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TITLE VIII

LOCAL GOVERNMENT

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BELIZE CITY COUNCIL

TITLE VIII
LOCAL GOVERNMENT

CHAPTER 66

BELIZE CITY COUNCIL

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CHAPTER 66

BELIZE CITY COUNCIL

Ch. 135,
R.L., 1958.
6 of 1955.
17 of 1958.
1 of 1962.
14 of 1962.
14 of 1963.
38 of 1963.
40 of 1963.
24 of 1966.
24 of 1968.
13 of 1969.
25 of 1976.
3 of 1978.
2 of 1980.
7 of 1980.
S.I. 17
of 1964.
Short title.

Commencement
[16th July, 1903—Part I, Title I]
[29th June, 1946—Part I, Title II]
6th September, 1947—Part I, Titles III and IV]
16th July, 1903—Part II, Title I]
25th June, 1886—Part II, Title II]
13 of 1874—Part, III]
2nd October, 1906—Part IV]

1. This Ordinance may be cited as the Belize City Council Ordinance.

PART I

Title I

THE CITY COUNCIL, ITS CONSTITUTION, POWERS AND DUTIES.

Interpre-
tation.

2. In this Ordinance—

“allowance” means money payable under this Ordinance to a councillor during the time he is a member of the Belize City Council;

7 of 1980. “Belize City” means such area as comprises the electoral division of Freetown, Pickstock, Fort George, Albert, Collet and Mesopotamia as defined under the Representation of the People Ordinance;

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“Council” means the Belize City Council constituted under this Ordinance;

“general election” means an election held by reason of the expiration or determination of the term of office of the Council;

“member” means a member of the Council;

“new Council” means a Council newly constituted by election or appointment, if necessary, other than a casual election or appointment;

“rules”, “regulations” or “by-laws” means any rules, regulations

and by-laws made under this Ordinance;

"voter" means a person registered as a voter in accordance with this Ordinance.

CONSTITUTION, ETC., OF THE COUNCIL

Term of council, members, their qualifications, etc.

3.—(1) There shall be constituted and established a Council to be known as the "Belize City Council" which shall be a body corporate with perpetual succession and a common seal.

Constitution
of Council.

(2) The Council shall have capacity to acquire, hold and dispose of real and personal property and to sue and be sued in all courts of law.

(3) The Council shall consist of such number of members, not less than nine as the Minister may by order published in the *Gazette* from time to time direct. 40 of 1963.

(4) The members shall be elected in manner provided by this Ordinance, but if no candidates or an insufficient number of candidates offer themselves for election the Minister may appoint as many members as may be required to fill the vacant seats. 40 of 1963.

(5) The Council is lawfully constituted when the requisite number of members has been elected or appointed.

(6) The term of office of any member appointed by the Minister terminates when the term of office of the Council to which he is appointed terminates. 40 of 1963.

(7) No temporary vacancy caused by death or otherwise shall affect the validity of any proceedings of the Council.

4. Every Council shall hold office until 30th November next ensuing after the day on which the Council has been two years in office: Term of office of Council.

Provided that the Minister may by order at any time dissolve the Council and cause a new Council to be constituted, and pending the constitution of that new Council the powers and duties of the Council shall be exercised and performed by such persons as the Minister may direct. 40 of 1963.

5. No person shall be capable of being elected a member who is not a British subject and a voter. Qualification of members.

6.—(1) A person shall be disqualified from being a member of the Council if he— Disquali-
fication of
certain
persons.

(a) cannot speak English; or

- (b) holds an office of emolument or place of profit in the gift or disposal of the Council; or
- (c) has directly or indirectly by himself or his partner, any share or interest in any contract with the Council; or
- (d) is in the employment of the Council; or
- (e) is an undischarged bankrupt, having been adjudged or otherwise declared bankrupt under any law in force in any Commonwealth country; or
- (f) being a person possessed of professional qualifications is disqualified (otherwise than by his own request) in any Commonwealth country from practising his profession by the order of any competent authority made in respect of him personally; or
- (g) has, in any Commonwealth country, been sentenced to death or to imprisonment (by whatever name called) for a term exceeding twelve months and has not either suffered the punishment to which he was sentenced or such other punishment as may by competent authority have been substituted therefor or received a free pardon; or
- (h) is a person adjudged to be of unsound mind or detained as a criminal lunatic under any law in force in Belize; or
- (i) is a public officer.

(2) For the purposes of this section a person shall not be disqualified from being a member by reason of his being interested in—

- (a) any contract in respect of which the Minister shall remove the disqualification if he is of opinion that such removal will be of public benefit;
- (b) any newspaper in which any advertisement relating to the affairs of the Council is inserted; or
- (c) any contract with the Council as a shareholder in any joint stock company, but he shall not vote at any meeting of the Council or any question in which such company is interested.

(3) For the purposes of this section, a person holding the office of Premier or other Minister, Speaker or Deputy Speaker of the House of Representatives, President or Vice-President of the Senate, or being a member of the House of Representatives or the Senate or any Commission established by the Belize Constitution Ordinance, shall not be considered to be a public officer.

(4) The office of Mayor of the Council and the office of a member are declared not to be offices of emolument or places of profit in the gift or disposal of the Council although remuneration may be paid to such Mayor and member out of moneys provided by the Council. 14 of 1962.

(5) A person shall not be considered as holding an office of emolument or place of profit in the gift or disposal of the Council or as being in the employment of the Council or as holding a public office by reason only of the fact that he is in receipt of a pension or other like allowance in respect of service under the Council or the Crown.

7.—(1) Every member of the Council shall, without prejudice to his re-election in accordance with this Ordinance, cease to be a member of the Council at the expiration of the term of office of the Council, or previously thereto if his seat becomes vacant under this Ordinance. Tenure of office of members of Council.

(2) If any member is absent without leave for four consecutive meetings of the Council and is at the date of the last of such meetings—

- (a) absent from Belize, he shall cease to be a member of the Council and his seat in the Council shall thereupon become vacant;
- (b) in Belize, the Council shall without delay report the matter to the Minister and, after such inquiry as may seem necessary, declare that such member has ceased to be a member of the Council and the seat in the Council of such member shall thereupon become vacant.

Provided that, unless by reason of absence from Belize of such member or otherwise it is not practicable to do so, the Governor shall, before declaring that such member shall cease to be a member of the Council, call upon such member to show cause in writing why his seat in the Council should not be declared vacant and shall afford him an opportunity of making his defence in person before the Governor.

(3) If a member becomes subject to any of the disqualifications specified in section 7 his seat shall become vacant.

(4) A member whose seat becomes vacant under this section shall, if qualified, be eligible as a candidate at an election held to fill such vacancy.

Mayor of
Council.

8.—(1) The Council shall have a Mayor and a Deputy Mayor who shall be elected annually by the Council from among the members thereof and shall be eligible for re-election.

(2) Whenever a casual vacancy occurs in the office of Mayor or Deputy Mayor, an election to fill the vacancy shall be held at the next meeting of the Council held after the date on which the vacancy occurs.

(3) A person elected to fill a casual vacancy shall hold office until the date upon which the person in whose place he is elected would regularly have retired, and he shall then retire, but shall be eligible for re-election.

(4) No person shall be elected Mayor or Deputy Mayor without his consent to be so elected.

(5) The Mayor or Deputy Mayor may, at any time during his term of office, be removed at a meeting of the Council by resolution of two-thirds of the members of the Council.

(6) Notice of a resolution under subsection (5) shall be given to all the members not less than fourteen days before the meeting at which the resolution is proposed.

Resignation
of members.

9.—(1) A member may resign from his office, but his resignation shall not take effect until accepted by the Mayor.

14 of 1962.

(2) A Mayor or Deputy Mayor may resign his office as such, but his resignation shall not take effect until the Council has elected another Mayor or Deputy Mayor in his place, as the case may be.

Leave of
absence.

14 of 1962.

10.—(1) The Mayor may, with the concurrence of four other members, grant leave of absence to any member for a period not exceeding six months.

(2) The Council may grant to the Mayor or to the Deputy Mayor leave of absence for any period not exceeding six months.

Power to fix
allowance.

40 of 1963.

11. The Council may by resolution fix an allowance to be paid to members out of the funds of the Council which shall be approved by the Minister.

APPOINTMENT OF OFFICERS AND SERVANTS

12. The Council may, by resolution, appoint, remove or reappoint fit officers and servants as it thinks necessary, and may pay such persons such salaries and allowances out of the Town Fund as it thinks fit, but all appointments, removals and remunerations shall be subject to the approval of the Minister.

Council may appoint officers and servants.

40 of 1963.

13. Every officer or servant employed for the purposes of this Ordinance who exacts or accepts on account of anything done relating to his duties any fee or reward whatever other than the salary or allowance ordered or allowed by the Council is guilty of an offence and is liable on summary conviction to a fine of not less than fifty dollars nor more than five hundred dollars.

Penalty on officers for taking gratuity.

ELECTIONS

14.—(1) Every person who—

- (a) is registered as an elector for the electoral divisions of Free-town, Pickstock, Fort George, Albert, Collet or Mesopotamia under the Representation of the People Ordinance; and
- (b) subject to subsection (3) is in possession of an identification card issued to him under that Ordinance; and
- (c) resides within the limits of Belize City;

Persons entitled to vote.

7 of 1980.

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shall be entitled to vote at the election of a member of the Council.

(2) Every person who, not being a British subject by birth, registration or naturalisation and being legally resident in Belize, has actually resided in Belize City for a period, or periods in all, not less than three years, shall be entitled to be registered as an elector and when registered to vote at the election of a member of the Council if he—

- (a) has attained the age of eighteen years;
- (b) is under no legal incapacity;
- (c) is not an undischarged bankrupt; and
- (d) is, subject to subsection (3), in possession of an identification card issued to him under this Ordinance.

(3) Notwithstanding subsections (1) and (2), a person who has been registered under the Representation of the People Ordinance or under this Ordinance but who is unable to produce his identi-

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fication card, may be permitted to vote upon proving to the satisfaction of the presiding officer that although he had been registered he has not been issued with an identification card or that the identification card issued to him has been lost or destroyed;

(4) Where a person is permitted to vote under subsection (3), the presiding officer shall state to the candidates or agents then present in the polling station, and also make a record of his reasons for so doing and shall maintain a list of the names and registration numbers of the electors voting without producing their identification cards, showing the number of the ballot paper issued to each of them.

Regulations
relating to
elections.

7 of 1980.

15.—(1) The Minister may make regulations—

- (a) to provide for the registration of electors;
- (b) to provide for the holding of elections and by-elections of members of the Council;
- (c) to provide for the conduct of elections and by-elections of members of the Council;
- (d) to prohibit any act or matter which in his opinion is not conducive to the maintenance of order on polling day;
- (e) to declare any act committed in the course of any campaign for election or elections an election offence;
- (f) to declare the grounds upon which an election may be challenged and the persons who may challenge an election;
- (g) to declare the grounds upon which an election may be avoided and the procedure for challenging an election;
- (h) to provide for the trial of election petitions and matters connected therewith including the deposit of security and the award of costs;
- (i) to prescribe the form of the ballot papers and sample ballot papers;
- (j) to provide for the custody and disposal of ballot papers;
- (k) to prescribe the method of marking voters at elections;
- (l) to provide for penalties for the breach of any regulation;
- (m) and to prescribe for all such other matters as may be necessary for the carrying out of the provisions of this Ordinance.

(2) Contraventions of any regulations made under subsection (1) may be declared by the Minister to be illegal practices and provisions may be made in the said regulations for the punishment on summary

conviction, of persons committing or taking part in the commission of such illegal practices by—

- (a) a fine, not exceeding two thousand dollars; and
 - (b) disqualification from voting at any election under this Ordinance, the Local Government (District Boards) Ordinance and the Representation of the People Ordinance, and from being elected or appointed as a member of any City Council or town board or of the National Assembly for a period of three years from the date of his conviction.
- (3) The regulations made pursuant to this section shall be subject to negative resolution.

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16.—(1) The Minister may make regulations—

- (a) with respect to the incurring of expense and the making of payments by or on behalf of a candidate, whether before, during or after an election, on account of or in respect of the conduct or management of such election;
- (b) requiring the appointment of an election agent through or by whom all expenses or payments as mentioned in paragraph (a) shall be incurred or made;
- (c) fixing the maximum amount of expenses that may be incurred or paid, whether before, during or after an election, on account, or in respect of the conduct or management of such election;
- (d) fixing the time within which all election expenses shall be paid and barring all claims in respect thereof not made within the prescribed time; and
- (e) requiring a return of expenses and prescribing the form in which the same shall be made and verified.

Regulations
relating to
election
expenses.
7 of 1980.

(2) Contraventions of regulations made under subsection (1) shall be deemed illegal practices, and provision may be made in the said regulations for the punishment on summary conviction, of persons committing or taking part in the commission of such illegal practices by—

- (a) a fine, not exceeding five hundred dollars; and
- (b) disqualification from voting at any election under this Ordinance, the Local Government (District Board) Ordinance and the Representation of the People Ordinance and from being elected or appointed as a member of the City Council

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or town board, or of the National Assembly for a period of three years from the date of his conviction.

(3) The regulations made pursuant to this section shall be subject to negative resolution.

(4) An election petition may be presented in respect of any illegal practice declared by such regulations to be the grounds for the presentation of any such petition.

Returning
Officer and
Election
Clerks.

Cap. 9

7 of 1980.

17.—(1) For the purposes of holding an election the Elections and Boundaries Commission established under section 9 of the Representation of the People Ordinance shall, from time to time and as occasion demands, appoint a person to be the returning officer for Belize City, and may appoint one or more persons to assist the returning officer in the performance of his duties. A person so appointed to assist the returning officer shall have all the powers and may perform all the duties of the officer he is appointed to assist and any reference in this Ordinance or regulations made thereunder to a returning officer shall unless the context otherwise requires be deemed to include a reference to every such person.

(2) The Chief Elections Officer shall, with the approval of the Commission, appoint an Election Clerk and one or more assistant clerks for Belize City. If at any time between the dissolution of a Council and the declaration of the result of the election following thereon the returning officer dies or becomes incapable of performing his duties as such the Election Clerk shall forthwith report that fact to the Chief Elections Officer and shall discharge all the duties and exercise all the powers of the returning officer until some other returning officer is appointed or the returning officer ceases to be incapable of performing his duties, as the case may be.

(3) An appointment made under subsections (1) and (2) may be revoked at any time.

COUNCIL MEETINGS AND PROCEEDINGS

Mayor, Deputy-Mayor and standing committee

Election or
appointment
of Mayor.

18.—(1) The Minister shall summon and preside at the first meeting of every new Council.

(2) If the Minister is for any reason unable to preside at the first meeting of the new Council he shall nominate another person to represent him.

7 of 1980.

(3) The Council shall at the first meeting elect one of its members to be Mayor.

(4) If only one candidate is nominated that candidate shall forthwith be declared to have been elected as Mayor.

(5) If more members than one are nominated for the office the Minister shall, as the presiding officer, proceed to take the votes of the members present by ballot and the member securing the greatest number of votes shall be declared to have been elected as Mayor.

(6) If there is no election on account of equality of votes or the Council for any other reason fail at such meeting to elect a Mayor the Minister shall appoint some member of the Council to be Mayor.

(7) The only business to be transacted at such meeting shall be the election of a Mayor and a Deputy Mayor.

19.—(1) The Council shall elect a Deputy Mayor.

Election of
Deputy
Mayor.

(2) In the event of the office of Mayor becoming vacant through death or otherwise, the Deputy mayor shall act as Mayor until a Mayor has been elected by the Council.

(3) During the illness or absence on leave of the Mayor the Deputy Mayor shall exercise and perform all powers and duties conferred by this Ordinance upon the Mayor.

20.—(1) The ordinary meetings of the Council shall be held at such times as may be prescribed by standing order of the Council.

Ordinary
meetings.

(2) At least one ordinary meeting of the Council shall be held during every month.

(3) Ordinary meetings of the Council shall be held in public, and every question before the Council shall be decided by open voting.

21.—(1) The Mayor may call a meeting of the Council at any time either on his own motion or upon requisition of one-third of the members of the Council.

Convening
of meetings.

(2) If the Mayor refuses to call a meeting of the Council after a written requisition to do so signed by one-third of the members of the Council has been presented to him, or if, without so refusing the Mayor does not, within ten days after such requisition has been presented to him, cause a meeting to be convened, the persons presenting the requisition may forthwith on such refusal or on the expiration of ten days, as the case may be, call a meeting of the Council.

Notice of
meetings.

22.—(1) Except as provided in subsection (2) the Town Clerk shall give to every member of the Council at least four clear days notice of a meeting of the Council.

(2) The Mayor may call an emergency meeting of the Council upon giving twenty-four hours notice thereof to each member of the Council.

(3) Every notice of a meeting of the Council shall be signed by the Town Clerk or Mayor of the Council except when the meeting is called under section 21 (2), when the notice shall be signed by the members calling the meeting.

(4) The notice to attend a meeting of the Council shall specify the business proposed to be transacted thereat.

(5) The want of service of the notice on any member shall not affect the validity of any meeting so long as there is a quorum at the meeting.

(6) All meetings of the Council shall be held at the City Hall, Belize City.

Mayor to
preside at
meetings.

23.—(1) The Mayor shall, if present, preside at all meetings of the Council.

(2) If the Mayor is absent from a meeting of the Council the Deputy Mayor, if present, or in his absence, such member as the members present shall choose, shall preside.

Quorum and
majority.

24.—(1) All acts of the Council and of any committee and all questions coming or arising before the Council or any committee may be done and decided by the majority of the members of the Council or committee as are present and vote at a meeting held in pursuance of this Ordinance or of any regulation or by-law, the whole number

present at the meeting, whether voting or not, being not less than one-half of the number of the whole Council or of the committee, as the case may be, when that number is even or a majority of such number if odd.

(2) In case of equality of votes, the Mayor or Chairman of the meeting shall have a second or casting vote.

25.—(1) A member of the Council or of a committee shall not vote or take part in the discussion of any matter before the Council or a committee in which he has directly or indirectly by himself or his partner any pecuniary interest.

Interested member not to vote.

