (b) All places dangerous to the public shall be properly fenced, watched and lighted. The sides of any excavation shall be supported by timber, or otherwise as the Engineer may consider necessary, and all pipes crossing excavations shall be properly supported and slung.
- (c) The width of any excavations shall not exceed what is absolutely necessary for the work, and all surplus materials shall be removed as quickly as possible.
- (d) Where a junction is to be made with any sewer such junction shall be made at a point indicated by the Engineer.
- (e) If a suitable junction already exists in any sewer opposite to the place at which it is desired to connect, such junction shall be used if the Engineer so directs; if no junction exists, one length of pipe shall be removed and a junction of approved pattern and quality not exceeding 45 degrees, inserted in the place of such pipe, or the connection may be made in such other manner as the Engineer may approve.
- (f) The cost of putting in any such special junction shall be borne by the Council, where there has been no rebuilding or sub-division of the building or property subsequent to the laying of the sewer which necessitates additional junctions or the fixing of a junction in a position different to the one provided at an available and accessible point at the time of laying the sewers for the particular property concerned. Where any new junction is put in, the work of making such junction shall be done before the drain is laid, and until such junction has been put in and approved by the Engineer, no further work shall be done.
- (g) Any excavation made in the course of putting in any new junction shall be filled in up to within 12 inches of the surface of the ground with earth rammed in 6-inch layers; fine material free from stones shall be closely packed round the pipe; no clay shall be brought within 15 inches of the surface.
- (h) Whenever the surface of any made road has been disturbed in the course of putting in any new junction, the restoration of such surface shall be undertaken by the Council, and previous to the disturbance of the surface of any road, a deposit shall be made with the Council to recover the cost of such restoration as certified by the Engineer.

Note.—Any area under one square yard of pavement or channelling will be charged for as one yard.

The Council will not be responsible for any accidents or damage to persons or property that may occur in the execution of such drainage work.

SECTION II.

DRAINS.

Stormwater not to flow into sewers.

25. No person shall cause, permit or suffer any spring, subsoil, surface or stormwater, or any stormwater drain to discharge into or communicate with any drain or sewer except with the written permission or direction of the Council, and then only on condition that any such stormwater drain shall discharge into a trapped gully, and above the level of the water therein.

Sewage not to flow into stormwater drain.

26. No person shall cause, permit or suffer any sewer or drain to discharge into or communicate with any stormwater drain or stormwater sewer. Such sewer or drain shall discharge into the drainage sewers only.

Connection of stormwater drains and stormwater sewers prohibited.

27. No person shall cause, permit or suffer any stormwater drain to communicate with any stormwater sewer, but he shall provide proper pipes or channels for the spring, subsoil, surface or stormwater, or water from a water supply tap flowing off private ground up to the street boundary, and thence an approved pipe across and under the footpath discharging into the gutter above the level thereof.

- (a) Alle plekke op die oppervlakte van paale of voepaadjes moet sorgvuldig verwyder en bewaar word ower op die oorspronklike plek teruggeplaas te word en die opgraving moet met alle moontlike spoed uitgevoer word, en daarenbove moet die werk gedurende die nag en dag voortgesit word indien die Ingenieur dit verlang.
- (b) Alle plekke wat 'n gevaar is vir die publiek, moet behoorlik omhein, bewaak en verlig wees. Die kante van enige uitgraving moet beskerm wees deur hout of 'n ander wyse wat die Ingenieur nodig mag ag, en al die pype oor uitgrawings moet behoorlik gestut en aangebring word.
- (c) Die wydte van enige uitgrawings mag nie groter wees as wat absoluut noodsaaklik is vir die werk nie, en al oortollige materiaal moet so spoedig moontlik verwyder word.
- (d) Waar 'n aansluiting met enige riool gemaak moet word moet sodanige aansluiting gemaak word op 'n plek wat deur die Ingenieur aangedui word.
- (e) Indien 'n geskikte aansluiting reeds bestaan in enige riool teenoor die plek waar dit verlang word om 'n aansluiting te verkry, moet sodanige aansluiting gebruik word indien die Ingenieur dit gelas; indien daar geen aansluiting bestaan nie, moet een pylengte verwyder en 'n verbindingstuk van goedgekeurde patroon en kwaliteit van hoogstens 45 grade, ingesit word in die plek van sodanige pyp, of anders kan die verbinding op so 'n ander wyse gemaak word as wat die Ingenieur mag goedkeur.
- (f) Die koste om enige sodanige spesiale verbindingstuk te sit, moet deur die Raad gedra word waar daar geen herbou of onderverdeling van die gebou of eiendom plaasgevind het as gevolg van die aansluiting van die riool wat addisionele aansluitingstukke of die aanbring van 'n aansluitingstuk op 'n ander plek noodsaaklik maak as wat verskaf is op 'n geskikte en bereikbare plek toe die rirole vir die betrokke eiendom aangelê is nie. Waar enige nuwe aansluitingstuk ingesit word, moet die werk in verband met die maak van so 'n aansluitingstuk uitgevoer word voordat die dreineringspyp aangelê word en totdat sodanige aansluitingstuk aangebring en deur die Ingenieur goedgekeur is, mag geen verdere werk verrig word nie.
- (g) Enige uitgraving wat gemaak word wanneer enige nuwe aansluitingstuk ingesit word, moet tot op 12 duim van die oppervlakte van die grond opgevol word met grond wat in lae van 6 duim ingestamp moet word; fyn materiaal vry van enige klippe moet styf rondom die pyp gepak word en geen klei mag nader as 15 duim van die oppervlakte wees nie.
- (h) Wanneer ook al die oppervlakte van enige gebaande weg opgebreek is weens die insit van enige nuwe aansluitingstuk, moet die Raad onderneem om sodanige oppervlakte weer in orde te bring en voordat die oppervlakte van enige pad opgebreek word, moet 'n depositie by die Raad betaal word tot dekking van die koste van sodanige herstellingswerk, soos gesertifiseer is deur die Ingenieur.

Opmerking.—Vir enige oppervlakte kleiner as een vierkante jaart van plaveisel of vore moet betaling geskied teen die tarief vir een jaart.

Die Raad is nie aanspreeklik vir enige ongelukke of skade aan persone of eiendom wat in die uitvoer van sulke dreineringswerk mag voorval nie.

AFDELING II.

DREINERINGSPYPE.

Stormwater mag nie in rirole loop nie.

25. Niemand mag enige fontein-, ondergrondse, oppervlakte- of stormwater of enige stormwaterpyp laat uitloop in of verbind wees met enige dreineringspyp of riool nie behalwe met die skriftelike toestemming of op bevel van die Raad en dan alleen op voorwaarde dat enige sodanige stormwaterpyp uitloop in 'n put met stankafsluiting en bokant die hoogte van die water daarin.

Rioolvullis mag nie in stormwaterpyp vloei nie.

26. Niemand mag enige riool- of dreineringspyp laat uitloop in of verbind wees met enige stormwaterpyp of stormwater-rioel nie. Sodanige rioel of dreineringspyp mag slegs in die dreineringsriole uitloop.

Aansluiting van stormwaterpype met stormwaterriole verbied.

27. Niemand mag enige stormwaterpyp laat verbind met enige stormwaterriool nie, maar hy moet geskikte pype of vore verskaf vir die fontein-, ondergrondse, oppervlakte- of stormwater of water uit 'n watertoevoerkraan wat vanaf private grond tot op die straatgrens loop, en vandaar 'n goedgekeurde pyp oor en onder die voetpaadjie wat in die sloot bokant die oppervlakte daarvan uitloop.