

# GOVERNMENT OF FIJI GAZETTE SUPPLEMENT

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 No. 18

FRIDAY, 6th MAY

2022

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 [LEGAL NOTICE NO. 62]

 LOCAL GOVERNMENT ACT 1972
 

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## Savusavu (Garbage Removal and Disposal) By-laws 2022

IN exercise of the powers conferred on it by section 122 of the Local Government Act 1972, the Savusavu Town Council, with the approval of the Minister, hereby makes these By-laws—

*Short title and commencement*

1.—(1) These By-laws may be cited as the Savusavu (Garbage Removal and Disposal) By-laws 2022.

(2) These By-laws are deemed to have come into force on 1 January 2020.

*Interpretation*

2. In these By-laws, unless the context otherwise requires—

“Council” means the Savusavu Town Council;

“garbage” means household refuse, rubbish, house sweepings, ashes or any filth;

“premises” means commercial premises, industrial premises or residential premises; and

“urban sanitary district of Savusavu” includes Daku, Nakama, Verevere, Narayan Height, Vunikoka, Vuniyasawa, Naboutu, Naqelekula, Savusavudrodro vally road, Naqere and Naqere Industrial.

*Application*

3. These By-laws apply to the premises within the urban sanitary district of Savusavu as declared and constituted under section 9 of the Public Health Act 1935.

*Responsibility of the Council*

4. The Council is responsible for the administration and enforcement of these By-laws.

*Compulsory use of garbage pan*

5. The owner or occupier of any premises must cause all the garbage within or from the premises to be deposited in garbage pans.

*Garbage pans*

6.—(1) The Council may supply garbage pans to an owner or occupier of any premises within the urban sanitary district of Savusavu on payment of an approved fee.

(2) The owner or occupier of any premises must use one or more garbage pans to dispose garbage, each of a minimum capacity of—

- (a) 1 cubic metre for residential premises; and
- (b) 3 cubic metres for commercial premises and industrial premises.

(3) The owner or occupier of any premises must at all times—

- (a) keep the garbage pan closed except when depositing garbage in the garbage pan;
- (b) keep the garbage pan and its cover clean and in good condition;
- (c) place the garbage pan in a position easily accessible for collection by the Council's garbage collectors; and
- (d) where more than one garbage pan is necessary, place the garbage pans together and close to the road.

(4) The owner or occupier of any premises who contravenes this By-law commits an offence and is liable on conviction to a fine of \$400 or imprisonment for a term not exceeding 6 months or both.

*Garbage collection and disposal fees*

7.—(1) The garbage collection and disposal fees per year for—

- (a) residential premises is \$74.40 (VEP); and
- (b) commercial premises and industrial premises is \$148.80 (VEP).

(2) The owner of a premises must pay in advance to the Council the fees charged under paragraph (1) for the purposes of collection, removal and disposal of garbage from the premises.

(3) The Council must issue and serve a written notice to the owner of the premises demanding payment of an amount due and specify the—

- (a) amount to be paid;
- (b) period for which the amount relates; and
- (c) date on and place by which the amount must be paid.

(4) All fees collected by the Council under these By-laws must be paid into the Council's general fund account.

*Garbage pans to be easily accessible*

8. A garbage pan must be placed on the footpath adjoining each property adjacent to the road used by the garbage collection vehicles on the day specified by the Council, unless there is no footpath then in front of the property from where access is provided to the premises.

*Frequency of service*

9.—(1) The Council must arrange for a garbage collector to remove all garbage from the premises within the urban sanitary district of Savusavu at least twice a week.

(2) The garbage collector may not remove garbage from any garbage pan placed at a distance of more than 6 metres from the road side.

*Warrant for distress and sale of goods*

10.—(1) If the owner or occupier of any premises fails to comply with the notice issued under by-law 6(3), the Council may apply to a Magistrate to issue a warrant levying the amount with costs by distress and sale of the goods and chattels of the owner found on the premises.

(2) A warrant issued under paragraph (1) authorises the person executing the warrant including any other person so authorised to remain on any premises during the time of the distress and sale of goods found on that premises.

(3) Notwithstanding paragraph (1), the Council may recover fees by other remedies including civil proceedings in court.

Approved this 19th day of April 2022.

P. D. KUMAR  
Minister for Local Government

Made this 22nd day of April 2022.

A. KOHLI  
Chairperson of Special Administrators  
Savusavu Town