(2) Every member who knowingly offends against this section is guilty of an offence and is liable on summary conviction to a fine not exceeding two hundred and fifty dollars for any such offence and upon conviction his seat on the Council or in any committee shall become vacant.

26.—(1) If at any meeting of the Council or of any committee thereof any member, in the opinion of the Chairman notified to the Council, misconducts himself by persistently disregarding the ruling of the Chairman, or by behaving irregularly, improperly, or offensively, or by wilfully obstructing the business of the Council, it shall be competent for a member to move:

Breaches of order at meetings.

“That the member named be not further heard,” or

“That the member named do leave the meeting”,

and the motion if seconded shall be put and determined without discussion.

(2) In the case of grave disorder arising in any meeting of a Council, the Mayor or Chairman may, if he thinks it necessary to do so, adjourn the meeting without question put, or suspend any meeting for a time to be specified by him.

27. The Mayor of the Council may invite any person to attend, and to speak upon any matter, at any meeting of the Council, but no such person shall vote upon any matter whatever.

Rights of certain persons to attend.

28.—(1) The Council may from time to time appoint standing and special committees consisting of members of the Council and may delegate to such committees any matter for consideration or

Appointment of standing or special committees.

inquiry or management or regulation and may delegate to any such committee any of the powers and duties by this Ordinance conferred or imposed upon the Council except the powers to borrow money, make a by-law, execute a deed of contract or institute an action at law.

(2) Every committee to whom any powers or duties are delegated as in subsection (1) may without confirmation by the Council exercise or perform the same in like manner and with the same effect as the Council could itself have exercised or performed those powers or duties.

(3) The Council appointing any committee may appoint a member of the committee to be the permanent Chairman thereof.

(4) In default of the Council so doing, the committee may make the appointment.

(5) The Council may from time to time remove the Chairman and appoint another in his stead.

Regulations governing proceedings of Council, etc.

29. The Council may, subject to the approval of the Minister, make regulations—

- (a) regulating the proceedings of the Council and of committees and the conduct of meetings thereof respectively;
- (b) prescribing the time and manner of holding annual and other stated and also ordinary meetings and regulating the business that may be transacted thereat respectively;
- (c) providing for the custody of documents and regulating the custody, and use, and prescribing the mode and form of attestation of the common seal;
- (d) prescribing the duties of its officers and servants;
- (e) requiring any officer, servant or other employee of the Council to give security for the faithful performance of his duties;
- (f) concerning anything incidental to any of the matters referred to in this section.

Vacancy not to invalidate meetings.

30. The proceedings of the Council or of any committee thereof shall not be invalidated by any vacancy among its members, or the want of qualification of any member.

The Town Fund

31. There shall be placed to the credit of or paid into the "Town Fund" of Belize—

Moneys
constituting
the Town
Fund.

- (a) all moneys voted from time to time by the National Assembly in aid thereof;
- (b) all moneys payable in any manner whatever to the Council whether under or pursuant to this Ordinance or otherwise;
- (c) all fines and penalties recovered summarily on the information of the Council or of any officer or member of the Council for non-compliance with the provisions of—
 - (i) any of the enactments specified in the First Schedule;
 - (ii) any other Ordinance, unless otherwise provided thereby; and
 - (iii) the rules, by-laws and regulations of the Council for the time being in force.

First
Schedule.

(2) The Minister may remit either wholly or in part any fine or penalty due or accrued to the Council under this Ordinance, or of any enactment in the First Schedule.

First
Schedule.

Loans

32.—(1) Whenever the general interest and welfare or development of Belize City will in the opinion of two-thirds of the members of the Council be advanced by an expenditure greater than can be met out of the annual revenue of the Town Fund, the Council may by resolution carried by the majority aforesaid recommend on the guarantee of an annual allocation of such amount of the Town Fund as may be equivalent to the annual interest and sinking fund necessary for its redemption, the raising of a loan, the proceeds of which shall be devoted to such advancement.

Loans, when
and how
raised.

(2) Upon such recommendation the Minister may borrow such sum of money as may be authorised under a loan Ordinance passed by the National Assembly.

(3) The sum necessary to meet the annual interest and sinking fund for the redemption of such loan so raised and authorised, shall be a first charge upon all moneys which may then or may thereafter form part of the Town Fund:

Provided that—

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- (a) it shall be lawful for the Minister to advance from the public funds of Belize any sum required for a short period when the Minister is satisfied the Council will be able from its ordinary revenue to repay the amount advanced within a period of six months from the date of such advance;
- (b) the Minister may at any time, with the sanction of the National Assembly, make an advance to the Council from the public funds of Belize on such conditions as he may think fit.

Submission
annually of
estimates of
revenue and
expenditure.

2 of 1980.

33.—(1) The Council shall before the end of January in each year submit to the Minister of Finance, through the Minister, an estimate of revenue and expenditure for the period of one year commencing from 1st April then next ensuing and the Minister of Finance may issue his warrant for the whole or such part of the lawful expenditure as he may approve subject to such conditions as to him may seem fit.

(2) The estimates of the Council shall as soon as possible after receipt thereof by the Minister of Finance be laid on the table of the National Assembly.

(3) The Minister of Finance may, at any time when a matter appears to him to be of sufficient urgency permit the Council to incur any lawful expenditure not provided in the approved estimates and shall as soon as possible thereafter inform the National Assembly that such additional expenditure has been approved.

(4) In this section "lawful expenditure" means expenditure incurred in the exercise of any of the powers or performance of any of the duties conferred or imposed on the Council by any existing or future legislation.

(5) The Minister may from time to time make regulations prescribing the manner in which the accounts of the Council are to be kept and disbursements made, and for the audit of the accounts by the Auditor General.

DUTIES AND POWERS OF THE COUNCIL

Streets and adjoining lands

General
powers as to
streets, etc.

34.—(1) All streets, in which term is included public drains, within the boundaries of Belize City shall be under the control, care and management of the Council.

(2) The Council is empowered in respect of any street to do any of the following things—

- (a) to lay out, construct, repair, alter or widen all streets with such material and in such manner as the Council thinks fit;
- (b) to make surveys for the laying out of new streets;
- (c) to determine what part of a street shall be a carriage-way and what part a foot-way only;
- (d) to alter the level of any street;
- (e) to stop temporarily the traffic on any street or part thereof while such street is being constructed or repaired;
- (f) to plant trees in any street in the town and erect tree guards to protect the same;
- (g) to provide for the naming, numbering and lighting of places and streets;
- (h) to sell the surplus spoil of streets.

(3) The Council shall exercise the power to make any new street or divert or widen or diminish the width or alter the level of any street only with the sanction of the Minister in that behalf.

(4) Notwithstanding the provisions of any law to the contrary, it is hereby declared that that part of Bishop Street running between Regent Street and the Southern Foreshore extension (Bliss Promenade) in Belize City shall be closed and it hereafter shall cease to be a street.

(5) Upon application by the City Council, the Minister may by order, order that any existing street be closed, diverted or turned, and that some other shorter or more convenient course be substituted for any street so closed, diverted or turned as the public advantage may require.

(6) Whenever it appears to the Minister that having regard to the limited use made of any street, the closing thereof without the provision of any other course will not result in serious handicap or inconvenience to the public, he may order that the street be closed without ordering that any other street be substituted therefor.

(7) Notice of the terms of the application of the City Council as specified in subsection (5) shall be inserted in the *Gazette* at least four weeks previously to the date of the order of the Minister.

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Council may recover expenses for repairs to streets damaged by excessive weights.

Penalties for injuries to streets, etc.

35. Where the Council incurs extraordinary expenses in repairing a street by reason of the damage caused by excessive weight passing along it or extraordinary traffic thereon, the Council may recover the expenses from any person by whose order such weight or traffic has been conducted as a debt.

36.—(1) Any person who not being authorised by the Council or by any Ordinance—

- (a) encroaches on a street by making or erecting any building, fence, ditch, or other obstacle or work of any kind upon, over or under it or planting any tree or shrub thereon;
- (b) places or leaves on a street any timber, earth, stones or other things;
- (c) digs up, removes or alters in any way the soil or surface or scrapings of a street;
- (d) allows any water, tailings or sludge or any filthy or noisome matter to flow from any building or land in his occupation on to a street;
- (e) causes or permits any timber or other heavy material not being wholly raised above the ground on wheels to be dragged on a street;
- (f) causes or negligently allows any retaining-wall, foundation-wall or fence erected on any land or slope of earth or any building, erection, material or thing to give way or fall so as to injure or obstruct any street;
- (g) does or causes or permits to be done any act whatever by which any injury is done to any street or any work or thing in, or under it; or
- (h) defaces, obliterates or removes any number, mark or name painted or affixed on any lot, house, building, street or square,

is guilty of an offence and is liable on summary conviction to a fine not exceeding fifty dollars and to a further sum equal to the costs incurred by the Council in removing the encroachment, obstruction or matter, or in repairing any injury done as specified in subparagraphs (a) to (h).

(2) No penalty shall be imposed under this section unless the information or complaint is laid by authority of the Council or some officer thereof.

37. If any land adjoining any street within the boundaries of Belize City is allowed to remain unfenced or if the fences of such land are allowed to be or remain out of repair and the land is, owing to the absence or inadequate repair of any such fence a source of danger to passengers, cyclists or pedestrians, or is used for any immoral or indecent purpose, or for any purpose causing inconvenience or annoyance to the public, the Council may, at any time after the expiration of fourteen days from the service upon the owner or occupier of notice in writing by the Council requiring the land to be fenced or any fence on the land to be repaired, cause the land to be fenced or may cause the fences to be repaired in a manner as they think fit, and the reasonable expenses thereby incurred shall be recoverable from the owner or occupier summarily as a civil debt.

Duty to fence or repair fences in certain cases.

38.—(1) The Council may, by notice in writing to the owner of any land, require such owner, within a reasonable time specified in such notice, to cause a sufficient fence to be erected dividing the land from any adjoining street or to cause any fence dividing the land from any adjoining street to be restored, repaired or otherwise put in a proper state of repair.

Council may require owner to erect fence.

(2) An owner who makes default in complying with the requirements of any notice served upon him under this section is liable to a fine of two dollars for every day that the default continues after written notice thereof from the Council.

General Powers

39. The Council is entrusted with the general rule and good government of Belize City and has power subject to the provisions of this Title to do all things necessary to carry out such trust and in particular has power and authority to do or cause to be done all or any of the matters following:

Duties of the Council.

- (a) to establish, regulate, control, maintain and manage markets, slaughter-houses, bath-houses and wash-houses;
- (b) to impose rents and fees upon persons using or benefitted by such markets, slaughter-houses and wash-houses;
- (c) to impose such restrictions upon owners of land as may be necessary to prevent any building upon such land from being or becoming a source of danger to surrounding property whether from fire or from its insecure construction or dilapidated condition;

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- (d) to undertake the marking and numbering of lots, houses, buildings and yards for the purpose of distinguishing the same;
- (e) to establish, maintain and control parks, gardens, squares and open places within the town;
- (f) to erect and maintain any town hall or other building required for public purposes;
- (h) to establish, maintain and control a public library;
- (i) subject to the approval of the Minister to manage and dispose of any lands, buildings or other property acquired or owned by the Council for public purposes;
- (j) to do all such other things or matters for the purpose of increasing the convenience and amenity of the town.

Power to
appoint
committees
for manage-
ment of
cayes.

40. The Council may name and appoint committees of persons resident or owning land on the cayes who shall be responsible to the Council for the control and good management of their respective cayes.

Council may
nominate
visitor to
cayes.

41. The Council may, from time to time, nominate some responsible person to visit any of the cayes and shall authorise him to inspect their general conditions and management.

Power of
Council to
dissolve
Committees.

42. If at any time in the opinion of the Council the committees appointed under section 40 are not effectually managing and controlling their respective cayes, the Council may declare the dissolution of the committees, or any of them, and all the powers of control and management hereby vested in the committees shall revert to the Council.

Penalty for
forgery.

43.—(1) Any person who forges a licensing badge with intent to evade the requirements of this Ordinance or of any by-law or to facilitate the evasion of those requirements shall be guilty of a misdemeanour punishable on summary conviction or on indictment, but so that the punishment on summary conviction shall not exceed six months' imprisonment and the punishment on indictment, shall not exceed two years' imprisonment.

(2) This section shall have effect as if it formed part of Title XIII of the Criminal Code (Forgery).

Cap. 84

44.—(1) Any person who without lawful authority or excuse defaces or destroys any licensing badge, or removes any licensing badge from any bicycle, tricycle, or handcart is guilty of an offence and is liable on summary conviction to a fine not exceeding twenty-five dollars. Penalty for destroying or removing badges.

(2) Any member of the Police Force who has good reason to suspect that any person has without lawful authority or excuse defaced, destroyed, or removed the licensing badge attached to any bicycle, tricycle or handcart, may without any warrant arrest the person so suspected who shall as soon as practicable be brought before a magistrate.

45. If a licensing badge is lost or destroyed, the person to whom it was issued shall, on making a statutory declaration, which shall be free of stamp duty; to that effect and paying the sum of twenty-five cents to the Council, be entitled to obtain another licensing badge. Replacement of lost licensing badge.

46. The Council may from time to time make by-laws—

- (a) for the licensing of horses, mules, carts, drays and handcarts (except such as are kept by the Governor or the Government) kept or used in Belize City and the imposition of fees in respect thereof, and the Council may in any such by-laws provide for the exemption from any requirement in respect of licensing and from the payment of the whole or part of any fee payable therefor by the owner of a horse, mule, cart, dray or handcart which is certified by the Permanent Secretary to be used wholly or partially for the public service;
- (b) for the licensing of drivers of carts and drays and the imposition of fees in respect thereof;
- (c) for the provision of public pens for animals and for the imposition of fees and regulations in respect of the user thereof;
- (d) for regulating the passing of livestock through the streets with power to specify the streets through which the livestock shall be allowed to pass, the time of such passing, and the method of leading or driving the livestock;
- (e) for the establishment and the control and use of public lavatories and latrines;
- (f) for regulating the distance from any building at which it shall be lawful to construct any other building;

Council may make by-laws.

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- (g) for regulating the construction as to dimensions and materials of the walls of buildings within the whole or any part of the town;
- (h) for regulating the construction and materials of roofs, fire-places and furnaces in buildings of every description and for the prevention of fires;
- (i) for regulating the construction of chimneys to carry away the smoke from fire-places and furnaces of any kind and for insuring protection from sparks therefrom and for the prevention of nuisances from smoke;
- (j) for regulating the erection of temporary structures;
- (k) for the establishment, regulation, control, maintenance, and management of markets, slaughter-house, bath-houses and wash-houses;
- (l) for regulating the lighting of places, streets, markets and other buildings under the control of the Council;
- (m) for prohibiting, except in the case of wild animals which may be shot in the bush, the killing or slaughtering of any animal the flesh of which is intended for human food in any place within, or within one mile beyond the limits of Belize City other than in the slaughter-house;
- (n) for prohibiting the exposing or exhibiting for sale the flesh of any animal, other than a wild animal shot in the bush, in any place within, or within one mile beyond the limits of Belize City other than in the market or place or places as the Council may appoint;
- (o) for the regulation of parks, gardens and public recreation grounds;
- (p) generally for all matters connected with the rule and good government of Belize City and the proper carrying out of this Title.

THE BELIZE CITY BRIDGE

Inter-
pretation.

47. In sections 47 to 50 inclusive—

“authorised officer” means the keeper of the bridge and any other officer whom the Council may from time to time authorise to control or to assist in controlling traffic under or through the bridge;

THE BELIZE CITY BRIDGE

THE BELIZE CITY BRIDGE

"bridge" means the swing bridge over the Belize River at Belize City and any buttress, pier or part thereof;

"cable" means any cable for the purposes of the telephone or telegraph service or for the transmission of electric power;

"vessel" means any ship, boat, launch, dory or raft.

48.—(1) Any person who brings or causes to be brought any vessel, anchor, chain or other article or thing in contact with the bridge or with any cable crossing the Belize River within the vicinity of the bridge is, unless he proves that such contact was caused by circumstances beyond his control, liable on summary conviction to a fine not exceeding one hundred dollars where damage is proved to have been done to the bridge or to any such cable, or to a fine not exceeding ten dollars where no such damage is proved.

Penalty and liability for collision with bridge or cable.

(2) Any person convicted under this section, and the employer of such person at the time of the committal of the offence for which such person was convicted shall be liable for any damage so caused as specified in subsection (1) to the bridge or any cable, and the court by whom any person is so convicted may, in and by such conviction, order such person to pay the whole of the damage, in addition to any fine that may be imposed on him hereunder, or order his employer to pay the whole of the damage, or may order such person and his employer each to pay a proportion of the damage as to the court may seem fit.

(3) No order under subsection (2) shall be made against any employer, unless it is proved, to the satisfaction of the court, that notice of the time and place fixed for the hearing of the proceedings at which the person was convicted was served on the employer at least three days before the date fixed for the hearing.

49. Any person on board or in charge of a vessel who disobeys any reasonable order given by an authorised officer for the purpose of facilitating the passage of vessels under or through the bridge is guilty of an offence and is liable on summary conviction to a fine not exceeding fifty dollars.

Penalty for disobeying orders of authorised officer.

50. The Council may, from time to time, make by-laws with respect to the bridge—

(a) for regulating the hours of opening of the bridge;

By-laws for Belize City bridge.

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- (b) for regulating the control of vehicular and pedestrian traffic over the bridge;
- (c) for regulating the control of river traffic and the passage of rafts under the bridge;
- (d) for imposing charges in respect of all boats, ships and other vessels passing the bridge when swung;
- (e) for prescribing fees for any inspection, superintendence, or other service performed by officers appointed by the Council in connection with the bridge.

CONTROL OF PUBLIC CANALS

Control of canal vested in Council.

51.. The control of all public canals constructed within the limits of Belize City is hereby vested in the Council.

Cleaning of canals.

52. It shall be the duty of the Council to cleanse and keep clean the public canals in Belize City, but this duty shall not be construed as compelling the Council to cleanse any canal at times when the public health would in the opinion of the Council be endangered by the operation.

Maintenance of canals, etc.

