

MUNICIPAL AND URBAN AUTHORITIES

ORDINANCE

(Cap. 162)

KOTA KINABALU MUNICIPAL COUNCIL

(SEWERAGE) BY-LAWS, 1960

(G.N.S. 73 of 1960)

In exercise of the powers conferred upon it by section 50 (2) of the Municipal and Urban Authorities Ordinance and *Gazette* Notification No. S 102 of 1959, the Jesselton Town Board has made the following By-laws-

1. These By-laws may be cited as the Kota Kinabalu Municipal Council (Sewerage) By-laws, 1960.

2. In these By-laws-

“Health Officer” means the Deputy Director of Medical Services or any other public Officer appointed by the Director of Medical Services for the purpose of these By-laws;

“drain” means any drain or pipe used for the drainage of a building;

“public sewer” means the sewer owned and maintained by Government in respect of which the Council has entered into arrangements for the supply of sewerage services to the Municipal Council area.

3. (1) Where the drainage of any building is, in the opinion of the Health Officer, in such a condition as to be prejudicial to health or a nuisance, the Council may by notice in writing require the owner of the building to have its drain connected with a public sewer in accordance with these By-laws within such time to be stated in the notice.

- (2) If the owner fails to comply with the requirements of such notice, the Council may cause the connection to be made and recover the expense as a charge under section 97 of the Local Government Ordinance, 1961. *[Ord. 11/61.]* Ord. 11/61.
- (3) Pending the completion of the connection the Health Officer may give such directions as to the maintenance or otherwise of the existing drainage and the disposal of waste matter from the building.
- (4) Where a building plan for the erection of a building is submitted in accordance with the Building By-laws, the Council may reject the plan unless satisfactory provision is made for the drain of the building to be made to connect with the public sewer. *[G.N.S. 55/51. G.N.S. 33/52.]* G.N.S. 55/51.G.N.S. 33/52.
- (5) Where the length of the connection required to be made under these By-laws is more than 100 feet, the owner of the building shall not be liable for the expense of constructing so much of the length of the connection as exceeds 100 feet.
- (6) The owner of any building shall be entitled to have the drain of his building made to connect with the public sewer in accordance with these By-laws, but the Council may refuse permission if the making of the connection would be prejudicial to the sewerage system.
7. No person shall commence any work for the making of any connection with the public sewer until proposals in respect of the work have been submitted and approved by the Council or unless the Council dispenses with the submission of such proposals.
8. The Council shall keep at its office a map showing and distinguishing the public sewer and drains existing or in the course of construction from time to time, and such map may be inspected by any member of the public during normal office hours.
9. The Council may reject any building plan submitted under the Building By-laws where the building to be erected is over a sewer or drain existing or to be constructed.
10. Any person who is authorised or required to make a connection with the public sewer under these By-laws may enter any land and may do such things as may be necessary to make the connection, provided that such person has previously given at least one week's notice of his intention to enter to the owner or occupier of the land

concerned, and provided that as little damage as possible is done in the exercise of the power conferred by this by-law.

11. No person shall throw, empty or pass or permit to be thrown, emptied or passed into the public sewer or drain connecting with the public sewer-
 - (a) any rain or surface water; and
 - (b) any matter likely to injure the sewer or drain, or to interfere with the free flow of its contents, or to affect prejudicially the treatment and disposal of its contents.

12. If any connection with a public sewer is made not in accordance with the proposals approved by the Council or otherwise than in accordance with these By-laws, or if the work of the connection is so unsatisfactory as to be prejudicial to the sewerage system, then in every such case the Council may require the owner of the building in respect of which the connection is made to remove the connection or to cause it to be removed and recover the expense as a charge under section 97 of the Local Government Ordinance, 1962. [*Ord. 11/61.*]

13. Any person who contravenes any of the provisions of these By-laws shall on conviction be liable to a fine not exceeding five hundred ringgit and in the case of a continuing offence shall be liable to a fine not exceeding ten ringgit a day for every day during which such offence is continued.

Ord. 11/61.

[Mod Act
160.]

Dated at Jesselton, this 14th day of January, 1960.

G. R. HEDLEY,

Chairman,

Jesselton Town Board,

The Governor has approved the foregoing By-laws.

G. L. Gray,

Secretary for Local Government.