53.—(1) The Minister may by order impose conditionally, or otherwise, upon the Council the duty of repairing, and keeping in repair, all or any part of the walls of the canals in Belize City and also all or any part of the walls, or staking, in Belize City fronting the sea or river bordering on any public street or public place under the control of the Council.

(2) Any such order may at any time be altered or revoked by a like order.

Powers of Council.

54. The Council shall, when charged with this duty, have all rights of access, and all other rights and powers, which are required for the due performance thereof.

Power of Council to make by-laws.

53.—(1) The Council may, from time to time, make by-laws to govern the use of the canals by vessels, boats and doreys, and to impose upon offenders against the by-laws fines not exceeding twenty-five dollars for each offence.

(2) All fines under the by-laws shall be recovered on summary conviction and when recovered shall be placed to the credit of the Town Fund.

(3) It shall be the duty of the members of the Police Force to assist the Council in carrying into effect any by-laws made by the Council under this section.

IMPROVEMENT OF BUILDINGS, ETC.

56. The Council may inquire into the circumstances of, and thereupon grant or refuse, any application made or to be made by the owner or occupier of any property situate in Belize City for permission—

Grant of permission for the improvement of private property.

- (a) to construct, and erect, in connection with such property, a verandah, gallery, balcony, portico, lamp, sign or other useful or ornamental addition that may project or hang over any public road, street or lane; or
- (b) to make and pave any causeway, footpath or drain adjacent to such property; or
- (c) to make and effect any other improvement of, or addition to, such property, if any such improvement is not injurious to other persons, and does not obstruct any roadway or be otherwise inconvenient to the public.

57. Every such permission shall be in writing under the seal of the Council, and signed by the Mayor thereof, and there shall be inserted therein such conditions as in each case shall be determined by the Council as to—

Form of permission and conditions to be inserted.

- (a) the nature and extent of any such improvement;
- (b) the materials wherewith, and the manner in which, the same shall be made and constructed or used; and
- (c) the rent, service or other acknowledgement to be rendered or made for the easement or privilege thereby conceded.

58.—(1) Every permission to be granted under this Ordinance shall be prepared at the applicant's own cost and charges, and shall be caused by him to be enrolled in the General Registry before such applicant shall do, or commence to do, or cause to be done or commenced any act or thing which, but for such permission, would be an encroachment upon the rights of the Crown or the public.

Recording permission.

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(2) If, contrary to this section the applicant does, or commences to do, or causes to be done or commenced any act or thing which encroaches upon the rights of the Crown or the public before the enrolment of the permission granted under this Ordinance he is guilty of an offence and is liable on summary conviction to a fine not exceeding fifty dollars and to a further fine not exceeding five dollars for every day on which such encroachment continues.

(3) A conviction under subsection (2) shall not be a bar to any action or other proceeding to which the applicant has rendered himself liable by doing or commencing to do, or causing to be done or commenced any such act or thing.

Inspection
of works
and report
thereon.

59. It shall be the duty of the Town Clerk from time to time to inspect any constructions or improvements commenced under this Title whilst they are in progress, and on their completion to report upon them to the Mayor of the Council, and, if so directed by him, to inform and complain to the magistrate of any act or thing done contrary to section 58 for which purpose the Town Clerk shall have full liberty at all times during office hours to search, inspect, and take copies or extracts from the records in the General Registry of any permissions granted under this Title without payment of any fee.

Title II

EMPLOYEES' PROVIDENT FUND

[29th June, 1946]

Preliminary

Interpre-
tation.

60.—(1) In this Title—

“Board” means the Board of Management appointed under section 62 (2);

“chairman” means the Chairman of the Board;

“depositor” means a person who is making deposits in the Fund;

“employee” means a person in the service of the Council who—

Second
Schedule.

(a) holds an office which is for the time being included in the Second Schedule; and

(b) is not an officer within the meaning of that term in section 81; and

(c) has attained the age of twenty years;

"Fund" means the Employees' Provident Fund established under this Part;

"personal allowance" means a special addition to salary granted personally to the holder for the time being of the office;

"salary" includes wages and any personal allowance, but no other payment or allowance whatever.

(2) For the purposes of this Title a depositor's family shall be deemed to include his mother, father, wife and children, but no other person.

Establishment and control of the Fund

61.—(1) The Minister may, from time to time by order published in the *Gazette*, amend the Second Schedule by adding any office to the list of offices contained therein or by deleting any office from the list, but every order made under this section shall make such provision, if any, as may be necessary or expedient to preserve existing rights.

Amendment
of Schedule.

Second
Schedule.

(2) When any office is added to the Second Schedule, sections 63, 64 and 70 shall have effect as respects that office as if the date upon which it is added were the date of the commencement of this Title.

Second
Schedule.

62.—(1) There shall be established a "City Council Employees' Provident Fund".

Establish-
ment and
management
of the Fund.

(2) The Minister shall appoint a Board of Management which shall be vested with the control and management of the Fund in accordance with this Title and of any regulations.

(3) The chairman of the Board shall be the Financial Secretary or such other public officer as the Minister may from time to time designate.

(4) The expenses of management and administration of the Fund shall be paid out of the Fund.

(5) The moneys paid into the Fund shall, so far as practicable, be invested by the chairman on behalf of the Fund in a security or

securities yielding interest as the Board shall approve, or, with the approval of the Board, deposited by him in the Government Savings Bank.

(6) The chairman shall keep a separate account for the moneys of the Fund.

2 of 1980.

(7) The Board shall submit to the Minister as soon as practicable after 31st March in each year a full statement showing the working of the Fund and all claims thereon, and containing full particulars of all transactions connected with the working of the Fund.

(8) The accounts of the Fund shall be audited by the Auditor General.

Depositors and the deposits to be made by them

Who shall
become a
depositor.

63.—(1) Any person who has been appointed an employee either after 29th June 1946, or on terms which so require, shall become a depositor from the date on which he begins to draw any of the salary of the post to which he is so appointed or from 29th June 1946, whichever shall be the later.

(2) Every employee to whom subsection (1) does not apply, who does not elect under section 64 to become a depositor, and is appointed to the service of the Council after 29th June 1946 upon terms which constitute a re-appointment or re-engagement in the service of the Council, shall become a depositor as from the date of such reappointment or re-engagement.

Who may
become a
depositor.

64. Every employee who is not required by section 63 to become a depositor may, by a written notice addressed to the chairman of the Board within three months after 29th June 1946 or within an extended time as the Minister may in any particular case allow, elect to become a depositor, and, if he so elects he shall become a depositor as from 29th June 1946.

Compulsory
deposits.

65.—(1) Every depositor shall deposit in the Fund monthly an amount equal to one-twentieth of his monthly salary, until the termination of his service with the Council.

(2) The Town Clerk shall deduct the deposit from the salaries of depositors.

(3) The deposit shall be called the "compulsory deposit," and shall be calculated on full salary whether the depositor is on full, half, or no salary, but if a depositor is on half salary or no salary for a period exceeding two months continuously, he may elect to contribute in respect of the excess over two months at the rate of one-twentieth of any salary which he receives.

66. Subject to prescribed conditions a depositor may, from time to time— Voluntary deposits.

- (a) in addition to his compulsory deposits, deposit in the Fund sums, which shall be called "voluntary deposits," of three dollars or any multiple thereof, to an amount not exceeding five hundred dollars in any one year; and
- (b) withdraw all or any part of such deposits including interest credited thereon;
- (c) repay any sum so withdrawn.

67.—(1) A sum equal to each compulsory deposit shall, on the date when the deposit is made, be paid out of the revenues of the Council into the Fund for the credit of the depositor. Bonuses.

(2) Every sum so credited shall be called a "bonus".

68.—(1) Interest shall be credited separately on compulsory deposits, voluntary deposits and bonuses at a rate to be fixed annually by the Minister and shall begin to accrue in respect of each sum deposited and each bonus on the first day of the month next following the day on which the deposit was made or the bonus credited. Interest.

(2) Subject to this Title, it shall be calculated to 31st March in each year and shall then be added to and become part of the principal and be deemed for the purposes of this Title to be compulsory deposit, voluntary deposit or bonus as the case may be. 2 of 1980.

(3) No interest shall be credited on any sum withdrawn in respect of the period between the last day of the month preceding the date of withdrawal and the first day of the month next following the date of repayment.

69. As soon as practicable after 31st March in each year the chairman shall inform each depositor of the total amount standing to his credit in the Fund at that date. Information to depositors.
2 of 1980.

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Deposits in
respect of
previous
service.

70.—(1) Any employee who has had at least one year's continuous service immediately before 29th June 1946 and who being an officer to whom section 64 applies, elects under that section to become a depositor, may if he thinks fit—

- (a) within a period of two years after 29th June 1946 deposit in the Fund in respect of each completed year of such service an amount not exceeding one-twentieth of his salary as at the said date; or
- (b) increase his deposits under section 65 by fifty *per centum* for a period not exceeding his completed years' continuous service prior to 29th June 1946.

(2) All amounts deposited under this section shall be treated in all respects as compulsory deposits and section 67 shall apply accordingly.

(3) In this section the word "service" means service which would, if this Title had been in force, have been service as an employee.

Deposits,
etc., not to
be assigned
or attached.

71. Subject to this Title no compulsory deposit, bonus or interest on any deposit or bonus, shall be assignable or transferable or liable to be attached, sequestered or levied upon for, or in respect of, any debt or claim whatever.

Withdrawals and repayments of withdrawals

Withdrawal
of com-
pulsory
deposits.

72. A depositor may withdraw compulsory deposits—

- (a) with the approval of the Board; or
- (b) with the permission of the chairman if the chairman is satisfied that withdrawal is desirable and that it is required—
 - (i) to pay the passage of any member of the depositor's family or of his brother or sister coming from abroad, or leaving the Territory on medical advice or for other good cause, such person being wholly or mainly dependent upon, or ordinarily resident with, the depositor;
 - (ii) to pay the funeral expenses of any member of the depositor's family;
 - (iii) to pay hospital or other expenses incurred through the illness of the depositor or any member of his family.

73. Any sum withdrawn from compulsory deposits under section 72 shall be repaid by the depositor in not more than twelve equal monthly instalments, commencing in the month following the withdrawal, and may be deducted from his salary.

Repayment
of with-
drawal.

Closing of depositor's account

74.—(1) On the death of a depositor or the termination of the depositor's service with the Council, interest up to the end of the month previous to the date of the death or termination of service shall be credited to his account, which shall then be closed.

Closing of
accounts.

(2) Notice of the closure shall thereupon be given—

- (a) if the depositor is living, to the depositor, or
- (b) if the depositor is dead, to the person or persons mentioned in section 78 to whom it appears to the chairman that notice should properly be given,

and in either case to such other persons as shall or may in the opinion of the chairman reasonably require such notice.

75. Subject to this Title, where a depositor dies while in the service of the Council or leaves the service in any of the following circumstances—

Death or
termination
of service.

- (a) retirement on medical evidence to the satisfaction of the Council that he is incapable by reason of some infirmity of mind or body of discharging the duties of his office;
- (b) satisfactory completion of contract;
- (c) abolition of office;
- (d) reaching the prescribed age of retirement;
- (e) determination of contract by, or with the consent of, the Council otherwise than by dismissal;
- (f) in the case of a female depositor, retirement with a view to, or in consequence of, marriage after not less than three years' service, subject to the production of evidence of marriage within such period after retirement as the Board may in any case prescribe;

the amount standing to his or her credit in the Fund at the closing of the account shall be paid out of the Fund to the depositor or any other person to whom by virtue of this Title or otherwise payment may lawfully be made.

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Resignation
or dismissal.

76.—(1) Subject to this Title, if a depositor is dismissed, or resigns, or leaves the service of the Council without completing the period agreed on in any contract under which he may be serving—

- (a) the amount of his deposits and interest credited thereon under section 74 (1) shall be paid out of the Fund to the depositor; and
- (b) such part, if any; of the bonuses credited to the depositor and interest credited as aforesaid, as the Board with the approval of the Minister shall determine, may be so paid.

(2) Any part of the bonuses and interest not paid as specified in subsection (1) shall be paid out of the Fund to the credit of the revenues of the Council.

Transfer to other service

Transfer to
pensionable
office.
Cap. 22

77.—(1) If a depositor is transferred to a post which is a pensionable office under the Pensions Ordinance, or any other Ordinance, section 74 shall apply as if the service of the depositor with the Council had terminated in circumstances in which section 75 applies:

Provided that interest shall continue to be credited to his account, in accordance with sections 68 and 74 (1).

(2) Subject to this Title, upon his subsequently leaving the service of the Council in any circumstances or upon his dying in the service, the amount then standing to the credit of the depositor shall be paid out of the Fund to him or to any other person to whom by virtue of this Title or otherwise payment may lawfully be made.

Cap. 25

(3) If a depositor who is so transferred is required upon transfer to make contributions under the Widows' and Children's Pensions Ordinance or any Ordinance amending or substituted for that Ordinance, he may by notice addressed to the Board, elect not later than one month after the date of transfer or such later date as the Minister may in any particular case allow, to have the whole or any part of the amount standing to his credit in the Fund applied to the payment of any lump sum contribution he may by law be permitted to make under that Ordinance, and if he so elects, the amount in question shall be paid out of the Fund and applied accordingly.

(4) Any election under subsection (3) shall be irrevocable.

(5) A depositor who is so transferred may elect at the time of transfer to continue while serving in such post to remain subject to this Title, and shall thereupon be deemed to be a depositor as defined in section 60 (1) while serving in a pensionable post or posts, and in the event of his being at any time confirmed in a pensionable post, subsections (1), (2), (3) and (4) shall apply to him as from the date of such confirmation.

(6) Any election under subsection (5) shall be made in writing to the Board and shall be irrevocable.

Payment on death of depositor

78.—(1) Subject to this Title, on the death of a depositor—

- (a) if the amount at his credit does not exceed five hundred dollars the chairman shall pay it to the person or persons nominated for the purpose by the depositor in manner prescribed, or, if no such nomination has been made, to the personal representative of the depositor or, at the discretion of the chairman, to the person appearing to the Financial Secretary to be entitled ultimately by law to receive it; or
- (b) if the amount at his credit exceeds five hundred dollars, the chairman shall pay it to the personal representative of the depositors.

To whom
amounts at
depositor's
credit to be
paid.

(2) The chairman may make payments, not exceeding one hundred dollars in any one case to meet the expenses of the funeral of the deceased or to give immediate relief to the widow or children or other dependants of the deceased, if in the opinion of the chairman such relief is required.

(3) All amounts paid under this section shall be paid out of the Fund and all payments under this section shall be valid and effectual against any demand made upon the Council, the Board or the chairman by any other person in respect of the amount standing to the credit of the depositor.

79. Any sum or sums due to the Council by a depositor on payment out of the Fund of any amount then standing to his credit therein, may be deducted from the amount otherwise payable.

Sums due
to the Council.

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Regulations

Power to
make
regulations.

80. The Minister may make regulations for carrying out the provisions of this Title.

Title III

PENSIONS

[6th September, 1947]

Preliminary

Interpre-
tation.

81. In this Title—

Third
Schedule.

“officer” means the person who on 6th September 1947 held an office specified in the Third Schedule, and at that date has served continuously for at least ten years under the Council;
“pensionable emoluments” includes salary and personal allowance;
“personal allowance” means a special addition to salary granted personally to the holder for the time being of the office;
“salary” means the actual salary attached to an office.

General provisions relating to Pensions

Pensions to
be charged
on revenues
of Council.

82. There shall be charged on and paid out of the revenues of the Council all sums of money as may be granted by way of pension to an officer in accordance with this Title.

Pension not
of right.

83.—(1) No officer shall have an absolute right to a pension under this Title nor shall anything contained in this Title limit the right of the Council to dismiss an officer without a pension.

(2) Where it is established to the satisfaction of the Council that an officer has been guilty of negligence, irregularity or misconduct, the pension may be reduced or altogether withheld.

Compu-
tation of
service for
pension.

84. Subject to section 95 all the service of an officer, including service on probation or agreement if there has been no breach between such service and the confirmation of the officer in his appointment but not including service while under the age of twenty years, shall be taken into account in computing his pension.

85. The Council may require an officer to retire from its service at any time after he attains the age of fifty-five years.

Retirement
at fifty-five.

86. No pension shall be granted to an officer who has not attained the age of fifty-five years, unless on medical evidence to the satisfaction of the Council that he is incapable, by reason of some infirmity of mind or body, of discharging the duties of his office, and that such infirmity is likely to be permanent and is not attributable to his own misconduct or gross negligence.

Pensions not
payable
before fifty-
five years
except in
certain
cases.

87. No pension granted to an officer under this Title shall exceed one-half of the highest pensionable emoluments drawn by the officer at any time in the course of his service.

Maximum
pension.

88 Subject to this Title an officer may be granted on his retirement a pension at three-fourths of the rate for which provision is made in the Pensions Regulations appended to the Pensions Ordinance.

Pensions to
whom and
at what rate
to be
granted.
Cap. 22

89.—(1) Subject to this Title, service qualifying for pension shall be the inclusive period between the date on which an officer began to draw salary from the funds of the Council and the date of his leaving the service of the Council.

Period of
service
qualifying
for pension
defined.

(2) Service qualifying for pension shall be unbroken service, except in cases where it has been interrupted by abolition of office or other temporary suspension of employment not arising from misconduct, gross negligence or voluntary resignation.

90.—(1) Where an order of maintenance has been made by a court of competent jurisdiction against an officer to whom a pension has been granted, the Council may, on its being proved to them that there is no reasonable probability of the order being satisfied, from time to time deduct from the moneys payable to the officer by way of pension such sum or sums as the Council may think expedient, and apply the same to satisfy wholly or in part the maintenance order.

Council may
apply part
of a person's
pension
towards the
maintenance
of his wife or
children.

(2) Where an officer to whom a pension has been granted has left Belize and deserted and left his wife or child within Belize without sufficient means of support, the Council, on being satisfied that the wife or child is by reason of the officer's absence from Belize unable, and would but for the absence be able, to obtain an order of main-

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tenance, may from time to time deduct from the moneys payable to such officer by way of pension such sum or sums as the Council may think expedient, and may apply it for the maintenance and support of the wife or child.

(3) Where an officer to whom a pension has been granted has been adjudicated a person of unsound mind and has a wife or a child or children living, the Council may deduct from the moneys payable to such officer by way of pension such sum or sums as it may think expedient and apply it for the maintenance and support of the wife or any child or children of the officer.

Pensions not
to be
assignable.

91. No pension granted under this Title shall be assignable or transferable, or liable to be attached, sequestered, or levied upon, for or in respect of any debt or claim whatever.

Pensions to
cease on
bankruptcy.

92.—(1) If an officer to whom a pension has been granted under this Title is adjudicated a bankrupt or is declared insolvent by judgment of the court, then such pension shall forthwith cease.

(2) In any case where a pension ceases by reason of the bankruptcy or insolvency of the pensioner, the Council may, from time to time during the remainder of the pensioner's life or during such shorter period or periods, either continuous or discontinuous, as the Council thinks fit, cause all or any part of the moneys to which the pensioner would have been entitled by way of pension, had he not become bankrupt or insolvent, to be paid to or applied for the maintenance and personal support or benefit of all or any, to the exclusion of the other or others, of the following persons, namely, the pensioner and any wife, child or children of his, in such proportions and manner as the Council thinks proper, and the moneys shall be paid or applied accordingly.

Pensions
may cease
on con-
viction.

93.—(1) If an officer to whom a pension has been granted under this Title is convicted before any court in a Commonwealth country of any crime or offence for which he is sentenced to death or penal servitude or transportation, or any term of imprisonment exceeding twelve months, and does not within two months after such conviction receive Her Majesty's free pardon, then and in every such case the pension shall forthwith cease.

(2) In the case of a person who after conviction as described in subsection (1) receives Her Majesty's free pardon, the Council may at any time, if it thinks fit, restore the pension.

94. Any officer to whom a pension is granted under this Title, may, at his option, be paid in lieu of such pension, a pension at the rate of three-fourths of such pension together with a gratuity equal to ten times the amount of the reduction so made in the pension.

Lump sum gratuity with reduced pension.

Manner of computing pensions

95.—(1) For the purpose of computing the amount of an officer's pension the following periods shall be taken into account as pensionable service—

Pensionable service.

- (a) any periods during which he has been on duty;
- (b) any periods during which he has been absent from duty on leave with full pay.

(2) The periods during which an officer has been absent on leave on half-pay shall, for the purposes of this Title, be counted at the rate of one day for every two days of such period.

(3) Any period during which he has been absent on leave, other than those specified above, shall be deducted from the officer's total service in order to arrive at his period of pensionable service.

96. For the purpose of computing the amount of an officer's pension—

Computation of pensions, etc., on what emolument to be based.

- (a) in the case of an officer who has held one office for a period of three years immediately preceding the date of his retirement, the full pensionable emoluments payable to him at that date in respect of that office shall be taken;
- (b) in the case of an officer who at any time during such period of three years has been transferred from one office to another, but whose pensionable emoluments have not been changed by reason of such transfer or transfers, the full pensionable emoluments payable to him at the date of his retirement in respect of the office then held by him shall be taken;
- (c) in other cases the average of the full pensionable emoluments payable in respect of each of the offices substantively held by the officer during his tenure thereof within such period of three years shall be taken:

Provided that if such average is less than the full pension-

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able emoluments which were payable to him at the date of the first transfer within such period of three years, the Council may grant him a pension calculated upon the full pensionable emoluments payable to him at that date.

Title IV

LEGAL AND GENERAL

By-laws.

97.—(1) All by-laws made by the Council under the authority of this Ordinance shall be subject to the approval of the Minister, who may alter and amend them when submitted to him, and shall come into force on publication in the *Gazette* after such approval.

(2) All by-laws made by the Council shall have the same force and effect as if they were enacted by this Ordinance.

(3) Any fees prescribed by the by-laws to be paid for any licences shall be subject also to the approval of the National Assembly.

(4) There may be attached to any by-law a fine for its breach not exceeding one hundred dollars, and in the case of a continuing offence a further fine not exceeding ten dollars for each day after written notice of the offence from the Council.

(5) Any by-law may contain the power to arrest any person for its breach, and also to seize and forfeit any article in relation to which a breach of any by-law has been committed.

(6) Every person who is guilty of an offence against any by-law made by the Council, or any provision in this Ordinance for which no special penalty is imposed, shall be liable to a fine not exceeding one hundred dollars.

(7) All licences, fees, fines, penalties and forfeitures imposed by the authority of this Ordinance or any by-law made thereunder may be recovered under the Summary Jurisdiction Ordinances.

By-laws,
etc., to be
taken judicial
notice of.

98. Judicial notice shall be taken of all by-laws, standing orders, rules and regulations issued or made pursuant to this Ordinance.

Production
of *Gazette*
sufficient
proof of
by-law.

99. The production of the *Gazette* with any by-laws so published as specified in section 97 shall in any suit or proceeding whatever be sufficient evidence that such by-law has been made, approved and

published as herein required; and no objection to the validity of such by-law which may be sustained on the ground of its repugnancy to this or any other Ordinance shall be affected by anything in this section contained.

100. All documents and notices whatever purporting to be issued or written by or under the direction of the Council and purporting to be signed by the Mayor or Town Clerk or Surveyor, shall be received as evidence in all courts of law, and shall be deemed to be issued or written by or under the direction of the Council without proof unless the contrary be shown.

Admissibility
in evidence
of documents
signed by
Mayor,
Clerk or
Surveyor.

101. Unless otherwise provided in any other Title, all offences against this Title or any by-law made thereunder may be prosecuted on the complaint or information of the Town Clerk, or of any officer of the Council authorised in that behalf or of any member of the Police Force.

Prosecutions
to be
instituted by
Town Clerk
or Police.

102. In any prosecution or other legal proceeding under this Title or any by-law under this Title instituted by or under the direction of the Council, no proof shall be required—

Proof in
legal
proceedings.

- (a) of the persons constituting the Council, or the extent of the town; or
- (b) of any order to prosecute or of the particular or general appointment of any Town Clerk, Surveyor, Inspector or other officer of the Council; or
- (c) of the authority of any Town Clerk, Surveyor, Inspector or other officer of the Council to prosecute; or
- (d) of the appointment of the Mayor of the Council, or the Town Clerk or Surveyor; or
- (e) of the presence of a quorum of the Council at the making of any order or the doing or any act,

until evidence is given to the contrary.

103. The Council shall be entitled to the same protection under the Public Authorities Protection Ordinance as if it were included in the definition of "public authority" under that Ordinance, and the place at which the Council holds its meeting shall be deemed to be the "abode" of the Council within the meaning of the Ordinance.

City
Council
protected.
Cap. 24

Land, how
acquired.

Cap. 150

Council may
cause work
to be
executed in
case of
default.

Cap. 258

Fourth
Schedule.

104. Where any land is required for public purposes by the Council such land shall for all purposes be taken to be land required by the Minister for public purposes, and may be acquired in the manner prescribed by the Land Acquisition (Public Purposes) Ordinance.

105.—(1) Whenever under this Part any works of any kind are required to be executed or carried out by the owner of any premises and default is made in the execution of the works within the time prescribed, the Council may, if they think fit, cause the works to be executed or carried out, and the expenses incurred by the Council in respect thereof shall be a debt due to the Council by the owner for the time being of the premises.

(2) The amount of the expenses so incurred by the Council shall bear interest at the rate of seven *per centum per annum* from the date of completion of the work executed or carried out by the Council until payment in full be made to the Council.

(3) Subject to this Title, the amount of the expenses so incurred with the interest thereon and mortgagees' costs shall be a first charge on the property in respect of which the work was executed or carried out by the Council and shall be prior and preferential to all existing or future charges or encumbrances thereon except land tax or any encumbrance in favour of Her Majesty or the Government and the Council shall have the like rights and remedies as if the payment of such expenses, interest and costs had been secured by a legal mortgage of a fee simple in favour of the Council.

(4) The Council shall not obtain any charge under this section unless a memorandum giving particulars of the charge is executed by the Council and recorded at the General Registry within two months from completion of the work executed or carried out by the Council or within such further time as the Chief Justice may allow under the General Registry Ordinance.

(5) A memorandum in the form given in the Fourth Schedule shall be sufficient, and shall in all proceedings be sufficient evidence of the particulars given therein and that the property described therein is charged under this Ordinance to the extent and in manner mentioned in the memorandum.

(6) A memorandum required by this section shall be recorded without the payment of any recording fee and shall be exempt from stamp duty.

106.—(1) No matter or thing done and no contract entered into by the Council and no matter or thing done by any member, officer or servant of the Council shall, if the matter or thing were done or the contract were entered into *bona fide* for the purpose of executing this Ordinance, subject them or any of them personally to any action, liability, claim, or demand, whatever.

Members of Council not liable personally.

(2) Any expense incurred by the Council, or by any such member, officer or servant shall be borne and repaid out of the Town Fund.

107. Every person who obstructs or impedes or insults or molests or attempts to obstruct or impede or insult or molest any member of the Council, or the Town Clerk, Town Engineer, Tax Collector, Clerk or other officer of the Council lawfully authorised as such by this Ordinance or any amendment thereof in the discharge of his duties or in his official capacity or in the exercise of his powers either under this or any other Ordinance or any regulation or by-law is guilty of an offence and is liable on summary conviction to a fine not exceeding one hundred dollars.

Protection of Council's officials.

108. The Minister responsible for lands shall hold to him and his successors in office all lands, hereditaments and tenements, together with all works thereon which were vested in the Lieutenant Governor and Executive Council under and by virtue of the provisions of an Act entitled "An Act to determine the functions of the South of Belize Improvement Commissioners, and to make the arrangements necessary in consequence thereof".

Reservation of certain property vested in the Minister responsible for lands.

1867, c. 4.

PART II

Title I

LAND IMPROVEMENT

Preliminary

109. In this Title—

"court" means the Supreme Court;

"dredgings" means any material supplied by the Council for the purpose of filling up any lot or land;

Interpretation.

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"high-water mark" means three feet and seven-tenths of a foot below a bench mark on the corner of the sill to the north-east window of the lower story of the office of the Chief Engineer, Belize City;

"plan" means the plan of Belize City and its harbour made by the Director of Surveys to the scale of one half of a chain to the inch, dated 1886 and deposited in the General Registry;

"prescribed area" means such portions of the town and harbour of Belize City as lie within the prescribed line;

"prescribed level" means any height not exceeding two feet above high-water mark as may be deemed by the Council to be necessary;

"prescribed line" means the dotted red line on the plan as altered in the following respects—firstly, by the dotted blue line shown on the plan pursuant to Ordinance No. 4 of 1894, and secondly, by the dotted green line shown on the plan pursuant to Ordinance No. 5 of 1894;

"Town Fund" means the town fund of the Belize City Council.

Order directing filling up land and recovery of the cost

Power of Council as to filling up of certain lots.

110. The Council may, from time to time by order published in the *Gazette*, direct that any lots or land within the prescribed area other than Crown lands be filled up to the prescribed level.

Notice to be served on owner.
Form 1, Fifth Schedule.

111. When the Council has directed that any lot or land is to be filled up, the Town Clerk shall serve upon the owner of the lot or land, or his agent, a notice in Form 1 of the Fifth Schedule.

Procedure where owner elects to fill up and fails to do so.

112.—(1) In case the owner elects to fill up his lot or land himself, the Town Clerk shall serve upon him or his agent a notice in Form 2 of the Fifth Schedule.

Form 2, Fifth Schedule.

(2) If the owner shall, within such time as the Council considers reasonable, deposit and spread the dredgings in accordance with the terms of such notice, he shall not be charged for such dredgings if they have not been paid for by the Council, and the Council is under no liability to pay for them.

(3) When the dredgings have been paid for by the Council, or the

Council is under liability to pay for them, the owner shall be liable to pay to the Council the cost thereof.

(4) If the owner fails or neglects to deposit and spread the dredgings in accordance with subsection (2), the Town Clerk shall cause his lot or land to be filled up, and the owners shall be liable to pay to the Council in respect of the cost of such filling up a sum which shall be at a rate to be fixed by the Council, not exceeding seventy-five cents for every cubic yard of dredgings deposited and spread on his lot or land.

(5) The owner shall, in addition to the sum specified in subsection (4), be liable to pay to the Council the cost of the dredgings, if they have been paid for by the Council, or the Council is under liability to pay for them.

113.—(1) In case the owner does not elect to fill up his lot or land himself, or for ten days after the service of the notice in Form 1 of the Fifth Schedule, or within such extended period as the Council allows neglects to signify in writing to the Town Clerk his desire himself to fill up the lot or land, the Town Clerk shall cause the said lot or land to be filled up, and the owner shall be liable to pay to the Council in respect of the cost of such filling up a sum which shall be at a rate to be fixed by the Council, not exceeding seventy-five cents for every cubic yard of dredgings deposited and spread on his lot or land.

Procedure where owner does not elect to fill up.

Form 1, Fifth Schedule.

(2) If the dredgings have been paid for by the Council, or the Council is under liability to pay for them, the owners shall, in addition to the sum specified in subsection (1), be liable to pay to the Council the cost of such dredgings.

(3) It shall be lawful for the owner who has failed, notwithstanding anything contained in this or section 112, to fill up his lot or land, or who elects not to fill up his lot or land himself, or who neglects to signify in writing to the Town Clerk his desire himself to fill up such lot or land, to elect to receive from the Town Clerk such material at the nearest point where it can be conveniently delivered, and to deposit and spread it on his lot or land.

(4) In the case mentioned in subsection (3), the Town Clerk shall take or cause to be taken the level of the lot or land, and if the owner spreads the dredgings to the satisfaction of the Town Clerk he shall be liable to pay to the Council in respect thereof the cost of carriage

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only, if such dredgings have not been paid for by the Council and the Council is under no liability to pay for them, but if the dredgings have been paid for by the Council, or the Council is under liability to pay for them, such owner shall be liable to pay to the Council, in addition to the cost of carriage, the cost of the dredgings.

(5) In either case the owners shall pay to the Council a fee not exceeding one dollar for taking the level as specified in subsection (4).

(6) If any person who has elected to receive such dredgings fails to remove them from the place where they have been deposited within twenty-four hours from the time when they have been so deposited he is liable to a fine not exceeding ten dollars.

Power to proceed where owner fails to carry out any election and mode of recovery of cost.

114.—(1) Where the owner of any lot or land fails within such time as the Council considers reasonable, having regard to all the circumstances of the case, to carry out any election made by him under this Title in respect of the filling up of such lot or land, the Town Clerk may do all things necessary for carrying out, and may carry out, such election, and the cost thereof shall be a charge on the land so filled up and be recoverable from the owner.

(2) The said owner shall not be charged in respect of any dredging deposited and spread upon his lot or land a greater sum than at the rate of seventy-five cents for every cubic yard of material so deposited and spread, except where the Council has paid for such dredgings, or is under liability to pay for them, in which case the owner shall be liable to pay to the Council, in addition to the sum as aforesaid, the cost of such dredgings.

Mode of payment on certificate of Town Clerk.

115. The amount, certified by the Town Clerk, of the moneys to be paid in respect of the providing of material or the filling up of any lot or land, shall be due and payable on the completion of the filling up, the date of the completion being certified by the Town Clerk, and if not then paid, shall be paid by five equal instalments, the first payment being made immediately on the completion being certified, and the balance by four yearly instalments, payable on or before 15th January in each of the four years succeeding the completion, with interest on each instalment from the date of completion at a rate not exceeding *six per cent per annum*.

Until payment of the whole sum due in respect of the amount unpaid, including interest, shall, from the completion of the filling up, form a charge upon the lot shall not be necessary to record such charge.

Amount due to form a charge on the land.

Order of the charges shall be kept in the office of the Registrar and shall be open to inspection by the public during office hours.

If default is made in the payment of any instalment of interest due and payable in respect of the filling up, for three months after it became due and payable, the Town Clerk may apply to the court for an order for sale of the lot or land in respect of which the payments are due and payable.

Provisions relating to the sale of the lot or land in default of payment of instalment or interest charged thereon.

The lot or land shall be sold by the Registrar at public auction in any manner and at a time or times as may be directed by the court. The purchase money shall be paid into court, and the Registrar shall pay out of the costs, charges and expenses of and incidental to the sale the principal and interest due and payable in respect of the filling up of the lot or land sold at public auction, the surplus of the proceeds of the sale shall be paid by the Registrar to the person who is entitled thereto.

Where there are adverse claimants to the surplus proceeds of the sale, the Registrar may—

(a) if difficulty arises in ascertaining the person entitled; or
(b) if there exist any disability, trust or settlement affecting the person entitled to the proceeds; or

(c) if any other complication arises with regard thereto, the proceeds shall only be paid out on an order of the court.

The court may be made—

(a) in prescribing the procedure on application for an order for sale under this section;

(b) in directing the sale at public auction of the lot or land ordered to be sold under this section;

(c) in directing for all other matters relating to the sale of the lot or land, the payment of the purchase money and other matters necessary for giving effect to this section; and

(d) in directing the procedure, the forms to be used, the fees of

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1. a court, other fees to be paid into the Consolidated Revenue Fund and the costs of attorneys in regard to any application to the court under this Title.

Mode of conveyance to be prescribed by rules of court.

Cap. 258

Authority for Council to enter upon land, etc.

118. Subject to the provisions of any Ordinance relating to land titles, rules of court may direct the mode of conveying to the purchaser the lot or land sold under section 117, and every conveyance made in accordance with such rules shall be registered by the Registrar General in accordance with the General Registry Ordinance.

119. Whenever under this Title the Council has directed that any lot or land shall be filled up to the prescribed level, the Council, its servants and agents may—

- (a) at all reasonable times enter either on foot or with horses, mules, cattle, carts, trucks or wheelbarrows upon any such lot or land and upon any lot or land whatever within the prescribed area;
- (b) remove fences from and construct tramways upon all and any of the lot or land as aforesaid;
- (c) make use of the lot or land for such time as the Council may deem to be necessary for the purpose of giving effect to this Title;
- (d) do, or cause to be done, all such other acts and things whatever as may be needful and expedient,

without liability for money payment by way of compensation to any person or persons entitled or claiming to be entitled to or in occupation of any such lot or land:

Provided that—

- (a) in the exercise of the powers conferred by this Title the Council, its servants and agents shall cause as little detriment and inconvenience and do as little damage as may be, and that any damage done to any lot or land or any fence or structure thereon shall when such lot or land is no longer required for the purposes of this Title be duly and effectually repaired by the Council;
- (b) notwithstanding anything in this section if such damage as described in paragraph (a) be not properly repaired, a claim

for compensation in respect thereof may be made, and, if made, shall be decided as hereinafter provided.

120. In any case of special hardship or difficulty in respect of filling up any lot or land under this Title owing to the existence of buildings interfering with the filling up, or other special difficulty of any kind, the Town Clerk or the owner or agent, may apply to the Council for special directions, and the Council may take any such case into consideration, and if the Council considers it expedient, may demolish, remove, raise or otherwise deal with any such buildings or any part thereof, or may exempt any particular land from the operation of this Title, or may afford such other relief by allowing extended time for payment or otherwise, as may seem requisite.

Power to deal with cases specially.

121.—(1) Any notice required or authorised by this Title to be served upon the owner of any lot or land or his agent shall be sufficient although only addressed to the owner or agent by that designation, without his name, or generally to the persons interested without any name, and notwithstanding that any person to be affected by the notice is absent, under disability, unborn, or unascertained.

Notices, description of owners therein.

(2) Any notice required or authorised by this Title shall be sufficiently served if it is published in the *Gazette* and a copy thereof is affixed or left on the lot or land to which the notice refers, or any house or building erected thereon, and a copy of every such notice with a certificate of service indorsed thereon shall be filed in the office of the Council.

(3) This section does not apply to notices to be served in proceedings in the Supreme Court or in any other court.

122. In every case where it is necessary to describe any lot or land for the purposes of this Title, it shall be a sufficient description if the lot or land is described only by its number on the plan.

Lot or land how described in notice.

123.—(1) Any person who claims compensation on the ground that his property has been injuriously affected or that he has suffered damage by reason of the works authorised by, or anything done under, this Title, shall lodge with the Town Clerk the claim addressed to the Council.

Claim for compensation for damage.

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(2) The claim shall state—

- (a) what compensation he claims;
- (b) in respect of what injury and damage it is made; and
- (c) the particulars and boundaries of his lot.

(3) If no settlement is arrived at between the claimant and the Council, and the amount of compensation remains in dispute, either party may make an application to the court for the determination of the amount of the compensation.

(4) The court shall determine the amount of the compensation, if any, payable to the claimant and shall have power to do all things necessary or incidental to such determination which shall be binding on the parties.

(5) The costs of the application to the court for determining the amount of the compensation shall be borne by the parties in equal proportions unless the court otherwise directs, and on the application of either party such costs shall be taxed by the Registrar.

Power of
court to
order in
certain cases
cost of filling
up to be a
charge on
the land.

124.—(1) Where any lot or land has been filled up under this Title any person entitled in possession thereto as tenant by the courtesy, or for his own life, or any other life or lives, or for years determinable on any life or lives, or any infant entitled as aforesaid by his guardian or next friend, or any idiot or person of unsound mind entitled as aforesaid by the committee of his estate, or any married woman entitled as aforesaid for her separate use, or the husband of any married woman entitled as aforesaid in her right, or any trustee for any charitable or other purposes, or any mortgagee or incumbrancer in fee in possession of the land mortgaged or incumbered, or any person entitled in fee to any equity of redemption, and in possession of the land mortgaged, who has incurred any expense in respect of the filling up, shall be at liberty to apply to the court by petition and pray that the expense incurred by him in respect of the filling up may be made a charge on the inheritance of the said lot or land under this Title.

(2) The court may, on being satisfied as to the amount of the expense, make an order in such terms as to the court may seem fit, directing that the tenant for life or other person having only a limited interest as stated in subsection (1) in such lot or land shall become and be entitled to a charge on the said inheritance for the repayment of such part of the expense as to the court may seem just,

with interest at a rate not exceeding *six per centum per annum* as from the time when the expense was incurred.

(3) The inheritance of the said lot or land shall thereupon become so charged, and such charge shall have priority over all other charges.

125. Any person who wilfully molests or obstructs any person lawfully depositing material on any lot or land, or lawfully carrying out anything or work authorised to be done by this Title, or causes to be so molested or obstructed any such person, whether by force or by threat, or contrary to the orders of the Town Clerk deposits or suffers to remain deposited material so as to interfere with the existing drainage is guilty of an offence and is liable for a first offence to a fine not exceeding twenty-five dollars, and for a second or subsequent offence to a fine not exceeding fifty dollars.

Penalty for causing obstruction, etc.

126. The Council may, subject to the approval of the Minister, make regulations for the more effectual working of this Title.

Power of Council to make rules.

127. All fines under this Title, or under any regulations made under this Title, unless otherwise provided for, may be recovered on summary conviction, and when recovered shall be placed to the credit of the Town Fund.

Recovery of penalties.

128. Proceedings for the recovery of a penalty under this Title shall not be had or taken except by the Council.

Council to commence proceedings.

Title II

FORESHORE IMPROVEMENT

[25th June, 1886]

Preliminary

129. In this Title—

“Chief Engineer” includes any person duly authorised to act in that behalf;

Interpretation.

“high-water mark” has the same meaning as it has in Title I of this Part;

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"plan" has the same meaning as it has in Title I of this Part;

"prescribed area" and "prescribed line" have the same meanings as they have in Title I of this Part;

"prescribed level" means any height not exceeding two feet above high water mark, as may be considered by the Chief Engineer to be necessary, subject to the approval of the Minister.

Preliminary.

130. The Minister may, from time to time by order published in the *Gazette*, direct any lots or land within "the prescribed area" to be filled up to "the prescribed level"; whether such lots or land are covered by water or not.

Filling up lands beyond foreshore

Lands filled beyond present foreshore to be filled to "prescribed level".

131.—(1) When any land so directed to be filled up lies beyond the present foreshore the Chief Engineer shall, subject to any existing filling up rights already granted, cause the same to be filled up to the "prescribed level".

(2) There may be reserved for the whole or any distance along the edge of the "prescribed line" so much filled up land, not exceeding fifty feet in width, as may be necessary for the construction of a public road.

Minister may deal with lands filled up.

Cap. 147

132. The Minister may deal with any such filled up land as crown land under the Crown Lands Ordinance, or in cases where compensation is claimed under this Part may, upon such terms and subject to such conditions, if any, as may be considered proper, grant, lease, or otherwise dispose of the land without auction, in order to avoid or to diminish the payment of money compensation.

Lands filled up, how to be disposed of.

133. Before any filled up land situate on the south side of Belize City and lying between the present foreshore line and the western line of the road reservation is disposed of, it shall first be offered for sale, at a price to be fixed by the Minister, to the persons deprived of their foreshore frontages by such filling up, so as where practicable to confer upon every such present frontage owner a right of pre-emption of so much of such filled up land as lies between his present foreshore frontage and a frontage upon the road reservation proportionate to his present foreshore frontage, regard being had to the extent of the road reservation frontage available.

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134.—(1) Where any such person is desirous of purchasing any such land, he shall, within six weeks after the offer of sale, signify in writing his desire in that behalf to the Commissioner of Lands and Surveys.

Notice in writing to be given by intending purchaser.

(2) Where he declines the offer, or for six weeks neglects to signify his desire to purchase the land, his right of pre-emption in respect of the land included in the offer shall cease.

135.—(1) Every purchaser of such land who, before 26th June 1886, has used and continued to use his foreshore frontage for the lading or unlading of merchandise or other like business purposes, shall be permitted to use the new sea frontage for similar purposes, subject however to such terms and conditions as the Minister may from time to time determine.

Use of "sea frontage" subject to terms, etc., of Minister.

(2) The Minister may also, from time to time upon such terms and subject to such conditions as may be determined, grant to any person having a lot abutting upon the road reservation, leave to construct a tramway across, or a jetty alongside such road, or to do any other thing affecting the road or sea frontage that may tend to facilitate the carrying on of business or to promote the sanitation of Belize City.

136.—(1) All notices required to be served by the Chief Engineer upon the owners of any lots or land or their agents, shall either be served personally on the owners or their agents or left at their last usual place of abode, if any such can after diligent inquiry be found.

Notices, how served.

(2) In case any such person shall be absent from Belize or cannot be found after diligent inquiry, all the notices shall be left with the occupiers of the lots or land, or if there is no such occupier, shall be affixed upon some conspicuous part of the lots or land, and shall also be published in the *Gazette*.

137. Where in any case of special hardship or difficulty in filling up, owing to the existence of buildings interfering with the filling up or other special difficulty of any kind, the Chief Engineer, or the owner or his agent, petitions the Minister for special directions, the Minister may take any such case into consideration, and, if he thinks it expedient, exempt any particular land from the operation of this Title, or afford such other relief by allowing extended time for payment or otherwise, as may seem requisite.

Minister may afford relief.

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Power of
Minister to
make
regulations.

138. The Minister may make regulations for the more effectual working of this Title.

Compensation.

Compensation for injury or damage

139.—(1) Any person who claims compensation on the ground that his property has been injuriously affected, or that he has suffered damage, by reason of the works authorised by, or by reason of anything done under, this Title shall make a claim upon the Chief Engineer at his office in respect of the injury or damage.

(2) The claim shall state—

- (a) what compensation he claims;
- (b) in respect of what injury and damage it is made; and
- (c) the particulars and boundaries of his lot.

Chief
Engineer
to report on
claim.

140.—(1) The Chief Engineer shall in the first instance take into consideration and report upon the claim to the Minister who may give the necessary directions to the Chief Engineer, empowering him to communicate with the claimant with a view to a settlement of the claim.

Cap. 129

(2) If no settlement is arrived at between the claimant and the Chief Engineer, and the amount of compensation remains in dispute for eight weeks after the date on which the claim was made upon the Chief Engineer, the claimant may institute proceedings against the Crown under and in accordance with the Crown Proceedings Ordinance for the recovery of compensation under this Title.

Settlement
of disputes.

141. If any dispute arises as to—

- (a) whether the property of the claimant is injuriously affected, or whether the claimant suffered any damage, by reason of the works authorised by, or anything duly done under, this Title; or
- (b) the amount of the compensation which ought to be paid in respect of any injury or damage,

that dispute shall be determined by the Supreme Court in civil proceedings taken by or against the Crown.

142. Any person who—

Offences.

- (a) wilfully molests or obstructs any person lawfully depositing material on any lot or land, or lawfully carrying out any thing or work authorised to be done by this Title; or
- (b) causes any such person to be so molested or obstructed, whether by force or by threat; or
- (c) contrary to the orders of the Chief Engineer, deposits or allows to remain deposited material so as to interfere with the existing drainage,

is guilty of an offence and is liable to a fine not exceeding one hundred dollars.

143. All proceedings and penalties under this Title or under any regulations made under this Title shall be taken and recovered in accordance with the Summary Jurisdiction Ordinances.

Mode of recovering penalties.

PART III

FENCES AND ENCROACHMENTS

13 of 18

The erection of division fences between adjacent lots and messuages

144. In this Part—

Interpretation.

“staking in and enclosing” does not include the re-staking or re-enclosing wharves heretofore staked in or enclosed where the staking in or enclosure is a mere replacement of a previous staking in and enclosing.

145.—(1) The owner of any allotment of land or messuage who desires to erect a division fence between his own lot and any adjacent allotment or messuage may give notice in writing of his desire to the owner and occupier of the adjacent allotment or messuage in the form following, or to the like effect—

The erection of division fences between adjacent lots, etc.

“I, A.B., of _____, hereby give you notice that I am desirous of erecting a division fence between my premises, situate in (*specifying them*) and yours—

As witness my hand this _____ day of _____ 19 ____
To _____”

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(2) The notice shall either be served personally on the owner and occupier of the adjacent allotment or messuage or, if that cannot be effected, shall be affixed on some conspicuous part of the allotment or messuage, and shall also be published for three consecutive weeks in the *Gazette*.

Fences
erected by
mutual
consent.

146. If the owners of adjacent allotments or messuages agree upon the place where, the manner in which, and at the costs of whom, such division fence is to be erected, the agreement shall be reduced to writing, but if any dispute at any time arises touching the matters therein contained, it shall be determined in manner provided by section 148.

Mode of
determining
disputes.

147.—(1) After the service of the notice, or the affixing of it on a conspicuous part of the allotment or messuage, and first publication thereof in the *Gazette* as directed in section 145, either party may, unless both parties have agreed upon the place where, the manner in which, and at the costs of whom the fence is to be erected, apply to the district court in the judicial district in which the allotment or messuage is situate for an order determining the place where, the manner in which and at the costs of whom the division fences should be erected.

Cap. 74

(2) The proceedings in every application under subsection (1) shall be in accordance with the District Courts (Procedure) Ordinance, the application being commenced with a plaint under the said Ordinance.

(3) The decision of the district court on any such application shall be subject to the like appeal as the decision of a district court under the District Court (Procedure) Ordinance.

Further dis-
putes after
agreement.

148. If, after an agreement has been entered into as contemplated in section 146 any dispute arises thereon, such dispute shall be determined in like manner as if it were a dispute contemplated by section 147.

Decision not
to be
evidence of
title.

149. The decision of a district court under this Part shall not determine, or be evidence of, the title to or regarding any allotment of land or messuage.

150. Any person who has a life interest in any allotment or messuage shall, for the purposes of this Part, be deemed the owner.

Tenant for life to be deemed owner.

Unauthorised encroachments on the seashore and banks of the river

151. It shall not be lawful for any person, except as provided in this Part to enclose, stake in or fill up any land on the seashore or bank of the river within Belize City.

Prohibition against encroachments on seashore and river banks.

152.—(1) Any person who is in possession of any land on the seashore or banks of the river within Belize City, may, either on his own behalf or on behalf of any other person, apply by petition to the Minister for the purpose of availing himself of the provisions of this Part.

Rights of person in possession of foreshore or river bank.

(2) The petition shall be subscribed by the person by whom it is presented, or by his duly constituted agent, and shall be accompanied by a plan under the hand of a legally qualified surveyor.

153. The Minister shall investigate and consider the matters contained in the petition, and may grant or refuse the petition, either wholly or in part.

Consideration of petition.

154. When the Minister arrives at a decision on the petition, notice in writing of the decision, under the hand of the Permanent Secretary, shall be transmitted to the applicant or his agent.

Decision and notice.

155.—(1) If the Minister grants the petition, either wholly or in part, a copy of the petition, with the plan accompanying it, together with the decision of the Minister thereon, shall be entered in a book, to be kept for that purpose by the Permanent Secretary at his office.

Entry of petition, plan and decision.

(2) Any person shall be entitled to inspect and transcribe the entry so made.

(3) Every decision of the Minister under this section shall be a bar to any action, suit or other proceeding which may at any time thereafter be brought or instituted on behalf of the Crown or public against the applicant, or against any person claiming by, from or under him, in respect of any trespass or encroachment upon the land authorised by the decision to be enclosed, staked in or filled up.

Right to sue
the Crown.

Cap. 129

Alteration or
extension of
existing
wharves etc.

Penalty for
infringement
of require-
ments of
this Part.

This Part
not to
sanction
trespasses
already
committed,
or to abridge
the power
now vested
in the
Governor,
etc.

156. If the applicant is dissatisfied with the decision of the Minister, wholly or in part, he or any person claiming by, from or under him, may institute proceedings against the Crown under and in accordance with the Crown Proceedings Ordinance, for such relief as he may be entitled to at law.

157. Where any land on or near to the seashore or banks of the river within Belize City has been enclosed, staked in or filled up as a wharf prior to the passing of this Part, no person shall alter or extend a wharf so made without obtaining, previously to making such alteration or extension, the authority of the Minister as hereinbefore provided.

158. Every person who violates or infringes the provisions of this Part shall be liable to a fine not exceeding one hundred dollars, and if any enclosing, staking in or filling up of any such land as aforesaid, or any extension or alteration of any wharf previously enclosed, staked in or filled up is commenced contrary to the provisions of this Part, the Minister may direct the site of such land to be restored to its former condition at the cost and charge of the person offending, and the amount thereof may be recovered in like manner as a penalty is recoverable.

159. Nothing in this Part shall be construed to sanction or to relieve any person from the consequences of any trespass or encroachment already committed or made upon the property of the Crown or public, or in any way to abridge or lessen any power now vested in the Governor, or to confer upon any person to whom a grant is made in pursuance of this Part any greater title than that which is enjoyed by any grantee of lands under any grant made by the present or any former officer administering the Government since the year 1817 or to affect or prejudice the rights of any person or persons to any land which may have been erroneously granted under this Part, or to entitle any grantee of land, or any person claiming title under such grantee to any compensation for, or by reason of the same land having been erroneously granted, anything in any such grant or in this Part to the contrary notwithstanding.

Miscellaneous

Application
of this Part.

160. This Part shall apply to Belize City only and not to any other town in Belize.

161. All fines and penalties imposed by this Part or by any by-laws or regulations made under this Part shall, unless otherwise provided, be recovered on summary conviction. Fines and penalties, how recovered.

PART IV

INFLAMMABLE LIQUIDS

[2nd October, 1906]

Preliminary

162. In this Part—

Interpretation.

“dangerous petroleum” includes petroleum having a flash point below seventy-three degrees Fahrenheit Abel close test or one hundred degrees Fahrenheit open cup test;

“fuel oil” includes all mineral oils, whether refined or unrefined, imported into this Territory which have a flash point of not less than one hundred and fifty degrees Fahrenheit, when tested in the manner prescribed by the Dangerous Goods Ordinance for testing petroleum as defined by that Ordinance; Cap. 105

“inflammable liquids” includes dangerous and ordinary petroleum and fuel oil;

“one yard” includes—

(a) all adjacent pieces or parcels of land for the time being in the possession or occupation of or used by any one person or in the joint possession or occupation of or jointly used by any two or more persons; and

(b) all buildings erected or being in the yard;

“ordinary petroleum” includes petroleum having a flash point which is not below seventy-three degrees Fahrenheit Abel close test or one hundred degrees Fahrenheit open cup test;

“petroleum” includes any mineral oil or relative hydro-carbon and any liquid product derived from mineral oil or from coal, shale, peat or any other bituminous substance;

“prescribed quantity” means 100 gallons of ordinary petroleum or fuel oil and 80 gallons of dangerous petroleum, but where petroleum is kept in a store for fuel oil, the prescribed quantity shall mean 1,000 gallons of ordinary petroleum or fuel oil and 500 gallons of dangerous petroleum;

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"store for fuel oil" means any area specially appointed by the Minister for the storage of fuel oil in bulk and includes all tanks, sheds and other buildings erected on the area in accordance with plans to be submitted and approved under any regulations made;

"Belize City" includes any part of Belize distant not more than two miles from the Court House in Belize City.

Landing, storing and removing inflammable liquids

Inflammable
liquids
warehouse.

163.—(1) Whenever a suitable public warehouse has been provided in Belize City and made ready for the reception and storage of inflammable liquids, the Minister may by order declare the warehouse to be the Queen's warehouse for the warehousing and keeping of inflammable liquids without payment of duty on the first entry thereof.

Cap. 39

(2) The inflammable liquids warehouse shall be one of the Queen's warehouses within the meaning of the Customs Regulation Ordinance, and all the provisions of that Ordinance relating to the Queen's warehouses shall apply to the inflammable liquids warehouse.

(3) No goods shall be brought into or deposited in the inflammable liquids warehouse.

(4) The Minister may, from time to time, direct any kind of inflammable liquids to be removed from the inflammable liquids warehouse within a specified time, and, if such direction is not obeyed within the time so specified, such liquids shall be forfeited to Her Majesty, and may be sold, destroyed or otherwise disposed of as the Minister may direct.

Penalty for
keeping
inflammable
liquids in
excess of
prescribed
quantity.

164. Any person who keeps in any one yard any inflammable liquids in excess of the prescribed quantity is guilty of an offence and for each offence liable on summary conviction to a fine not exceeding fifty dollars.

Seizure and
disposal of
inflammable
liquids kept
in excess of
prescribed
quantity.

165.—(1) The Commissioner of Police, an assistant superintendent of Police, or any police sergeant authorised by the Commissioner of Police to exercise the powers conferred by this section, or the Superintendent of the Fire Brigade in Belize City may from time to time wish such assistance as may be necessary enter and search any

yard for inflammable liquids, and if more than the prescribed quantity is found may seize and convey to the Queen's warehouse all inflammable liquids found in the yard.

(2) All liquids seized under the powers conferred by this section and conveyed to the Queen's warehouse shall be received and kept therein by the keeper thereof.

(3) If, for the space of seven days after the seizure no claim is made to the liquids as required by subsection (5), or if no order for the return of the liquids or any part thereof is made under subsection (7), the liquids, or the part of the liquids in respect whereof no such order is made, as the case may be, shall be forfeited to Her Majesty, and may be sold, destroyed or otherwise disposed of as the Minister may direct.

(4) No seizure or forfeiture shall be a bar to any prosecution under section 166.

(5) Any person desiring to claim any liquids so seized and conveyed may lay an information on oath before the magistrate stating the facts and in what right he claims the liquids, and on what grounds he disputes the legality of the seizure.

(6) The magistrate shall thereupon issue his summons directed to the Commissioner of Police, and the Summary Jurisdiction Ordinances shall apply to the information and to all proceedings consequent thereon.

(7) At the hearing of the information, the magistrate shall, if satisfied that the liquids or any of them were wrongfully seized and that the informant is entitled to the possession of them or any of them, order the liquids to be restored to the informant, or else dismiss the information.

(8) If any member or members of the Police Force acting under the powers conferred by this section, and having previously made known his or their authority, is or are unable otherwise to enter and search the yard or any part of the yard, he or they may use reasonable force by breaking doors or otherwise to effect entry and search.

166.—(1) The Minister may appoint a public wharf at which inflammable liquids brought by sea may be landed and may prohibit any inflammable liquids to be landed at or placed upon any other wharf except with the permission in writing of the Comptroller of Customs.

(2) Any permission given under this section shall specify the wharf at or upon which such inflammable liquids may be landed or

Inflammable liquids not to be landed except at public wharf appointed for the purpose unless by permission. 40 of 1963

placed and shall only be given in cases where the inflammable liquids are to be taken away immediately for distribution and subject to the condition that the number of gallons of inflammable liquids on the wharf at any one time shall not exceed the quantity stated in the permission.

(3) Where duty is payable on any inflammable liquids permission under this section shall not be given unless such duty has been paid.

(4) Any person contravening the provisions of an order made under this section is liable on summary conviction to a fine not exceeding fifty dollars.

Ships, etc.,
with inflam-
mable liquids
on board not
to anchor in
certain
places.

167.—(1) Subject to subsection (2) any master or person in charge of a ship, boat or barge having on board—

(a) any quantity exceeding one thousand gallons of ordinary petroleum or fuel oil, or

(b) a combination of both in excess of one thousand gallons, or

(c) any quantity exceeding two hundred gallons of dangerous petroleum, anchors or moors such ship, boat or barge between the hours of six in the evening and six in the morning at any place in the Belize river within one mile of the swing bridge, or within the limits of the harbour of Belize City as defined by the Harbours and Merchants Shipping Ordinance nearer than two hundred yards to the shore, or to any other vessel anchored or moored in the river or port, is liable on the information of the Comptroller of Customs or a customs officer acting under his orders to a fine not exceeding five dollars for every hour or part of an hour during which the ship, boat or barge remains anchored or moored as aforesaid.

(2) Subsection (1) shall not apply to a ship, boat or barge anchored or moored at any place in the river or port which may depart between the said hours so long as a responsible person is in charge of and on board the vessel.

Cap. 191

Regulations relating to dealings with inflammable liquids, etc.

Power of
Minister to
make
regulations.

168.—(1) The Minister may from time to time make regulations with regard to—

(a) the application for and the issue of licence for stores for fuel oil;

Cap. 66
Cap. 66
Cap. 66

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- (b) the condition of issue, including the payment of a fee therefor;
- (c) the forms of such licences;
- (d) the construction, ventilation, lighting and position of stores for fuel oil;
- (e) the receiving, storing and removal of petroleum into or from any such stores for fuel oil; and
- (f) anything required for the purpose of carrying out this Part

(2) By such regulations the Minister may for any breach of the provisions thereof prescribe a fine not exceeding five hundred dollars, in default of the payment of which the offender shall undergo imprisonment for a term not exceeding six months.

(3) All such penalties shall be recovered on summary conviction.

(4) All regulations purporting to be made in pursuance of this Part shall be subject to the approval of the National Assembly and shall be published in the *Gazette* and come into operation on such publication or at such time as may be named in the regulations.

(5) Until new regulations are made under this Part all regulations made under the section repealed by this section shall remain in full force and effect as if they had been made under this section.

(6) Without prejudice to the generality of the powers conferred on him by this Part, the Minister may in any regulations under this Part provide that permission to erect or to use a store for fuel oil shall be conditional on a sufficient guarantee being given that no discrimination will be exercised by the owner or occupier of the store for fuel oil or by any of his servants in the supply of fuel oil in favour or to the prejudice of any particular person, firm, company or corporation.

FIRST SCHEDULE

[Section 31]

Enactments under which fines and penalties recovered for benefit of Town Fund

- | | |
|--|----------|
| 1. Land Tax Ordinance. | Cap. 41 |
| 2. Public Health Ordinance. | Cap. 31 |
| 3. Cattle Trespass Ordinance. | Cap. 171 |
| 4. Fire Brigade Ordinance. | Cap. 108 |
| 5. Part II, Title I of this Ordinance. | Cap. 66 |
| 6. Trade Licensing Ordinance. | Cap. 53 |
| 7. Pounds Ordinance. | Cap. 68 |

THE LAWS OF BELIZE

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SECOND SCHEDULE

[Sections 60 and 61]

*Offices enumerated for the purposes of Sections 60 and 61*S.I. 70 of
1976.

1. Town Clerk.
2. Accountant.
3. Tax Collector.
4. Administrative Assistant.
5. Secretary/Typist.
6. Messenger.
7. First Class Clerk.
8. Second Class Clerk.
9. Clerical Assistant.
10. Storekeeper/Pound Keeper.
11. Time Keeper.
12. Clerk of Market.
13. Assistant Clerk of Market.
14. Bailiff/Assistant Tax Collector.
15. Cleaners.
16. Drivers.
17. Special Constables.
18. Works Superintendent.
19. Caretaker of Cemeteries.
20. Assistant Tax Collectors.
21. Assistant Caretaker of Cemeteries.
22. City Gardener.
23. Caretaker of Parks.
24. Mechanical Superintendent.
25. Senior Mechanic.
26. Health Officer.
27. Assistant Health Officer.
28. Assistant Works Superintendent.

THIRD SCHEDULE

[Section 81]

Offices enumerated for the purposes of Section 81:

1. Town Clerk.
2. Second Clerk.

FOURTH SCHEDULE

[Section 105 (5)]

BELIZE.

BE IT REMEMBERED that (*description of property*) of which (*name of owner*) is the owner is charged under the Belize City Council Ordinance with the payment to the Belize City Council of the sum of (*state amount*) for expenses incurred by the said Council under the said Ordinance with interest thereon at the rate of seven *per centum per annum* commencing from (*date of completion of work executed or carried out by the Council*).

Cap. 66.

IN WITNESS WHEREOF the Seal of the Belize City Council and the signature of the Mayor of the said Council have been hereunto affixed this _____ day of _____, 19 ____.

The Seal of the Belize City Council and the signature of (*name of Mayor*) Mayor of the said Council were hereunto affixed in the presence of

(Name of witness)

FIFTH SCHEDULE

[Sections 111, 112 and 113]

FORM 1

Cap. 66.

Notice under Part II (Title I) of the Belize City Council Ordinance

To _____ the owner (or agent) of a Lot of land
situate _____ being Lot No. _____ on
"the Plan."(*)

1. You are hereby required within ten days after service of this notice to inform the Town Clerk in writing whether you elect to fill up the above-mentioned Lot so as to raise the level thereof _____ feet (or inches) above highwater mark by removing _____ cubic yards of dredging from the spoil heap at _____ and by depositing and spreading that material on such Lot, with labour and appliances provided by yourself, or to have this done for you by the Town Clerk.

2. If the work is done by yourself you will be charged nothing for the dredgings,† but if the work is done by the Town Clerk you will be charged at a rate not exceeding _____ cents for every cubic yard of dredgings deposited and spread upon your Lot.

(3) Should you so desire, you can elect to receive the material and do the work of depositing and spreading yourself.

4. If that work is done by you to the satisfaction of the Town Clerk you will be charged in respect of such material the cost of carriage only, † not exceeding _____ cents for every cubic yard thereof.

5. You will also be charged a fee of one dollar for the expense of taking the level of your Lot.

Town Clerk.

Date. _____

* If the Lot is not numbered or is not shown on the Plan any other description by which it can be identified will be sufficient.

† If a charge is to be made for the dredgings the form is to be varied accordingly.

THIS IS TO BE FILLED IN BY THE TOWN CLERK

ALL DOCUMENTS OF THE TOWN CLERK ARE TO BE KEPT IN A BOOK AND TO BE KEPT IN A BOOK

FORM 2

[Section 112 (1)]

Notice under Part II (Title I) of the Belize City Council Ordinance

Cap. 66.

To _____ the owner (or agent) of a Lot of land
situate _____ being Lot No. _____ on
"the Plan."*

1. You are hereby required to remove _____ cubic yards of
dredgings from the spoil heap at _____ and deposit and
spread them on the above-mentioned Lot so as to raise the level thereof
_____ feet (or inches) above highwater mark and you are
informed that if you comply with this notice you will not be charged for
the dredgings,† but if you make default in so doing the Town Clerk will
cause the above specified quantity of material to be deposited and spread
upon the Lot, and you will be charged for such material at a rate not
exceeding _____ cents per cubic yard.†

2. All filling up is subject to the directions of the Town Clerk and
material must be deposited in such a manner as not to interfere with the
existing drainage of contiguous lots or land.

Date. _____

Town Clerk.

* If the lot is not numbered or is not shown on the Plan any other description by which
it can be identified will be sufficient.

† If a charge is to be made for the dredgings the form is to be varied accordingly.

Landing, storing and removing inflammable liquids

163. Inflammable liquids warehouse.
164. Penalty for keeping inflammable liquids in excess of prescribed quantity.
165. Seizure and disposal of inflammable liquids kept in excess of prescribed quantity.
166. Inflammable liquids not to be landed except at public wharf appointed for the purpose unless by permission.
167. Ships, etc., with inflammable liquids on board not to anchor in certain places.

Regulations relating to dealings with inflammable liquids, etc.

168. Power of Minister to make regulations.

FIRST SCHEDULE

SECOND SCHEDULE

THIRD SCHEDULE

FOURTH SCHEDULE

FIFTH SCHEDULE

Ch. 135,
R.L., 1958.
6 of 1955.
17 of 1958.
1 of 1962.
14 of 1962.
14 of 1963.
38 of 1963.
40 of 1963.
24 of 1966.
24 of 1968.
13 of 1969.
25 of 1976.
3 of 1978.
2 of 1980.
7 of 1980.
1 of 1985.
22 of 1987.
24 of 1987.
S.L. 17 of
1964.

CHAPTER 66

BELIZE CITY COUNCIL

Commencement

[16th July, 1903 - Part I, Title I]
[29th June, 1946 - Part I, Title II]
[6th September, 1947 - Part I, Titles III and IV]
[16th July, 1903 - Part II, Title I]
[25th June, 1886 - Part II, Title II]
[13 of 1874 - Part III]
[2nd October, 1906 - Part IV]

Short title.

1. This Act may be cited as the Belize City Council Act.

PART I

Title 1

THE CITY COUNCIL, ITS CONSTITUTION, POWERS AND DUTIES

Interpretation.

2. In this Act -

"allowance" means money payable under this Act to a councillor during the time he is a member of the Belize City Council;

7 of 1980.
1 of 1985.

"Belize City" means such area as the Minister may from time to time by order in the *Gazette* declare to constitute Belize City which order the Minister is hereby empowered to make;

"Council" means the Belize City Council constituted under this Act;

"general election" means an election held by reason of the expiration or determination of the term of office of the Council;

"member" means a member of the Council;

"new Council" means a Council newly constituted by election or appointment, if necessary, other than a casual election or appointment;

"rules", "regulations" or "by-laws" means any rules, regulations

APPOINTMENT OF OFFICERS AND SERVANTS

12. The Council may, by resolution, appoint, remove or reappoint fit officers and servants as it thinks necessary, and may pay such persons such salaries and allowances out of the Town Fund as it thinks fit, but all appointments, removals and remunerations shall be subject to the approval of the Minister.

Council may
appoint off-
icers and
servants.
40 of 1963.

13. Every officer or servant employed for the purposes of this Act who exacts or accepts on account of anything done relating to his duties any fee or reward whatever other than the salary or allowance ordered or allowed by the Council is guilty of an offence and is liable on summary conviction to a fine of not less than fifty dollars nor more than five hundred dollars.

Penalty on
officers for
taking
gratuity.

ELECTIONS

14.-(1) Every person who--

- (a) is registered as an elector for the electoral divisions under the Representation of the People Act comprised in the City of Belize; and
- (b) subject to subsection (2), is in possession of an identification card issued to him under that Act; and
- (c) resides within the limits of Belize City;

Persons
entitled to
vote.
7 of 1980.
1 of 1985.
24 of 1987.
Cap. 9

shall be entitled to vote at the election of a member of the Council.

(2) Notwithstanding subsection (1), a person who has been registered under the Representation of the People Act, but who is unable to produce his identification card, may be permitted to vote upon proving to the satisfaction of the presiding officer that although he had been registered he has not been issued with an identification card or that the identification card issued to him has been lost or destroyed.

Cap. 9

(3) Where a person is permitted to vote under subsection (2), the presiding officer shall so state to the candidates or agents then present in the polling station, and also make a record of his reasons for so doing and

shall maintain a list of the names and registration numbers of the electors voting without producing their identification cards, showing the number of the ballot paper issued to each of them.

Regulations
relating to
elections.
7 of 1980.

15.-(1) The Minister may make regulations-

- (a) to provide for the registration of electors;
- (b) to provide for the holding of elections and by-elections of members of the Council;
- (c) to provide for the conduct of elections and by-elections of members of the Council;
- (d) to prohibit any act or matter which in his opinion is not conducive to the maintenance of order on polling day;
- (e) to declare any act committed in the course of any campaign for election or elections an election offence;
- (f) to declare the grounds upon which an election may be challenged and the persons who may challenge an election;
- (g) to declare the grounds upon which an election may be avoided and the procedure for challenging an election;
- (h) to provide for the trial of election petitions and matters connected therewith including the deposit of security and the award of costs;
- (i) to prescribe the form of the ballot papers and sample ballot papers;
- (j) to provide for the custody and disposal of ballot papers;
- (k) to prescribe the method of marking voters at elections;

-
- (l) to provide for penalties for the breach of any regulation;
and
 - (m) to prescribe for all such other matters as may be
necessary for the carrying out of the provisions of this
Act.

(2) Contraventions of any regulations made under subsection (1) may be declared by the Minister to be illegal practices and provisions may be made in the said regulations for the punishment on summary

DISTRICT BOARDS

CHAPTER 67

LOCAL GOVERNMENT (DISTRICT BOARDS)

ARRANGEMENT OF SECTIONS

1. Short title.

2. Interpretation.

Preliminary

3. Establishment of town boards.

Election of Members to Boards

4. Membership of boards.

5. Date of election.

6. Person incapable of being elected.

7. Penalty if person incapable of election, or if person whose seat has become vacant, sits or votes.

8. Vacation of seat.

9. Persons entitled to vote.

10. Provision in case of failure of election.

11. Regulations.

12. Mayor and Chairman.

13. Appointment of committees.

14. Members' seat vacated in certain events.

Meetings and Proceedings of Boards

15. Meetings.

16. Quorum.

17. No act to be questioned on account of vacancy.

18. Admission of minutes of proceedings.

19. Term of office of board.

20. By-elections.

21. Rules and regulations.

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Powers and Duties of Boards

22. Board may appoint officers and servants.
23. Duties of board.
24. Board may cause land adjoining street to be fenced, etc.
25. Power to make by-laws.
26. Standing Orders.

Legal Proceedings and Procedure

27. Proceedings by or against boards.
28. Offences against rules punished summarily.
29. Complaints to be laid within six months.
30. Penalties not recoverable except with consent of Director of Public Prosecutions.
31. How board may appear before magistrate.
32. Documents requiring to be signed by board to be signed by the chairman.
33. Documents purporting to be signed by chairman to be admitted in evidence.
34. Board protected by Ordinance.
35. Land, how acquired.
36. Members of a board not liable personally.
37. Signature of chairman sufficient authentication.
38. Notices, etc., how served.
39. Expenses, how met.
40. Custody of money and keeping of accounts.
41. The Town Fund.
42. Loans when and how raised.
43. Penalty for obstruction of members and officers of board.

Mullins River

44. Vesting of Mullins River property.

SCHEDULE

CHAPTER 67

LOCAL GOVERNMENT (DISTRICT BOARDS)

[1st January, 1939]

Ch. 136,
R.L., 1958.
2 of 1962.
12 of 1962.
40 of 1963.
25 of 1966.
1 of 1969.
13 of 1972.
17 of 1975.
3 of 1978.
4 of 1978.
S.I., 17 of
1964.

1. This Ordinance may be cited as the Local Government (District Boards) Ordinance.

Short title.

2. In this Ordinance—

Interpre-
tation.

“board” means a town board constituted and established under this Ordinance;

“chairman” means the chairman of a town board, and includes the Mayor of the town boards of San Ignacio, Corozal Town, Orange Walk Town, Dangriga and Punta Gorda;

12 of 1962

“order”, “rule”, “regulation”, “by-law” mean respectively any order, rule, regulation and by-law made under this Ordinance;

“town” means a town mentioned and described in the Schedule or added to that Schedule under this Ordinance.

Preliminary

3.—(1) The Minister after consultation with the town board concerned may, from time to time by order published in the *Gazette*, fix and declare the boundaries of any town mentioned in the Schedule and, until the making of that order, the limits of the towns shall be as described in the Schedule.

Establis-
ment of
town bo
12 of 19
40 of 19

(2) There shall be established in every town mentioned and described in the Schedule a town board constituted in the manner, and possessing the powers and functions, set out in this Ordinance:

Schedu

Provided that the Minister may from time to time—

12 of 1

- (a) add other towns to those mentioned in the Schedule;
- (b) dissolve any board created under the Ordinance; and
- (c) after consultation with the town board concerned extend, reduce or otherwise alter the limits of any town.

(3) Every board shall—

THE LAWS OF BELIZE

- (a) be a corporate body bearing the name of "The Town Board" of the particular town in respect of which it is constituted and appointed;
- (b) have perpetual succession and a common seal;
- (c) be vested with power to sue and be sued in such name; and
- (d) have capacity to hold lands for the purposes of this Ordinance.

Election of Members to Boards

Membership
of Boards.

12 of 1962.

4. Subject to section 10—

- (a) a board shall consist wholly of elected members; and
- (b) the Minister may, by order published in the *Gazette*, direct how many members shall constitute a town board.

Date of
election.

5. The Minister may by order fix the date on which a general election or a by-election of members for a Board shall be held.

Person
incapable of
being
elected.

25 of 1966.

6.—(1) No person shall be eligible for election as a member of a board, or having been elected, shall sit or vote on the board who—

- (a) is the holder of an office of emolument or place of profit in the gift or disposal of a City Council or a town board or is employed by a City Council or a town board unless he obtains the consent of the Minister;
- (b) is a returning officer of the town for which the election is held;
- (c) is not a British subject;
- (d) is not, in the opinion of the Minister, sufficiently acquainted with the English language, both oral and written, to be able to follow the proceedings of a board without difficulty;
- (e) is not entitled to vote at the election of a member of the board;
- (f) has not ordinarily resided in Belize for three years immediately preceding the election, or is not domiciled in Belize and ordinarily resident therein at the date of the election;
- (g) has been dismissed from the service of the Crown;
- (h) is a public officer.

25 of 1966.

25 of 1966.

(2) For the purposes of this section, a person holding the office of Premier or other Minister, Speaker or Deputy Speaker of the House of Representatives, President or Vice-President of the Senate, or being a member of the House of Representatives or the Senate or any commission established by the Belize Constitution Ordinance, 1963, shall not be considered to be a public officer.

(3) A person shall not be considered as holding an office of emolument or place of profit in the gift or disposal of a City Council or a town board or being in the employment of a City Council or a town board or holding a public office by reason only of the fact that he is in receipt of a pension or like allowance in respect of service under a City Council or a town board or the Crown or that he holds a general retainer as solicitor to a City Council or a town board.

7. Any person who—

- (a) having been returned as an elected member of a board without having been at the time of his election qualified to be an elected member, or having since his election become disqualified in pursuance of section 6 from sitting and voting, sits or votes on the board;
- (b) sits or votes on the board after his seat has become vacant under section 8,

Penalty if person incapable of election, or if person whose seat has become vacant, sits or votes.

is, for every day on which he sits or votes after his seat has become vacant, liable to a fine of one hundred dollars to be recovered by action in the Supreme Court by any person who, with the written consent of the Director of Public Prosecutions, sues for it.

1 of 1969.

8. If any elected member of the board—

- (a) dies; or
- (b) by writing under his hand addressed to the Minister resigns his seat on the board and the Minister accepts his resignation; or
- (c) makes any declaration or acknowledgment of allegiance to any foreign state or power; or
- (d) becomes a citizen or subject of any foreign state or power; or
- (e) is adjudicated a bankrupt; or
- (f) is sentenced in any Commonwealth country to death, penal servitude or imprisonment with hard labour or for a term exceeding twelve months; or
- (g) accepts any office of emolument under the Crown; or without the written consent of the Minister, under a municipal corporation within Belize.

Vacation of seat.

40 of 1963.

40 of 19

his seat on the Board shall thereupon become vacant.

THE LAWS OF BELIZE

Persons
entitled
to vote.
Cap. 9.
4 of 1978.

9.—(1) Any person who—

- (a) is registered as an elector under the Representation of the People Ordinance and was so registered at least two months before the expiry of the term of office of the board; and
- (b) subject to subsection (3), is in possession of an identification card issued to him under that Ordinance; and
- (c) resides in the town for which the election is held,

shall be entitled to be registered as an elector, and when so registered, to vote, at the election of a member of the board.

(2) Any person who, not being a British subject by birth, registration or naturalisation and being legally resident in Belize, has actually resided in the town for which the election is held for a period, or periods in all, not less than three years, shall be entitled to be registered as an elector and when registered, to vote, at the election of a member of the board if he—

- (a) has attained the age of eighteen years;
- (b) is under no legal incapacity;
- (c) is not an undischarged bankrupt; and
- (d) is, subject to subsection (3), in possession of an identification card issued to him under the Representation of the People Ordinance.

Cap. 9.

(3) Notwithstanding subsections (1) and (2) a person, who has been registered under the Representation of the People Ordinance or under this Ordinance but who is unable to produce his identification card, may be permitted to vote upon proving to the satisfaction of the presiding officer that although he has been registered he has not been issued with an identification card or that the identification card issued to him has been lost or destroyed:

Providing that the presiding officer shall state to the candidates or agents then present in the polling station, and also make a record of his reasons for so doing and shall maintain a list of the names and registration numbers of the electors voting without producing their identification cards, showing the numbers of the ballot papers issued to each of them.

Provision in
case of
failure of
election.

10. If no election for the proper constitution of a board takes place, or if no candidates or an insufficient number of candidates offers themselves for election or be elected, the Minister may nominate as

REPLACES TO BE MADE BY THE

many additional members as may be required to fill the seats of 40 of 1963. elected members so left vacant.

11.—(1) The Minister may make regulations—

Regulations.

4 of 1978.

- (a) to provide for the registration of electors;
- (b) to provide for the holding of elections and by-elections of members of a board;
- (c) to provide for the conduct of elections and by-elections of members of a board;
- (d) to prohibit any act or matters which in his opinion is not conducive to the maintenance of order on polling day;
- (e) to declare any act committed in the course of any campaign for election or elections an election offence;
- (f) to declare the grounds upon which an election may be challenged and the persons who may challenge an election;
- (g) to declare the grounds upon which an election may be avoided and the procedure for challenging an election;
- (h) to provide for the trial of election petitions and matters connected therewith including the deposit of security and the award of costs;
- (i) to prescribe the form of the ballot papers and sample ballot papers;
- (j) to provide for the custody and disposal of ballot papers;
- (k) to provide for penalties for the breach of any regulation;
- (l) and to prescribe for all such other matters as may be necessary for the carrying out of this Ordinance.

(2) Contravention of any regulations may be declared by the Minister to be illegal practices and provisions may be made in the regulations for the punishment, on summary conviction, of persons committing or taking part in the commission of illegal practices by—

- (a) a fine, not exceeding two thousand dollars; and
- (b) disqualification from voting at any election under this Ordinance and the Representation of the People Ordinance, Cap. 9. and from being elected or appointed as a member of any City Council or town board or of the National Assembly for a period of three years from the date of the conviction.

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(3) The regulations made pursuant to this section shall be subject to negative resolution.

Mayor and
chairman.

12 of 1962.

12.—(1) Each board shall have a chairman and a deputy-chairman who shall be elected annually by the board from among the members thereof and shall be eligible for re-election:

Provided that in the case of the town boards of San Ignacio, Corozal Town, Orange Walk Town, Dangriga and Punta Gorda, the chairman and the deputy-chairman shall be termed the mayor and the deputy mayor respectively.

(2) Whenever a casual vacancy occurs in the office of chairman or deputy-chairman, an election to fill the vacancy shall be held at the next meeting of the board held after the date on which the vacancy occurs.

(3) A person elected to fill such casual vacancy shall hold office until the date upon which the person in whose place he is elected would regularly have retired, and he shall then retire, but shall be eligible for re-election.

(4) No person shall be elected chairman or deputy-chairman without his consent to be so elected.

(5) The chairman or deputy-chairman may, at any time during his term of office, be removed at a meeting of the board by a resolution of two thirds of the membership of the board if notice of the resolution is given to members not less than fourteen days before the meeting at which the resolution is to be proposed.

(6) The chairman or in his absence the person presiding at a meeting shall have an original and a casting vote.

Chairman and Committees of Boards

Appoint-
ment of
committees.

13.—(1) A board may, from time to time, appoint out of its number such and so many committees, either of a general or special nature and consisting of such number of persons, as it thinks fit, for any purpose or purposes which it considers may be better regulated or managed by such committee or committees.

(2) The acts and proceedings of every committee shall be subject to the approval of the board.

(3) The board appointing any committee may appoint a member of the committee to be the chairman thereof and in default in so doing the committee may make the appointment.

(4) Nothing in this section shall authorise a board to delegate to a committee, or chairman of a committee, any power of fixing a rate or of making a by-law or executing a contract.

(5) All rules made for the regulation of meetings of the board shall, subject to any special rules for committee meetings made by the board, apply to the meetings of a committee.

14.—(1) Members of boards shall attend the meetings of the board of which they are members.

Members' seat vacated in certain events. 12 of 1962.

(2) No member shall absent himself from four consecutive meetings of a board duly called for the transaction of business without leave previously sought and obtained from the chairman.

(3) Where the chairman grants leave of absence to a member he shall immediately report the grant thereof to the Minister.

(4) If any member is absent without leave for four consecutive meetings of the board duly called for the transaction of business and is at the date of the last of such meetings—

- (a) absent from Belize, he shall cease to be a member of the board and his seat on the board shall thereupon become vacant;
- (b) in Belize, the chairman shall without delay report the matter to the Minister and the Minister may after such inquiry as may seem necessary to him, declare that the member has ceased to be a member of the board and the seat on the board of such member shall thereupon become vacant.

Provided that, unless by reason of absence from Belize of the member, or otherwise, it is not practicable to do so, the Minister shall, before declaring that the member shall cease to be a member of the board, call upon him to show cause in writing why his seat on the board should not be declared vacant and shall afford him an opportunity of making his defence in person before the Minister.

Meetings and Proceedings of Boards

15.—(1) A board shall meet once at least in each quarter and at such other times as may be fixed by its rules or when convened by the chairman.

Meetings.

(2) If a chairman refuses to call a meeting after a requisition for that purpose signed by three members of a board has been presented to him, any three members may forthwith on that refusal call a meeting.

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(3) If a chairman, without so refusing, does not within seven days after such request convene a meeting, any three members of the board may, on expiration of those seven days, convene a meeting.

Quorum.

16.—(1) Any three members of a board shall form a quorum for the transaction of business.

(2) All acts of a board and all questions before a board may be done and decided by a majority of its members present and voting at a meeting, the whole number present at the meeting whether voting or not being not less than a quorum.

(3) A member of a board or committee shall not vote upon or take part in the discussion of any matter before the board or committee in which he has, directly or indirectly by himself or his partner, any pecuniary interest.

No act to be questioned] on account of vacancy.

17. No act or proceeding of a board or of any committee shall be invalidated in consequence of there being any vacancy in the number of the board at the time of such act or proceeding, or of the subsequent discovery that there was some defect in the election of any person or that he was incapable of being a member.

Admission of minutes of proceedings.

18.—(1) A minute of the proceedings of a board, or of a committee thereof, signed at the same or next ensuing meeting by the chairman, or by a member of the committee describing himself as or appearing to be chairman thereof, shall be received in evidence, without further proof, in all courts and for all other purposes whatever.

(2) Until the contrary is proved, every meeting of a board or of a committee thereof in respect of the proceedings whereof a minute has been so made shall be considered to have been duly convened and held, and all members present at the meeting shall be considered to have been duly qualified.

(3) Where the proceedings are proceedings of a committee, the committee shall be considered to have been duly constituted and to have had power to deal with the matter referred to in the minute until the contrary is proved.

Term of office of Board.

14 of 1962.

19.—(1) Every new board shall hold office until the 30th November next ensuing after the day on which that board has been two years in office.

Provided that—

- (a) the retiring members of a board shall continue to act as such board until the first meeting of the new board takes place, which first meeting shall be held as soon as possible after the expiration of the term of office of the previous board;
- (b) the Minister may by order at any time dissolve a board and cause a new board to be constituted and, pending the constitution of the new board, the powers and duties of the board shall be exercised and performed by such persons as the Minister may direct.

40 of 1963.

40 of 1963.

(2) Both elected and nominated members shall be eligible for new election or nomination.

20. If during the term of office of the board, a member's seat becomes vacant, the vacancy shall be filled within sixty days:

By-elections.

13 of 1972.

Provided that a vacancy shall not be filled if it occurs within a period of one hundred and eighty days before the time when the seat which is vacated would ordinarily have been vacated.

21.—(1) The Minister may, from time to time as occasion requires, make rules and regulations to facilitate the operation of this Ordinance.

Rules and regulations.

(2) Such rules and regulations shall be published in the *Gazette*, and when so published shall be binding upon every board.

Powers and Duties of Boards

22.—(1) A board may by resolution appoint, remove and re-appoint fit officers and servants as it thinks necessary, and may pay such persons such salaries and allowances out of the Town Funds as it thinks fit.

Board may appoint officers and servants.

(2) All appointments, removals, and remunerations shall be subject to the approval of the Minister.

40 of 1963.

23. Every board shall be entrusted with the general rule and good government of its town and shall have power, subject to this Ordinance and any orders, rules, regulations or by-laws, to do all things necessary to carry this Ordinance into operation and particularly to do or cause to be done all or any of the matters following—

Duties of board.

- (a) to establish, regulate, control, maintain and manage markets, slaughter-houses, bath-houses and wash-houses;

THE LAWS OF BELIZE

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- 40 of 1963.
- (b) to light the town or populous areas within the town;
 - (c) to impose rents and fees upon persons using or benefited by such markets, slaughter-houses and wash-houses;
 - (d) to provide for the naming, numbering and lighting of places and streets in the town;
 - (e) to perform any duties which may lawfully be performed by any public officer and which the Minister may from time to time declare by notice in the *Gazette* to be transferred to the board;
 - (f) to impose such restrictions upon owners of land in towns as may be necessary to prevent any building upon such land from being or becoming a source of danger to surrounding property, whether from fire or from its insecure construction or dilapidated condition; and
 - (g) generally to perform all duties and functions and to do such acts as may be necessary for the improvement, development and conservancy of the town.

Board may cause land adjoining street to be fenced, etc.

24. Where any land adjoining any street within the jurisdiction of any board is allowed to remain unfenced, or the fences of any such land are allowed to be or remain out of repair, and the land is, owing to the absence or inadequate repair of the fence a source of danger to passengers, or is used for any immoral or indecent purposes, or for any purpose causing inconvenience or annoyance to the public, that board may, at any time after the expiration of fourteen days from the service upon the owner or occupier of notice in writing requiring the land to be fenced or any fence on the land to be repaired, cause the land to be fenced or the fences to be repaired in a manner as it thinks fit, and the reasonable expenses thereby incurred shall be recoverable from the owner or occupier summarily as a civil debt.

Power to make by-laws.

25.—(1) A board may from time to time make by-laws for the rule and good government of its town generally and in particular in respect of all or any of the following matters—

- (a) for lighting of places and streets of any town;
- (b) for the naming and numbering of houses, lots, places and streets in any town;
- (c) for regulating the passing of livestock through the streets of such town and specifying the streets through which the livestock shall be allowed to pass, the time of such passing and the method of leading or driving the livestock;

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THE GOVERNMENT OF NIGERIA, MINISTRY OF LOCAL GOVERNMENT

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- (d) for the establishment of and the control and use of public lavatories and latrines;
- (e) for regulating the construction and materials of fire-places and furnaces in buildings of every description in the town and for the prevention of fires;
- (f) for regulating the construction of chimneys to carry away the smoke from fire-places and furnaces of any kind and for insuring protection from sparks therefrom and for the prevention of nuisances from smoke in the town;
- (g) for regulating the construction of buildings including temporary structures in the town;
- (h) for the establishment, regulation, control, maintenance and management of markets, slaughter-houses, bath-houses and wash-houses;
- (i) for regulating the rent and fees payable by persons using or benefited by such markets, slaughter-houses, meat or other stalls therein, bath-houses and wash-houses;
- (j) for prohibiting, except in the case of wild animals which may be shot in the bush, the killing or slaughtering of any animal the flesh of which is intended for human food in any place within, or within one mile beyond the limits of, any town, other than in the slaughter-house;
- (k) for prohibiting the exposing or exhibiting for sale of the flesh of any animal, other than a wild animal shot in the bush in any place within, or within one mile beyond the limits of, any town other than in the market or such place or places as the Board may appoint;
- (l) for the regulation of parks, gardens and public recreation grounds in the town;
- (m) for the licensing of horses, mules, carts, drays and handcarts (except such as are kept by the Governor or the Government), kept or used in a town and the imposition of fees in respect thereof;
- (n) for preventing animals from being landed or imported except at a place or places as may from time to time be prescribed and for the provision of public pens for animals and for the imposition of fees and regulations in respect of the user thereof;
- (o) for the licensing of drivers of vans, carts and drays and the imposition of fees in respect thereof; and

THE LAWS OF BELIZE

(p) generally for all matters connected with the rule and good government of the town and the proper carrying out of this Ordinance.

40 of 1963.

S.I. 44 of 1966.

(2) A board may in any by-law made under paragraph (m) of subsection (1) provide for the exemption from any requirement in respect of licensing and from the payment of the whole or any part of any fee payable therefor by the owner of any horse, mule, cart, dray or handcart which is certified by the Permanent Secretary to be used wholly or partially for the public service.

40 of 1963.

(3) All by-laws made by a board under the authority of this Ordinance shall be subject to the approval of the Minister who may alter and amend them when submitted to him, and shall come into force on publication in the *Gazette* after his approval and shall have the same force and effect as if they were enacted by this Ordinance.

(4) All fees prescribed by the by-laws to be paid for any licences shall be subject also to the approval of the National Assembly.

(5) A board may by by-laws impose upon offenders against the by-laws reasonable penalties as it thinks fit not exceeding one hundred dollars, and in the case of a continuing offence a further penalty not exceeding ten dollars for each day after giving written notice of the offence.

(6) Any by-law may contain the power to arrest any person for its breach and also to seize and forfeit any article in relation to which a breach of any by-law has been committed.

Standing Orders.

26.—(1) Subject to this Ordinance a town board may from time to time make, amend and revoke Standing Orders for the regulation and orderly conduct of its own proceedings and the despatch of business.

40 of 1963.

(2) All Orders shall be subject to the approval of the Minister who may alter and amend them when submitted to him and shall come into force on publication in the *Gazette* after such approval and shall have the same force and effect as if they were enacted by this Ordinance.

Legal Proceedings and Procedure

Proceedings by or against boards.

27. All legal proceedings by or against any board shall be in the name of the board, but any complaint or information in respect of any offence against this Ordinance or any by-law may be laid and prosecuted by any member of the Police Force, and all notices,

writs, letters and other communications shall be given, issued, sent or made by the authority of the chairman thereof.

28. All offences against any rule, regulation or by-law shall be prosecuted under the Summary Jurisdiction Ordinances and any magistrate may, where an offence has been duly proved against any person upon application by or on behalf of any board and in lieu of imposing a penalty, make an order compelling that person to do or abstain from doing any act or thing, the doing of which or failure to perform which constitutes such offence.

Offences against rules punished summarily.

29. Any complaint or information in pursuance of this Ordinance, unless otherwise specially provided, shall be made or laid within six months from the time when the matter of the complaint or information arose and not afterwards.

Complaints to be laid within six months.

30. Proceedings for the recovery of a penalty under this Ordinance shall not, unless expressly provided, be had or taken by any person other than by a party aggrieved or by a board without the consent in writing of the Director of Public Prosecutions.

Penalties not recoverable except with consent of Director of Public Prosecutions. 1 of 1969.

31. Any board may appear before a magistrate by any officer or member authorised generally or in respect of any special proceeding so to appear.

How board may appear before magistrate.

32.—(1) Unless otherwise directed, any document requiring to be signed by a board shall be signed by the chairman of that board.

Documents requiring to be signed by board to be signed by the chairman.

(2) It shall not be necessary in any legal proceeding to prove any signature purporting to be the signature of the chairman or of a member of a board or that a person so signing was the chairman or member thereof, but the burden of proof shall be on the person disputing it.

33. In any proceedings under this Ordinance or under any rule, regulation or by-law made pursuant thereto, any notice or order purporting to be signed by the chairman of any board or by any person authorised and acting under this Ordinance or under any rule, regulation or by-law as aforesaid, shall on production be admitted in evidence and shall be presumed to have been duly signed by the chairman or by the person and in the character by whom and in which it purports to be signed, until the contrary is shown.

Documents purporting to be signed by chairman to be admitted in evidence.

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Board protected by Ordinance.

Cap. 24.

34. Every board shall be entitled to the same protection under the Public Authorities Protection Ordinance as if it were included in the definition of "public authority" given in section 2 of that Ordinance and the place at which the board shall hold its meetings shall be deemed to be the "abode" of the board within the meaning of the Ordinance.

Land, how acquired.

40 of 1963.

Cap. 150.

35. Where any land is required for public purposes by any board, such land shall for all purposes be taken to be land required by the Minister for public purposes and may be acquired in the manner prescribed by the Land Acquisition (Public Purposes) Ordinance.

Members of a board not liable personally.

36. No matter or thing done and no contract entered into by any board and no matter or thing done by any member, officer or servant of any board shall, if the matter or thing were done or the contract were entered into *bona fide* for the purpose of executing this Ordinance, subject them or any of them personally to any action, liability, claim or demand, whatever, and any expense incurred by any board, member, officer or servant shall be borne and repaid out of the funds at the disposal of the board.

Signature of chairman sufficient authentication.

37. Notices, orders and documents under this Ordinance may be in writing or print, or partly in writing or partly in print, and if they require authentication by the board, the signature thereof by the chairman shall be sufficient authentication.

Notices, etc., how served.

38. Notices, orders and other documents required or authorised to be served by a board under this Ordinance or any rule, regulation or by-law may be served by delivering them to or at the residence of the person to whom they are respectively addressed or where addressed to the owner or occupier of premises by delivering them, or a true copy thereof, to some person on the premises, or if there is no person on the premises who can be so served, by fixing them on some conspicuous part of the premises.

Expenses, how met.

39. All expenses incurred or payable by a board on the execution of this Ordinance shall be paid out of the Town Fund and all disbursements by such Board shall be made in accordance with the Financial Regulations for the time being in force and such directions as may be issued by the Minister.

S.I. 17 of 1964.

40.—(1) All moneys in the hands of any board shall be kept by the district officer of the district within which the town is situated.

Custody of money and keeping of accounts.

(2) The accounts of a board shall be kept by the clerk of that board in accordance with such directions as may be issued by the Minister.

S.I. 17 of 1964.

41. There shall be placed to the credit of or paid into a fund to be called the "Town Fund"—

The Town Fund.

- (a) all moneys voted from time to time by the National Assembly in aid thereof;
- (b) all moneys payable in any manner whatever to such board, whether under or pursuant to this Ordinance or otherwise;
- (c) all fines and penalties paid in respect of non-compliance with this Ordinance or the rules, regulations and by-laws.

42.—(1) Whenever the general interest and welfare or development of any town will in the opinion of two-thirds of the members of the board be advanced by an expenditure greater than can be met out of the annual revenue of the Town Fund, the Board may, by resolution carried by two-thirds of its members, recommend, on the guarantee of an annual allocation of such amount of the Town Fund as may be equivalent to the annual interest and sinking fund necessary for its redemption, the raising of a loan, the proceeds of which shall be devoted to the advancement of the general interest and welfare or development of the town.

Loans when and how raised.

(2) The Minister may, with the approval of the Secretary of State, borrow such sum of money as may be authorised under the Local Public Loans Ordinance, and thereafter the sum necessary to meet the annual interest and sinking fund for the redemption of the loan shall be a first charge upon all moneys which may then or may thereafter form part of the Town Fund described in section 41.

Cap. 62.

43. Any person who obstructs, impedes, insults or molests, or attempts to obstruct, impede, insult or molest, any member of a board, or the secretary, tax collector, clerk or other officer of a board lawfully authorised as such by this Ordinance in the discharge of his duties or in his official capacity or in the exercise of his powers either under this or any other Ordinance is guilty of an offence and liable on summary conviction to a fine not exceeding two hundred and fifty dollars.

Penalty for obstructing members and officers of board.

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Mullins River

Vesting of
Mullins
River
property.

4 of 1943.

44. All the real and personal property of whatever nature and kind, including all things in action, all interests in real and personal property and all estates, interests, easements and rights, whether legal or equitable, in, to or out of any real or personal property which belonged to the Town Board of Mullins River since abolished or held and enjoyed with that Town Board shall from and after the 1st September 1943 vest in the Governor and his successors in trust for the public service.

SCHEDULE

[Section 3]

Towns and their Limits

LIMITS OF TOWNS

*Towns**Limits of Towns*

| | | |
|-------------|-------------------------|---|
| 4 of 1964. | Corozal Town | As defined in the Order of the Minister dated 29th May, 1972 and published in <i>Gazette</i> of 3rd June, 1972 (S.I. 25/1972). |
| 4 of 1964. | Orange Walk Town | As defined in the Order of the Minister dated 20th day of October, 1977 and published in the <i>Gazette</i> of 27th October 1977 (S.I. 70 of 1977). |
| 17 of 1975. | Dangriga | As defined in the Order of the Minister dated 28th April, 1972 and published in <i>Gazette</i> of 6th May 1972 (S.I. 16 of 1972) as amended by Order of the Minister dated 20th day of March 1973 (S.I. 24 1973). |
| 4 of 1964. | San Ignacio | As defined in the Order of the Minister dated the 7th day of July, 1978 and <i>Gazetted</i> on 15th July 1978 (S.I. 47 of 1978). |
| 4 of 1964. | Punta Gorda | As defined in the Order of the Governor in Council dated the 26th day of February, 1963 and <i>Gazetted</i> on 8th March 1963 (S.I. 10 of 1963). |
| 4 of 1964. | Benque Viejo Del Carmen | As defined in the Order of the Governor in Council dated 29th day of October, 1947 (S.I. 63 of 1947). |
| 4 of 1964. | Monkey River Town | Those parts of Belize distant not more than two miles from the Police Station at Monkey River Town shall comprise the area of the said Monkey River Town. |

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CHAPTER 67

LOCAL GOVERNMENT (DISTRICT BOARDS)

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2. Interpretation.

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Mullins River

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SCHEDULE

Ch. 136,
R.L., 1933.
2 of 1932.
12 of 1932.
40 of 1933.
4 of 1934.
23 of 1935.
1 of 1939.
13 of 1972.
17 of 1975.
3 of 1978.
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2 of 1985.
22 of 1987.
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1984.
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1981.
S.I. 87 of
1981.
S.I. 36 of
1983.
S.I. 92 of
1987.
S.I. 111 of
1989.
S.I. 129 of
1989.

CHAPTER 67

LOCAL GOVERNMENT (DISTRICT BOARDS)

[1st January, 1939]

Short title.

1. This Act may be cited as the Local Government (District Boards) Act.

~~Interpretation.~~

2. In this Act-

"board" means a town constituted and established under this Act;

"chairman" means the chairman of a town board, and includes the Mayors of the town boards of San Ignacio, Corozal Town, Orange Walk Town, Dangriga and Punta Gorda;

"order", "rule", "regulation", "by-law" mean respectively any order, rule, regulation and by-law made under this Act;

"town" means a town mentioned and described in the Schedule or added to that Schedule under this Act.

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1990 Cum. Supp.

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Preliminary

3.-(1) The Minister after consultation with the town board concerned may, from time to time by order published in the *Gazette*, fix and declare the boundaries of any town mentioned in the Schedule and, until the making of that order, the limits of the towns shall be as described in the Schedule.

Establishment
of town
boards.
12 of 1962.
40 of 1963.

(2) There shall be established in every town mentioned and described in the Schedule a town board constituted in the manner, and possessing the powers and functions, set out in this Act:

Schedule.

Provided that the Minister may from time to time—

12 of 1962.

(a) add other towns to those mentioned in the Schedule;

(b) dissolve any board created under the Act; and

(c) after consultation with the town board concerned extend, reduce or otherwise alter the limits of any town.

(3) Every board shall—

(a) be a corporate body bearing the name of "The Town Board" of the particular town in respect of which it is constituted and appointed;

(b) have perpetual succession and a common seal;

(c) be vested with power to sue and be sued in such name; and

(d) have capacity to hold lands for the purposes of this Act.

Election of Members to Boards

4. Subject to section 10—

Membership
of Boards.

(a) a board shall consist wholly of elected members; and

12 of 1962.

- (b) the Minister may, by order published in the *Gazette*, direct how many members shall constitute a town board.

Date of
election.

5. The Minister may by order fix the date on which a general election or a by-election of members for a board shall be held.

Person incap-
able of being
elected.

6.-(1) No person shall be eligible for election as a member of a board, or having been elected, shall sit or vote on the board who-

25 of 1966.

- (a) is the holder of an office of emolument or place of profit in the gift or disposal of a City Council or a town board or is employed by a City Council or a town board unless he obtains the consent of the Minister;

- (b) is a returning officer of the town for which the election is held;

- (c) is not a British subject;

40 of 1963.

- (d) is not, in the opinion of the Minister, sufficiently acquainted with the English language, both oral and written, to be able to follow the proceedings of a board without difficulty;

- (e) is not entitled to vote at the election of a member of the board;

- (f) has not ordinarily resided in Belize for three years immediately preceding the election, or is not domiciled in Belize and ordinarily resident therein at the date of the election;

- (g) has been dismissed from the service of the Crown;

25 of 1966.

- (h) is a public officer.

(2) For the purposes of this section, a person holding the office of Prime Minister or other Minister, Speaker or Deputy Speaker of the House of Representatives, President or Vice-President of the Senate, or being a member of the House of Representatives or the Senate or any commission established by the Belize Constitution shall not be considered to be a public officer. 25 of 1966.
Cap. 4

(3) A person shall not be considered as holding an office of emolument or place of profit in the gift or disposal of a City Council or a town board or being in the employment of a City Council or a town board or holding a public office by reason only of the fact that he is in receipt of a pension or like allowance in respect of service under a City Council or a town board or the Crown or that he holds a general retainer as solicitor to a City Council or a town board.

7. Any person who-

- (a) having been returned as an elected member of a board without having been at the time of his election qualified to be an elected member, or having since his election become disqualified in pursuance of section 6 from sitting and voting, sit or votes on the board;
- (b) sits or votes on the board after his seat has become vacant under section 8,

Penalty if person incapable of election, or if person whose seat has become vacant, sits or votes.

is, for every day on which he sits or votes after his seat has become vacant, liable to a fine of one hundred dollars to be recovered by action in the Supreme Court by any person who, with the written consent of the Director of Public Prosecutions, sues for it. 1 of 1969.

8. If any elected member of the board-

- (a) dies; or
- (b) by writing under his hand addressed to the Minister resigns his seat on the board and the Minister accepts his resignation; or
- (c) makes any declaration or acknowledgment of allegiance to any foreign state or power; or

- (d) becomes a citizen or subject of any foreign state or power; or
- (e) is adjudicated a bankrupt; or
- (f) is sentenced in any Commonwealth country to death, penal servitude or imprisonment with hard labour or for a term exceeding twelve months; or
- 40 of 1963. (g) accepts any office of emolument under the Crown; or without the written consent of the Minister, under a municipal corporation within Belize,

his seat on the Board shall thereupon become vacant.

Persons
entitled to
vote.
4 of 1978.
23 of 1987.
Cap. 9

9.-(1) Any person, being a citizen of Belize or a citizen of any Commonwealth country, who-

- (a) is registered as an elector under the Representation of the People Act; and
- 23 of 1987. (b) subject to subsection (2), is in possession of an identification card issued to him under that Act; and
- (c) resides in the town for which the election is held,

shall be entitled to be registered as an elector, and when so registered, to vote, at the election of a member of the board.

23 of 1987.
Cap. 9

(2) Notwithstanding subsection (1) a person, who has been registered under the Representation of the People Act but who is unable to produce his identification card, may be permitted to vote upon proving to the satisfaction of the presiding officer that although he has been registered he has not been issued with an identification card or that the identification card issued to him has been lost or destroyed:

Providing that the presiding officer shall so state to the candidates or agents then present in the polling station, and also make a record of his reasons for so doing and shall maintain a list of the names and registration numbers of the electors voting without producing their identification cards, showing the numbers of the ballot papers issued to each of them.

10. If no election for the proper constitution of a board takes place, or if no candidates or an insufficient number of candidates offers themselves for election or be elected, the Minister may nominate as many additional members as may be required to fill the seats of elected members so left vacant.

Provision in case of failure of election.

40 of 1963.

11.-(1) The Minister may make regulations-

Regulations.
4 of 1978.

- (a) to provide for the registration of electors;
- (b) to provide for the holding of elections and by-elections of members of a board;
- (c) to provide for the conduct of elections and by-elections of member of a board;
- (d) to prohibit any act or matters which in his opinion is not conducive to the maintenance of order on polling day;
- (e) to declare any act committed in the course of any campaign for election or elections an election offence;
- (f) to declare the grounds upon which an election may be challenged and the persons who may challenge an election;
- (g) to declare the grounds upon which an election may be avoided and the procedure for challenging an election;
- (h) to provide for the trial of election petitions and matters connected therewith including the deposit of security and the award of costs;
- (i) to prescribe the form of the ballot papers and sample ballot papers;
- (j) to provide for the custody and disposal of ballot papers;
- (k) to provide for penalties for the breach of any regulation;

- (1) and to prescribe for all such other matters as may be necessary for the carrying out of this Act.

(2) Contravention of any regulations may be declared by the Minister to be illegal practices and provisions may be made in the regulations for the punishment, on summary conviction, of persons committing or taking part in the commission of illegal practices by-

- (a) a fine, not exceeding two thousand dollars; and
- (b) disqualification from voting at any election under this Act and the Representation of the People Act, and from being elected or appointed as a member of any City Council or town board or of the National Assembly for a period of three years from the date of the conviction.

Cap. 9

(3) The regulations made pursuant to this section shall be subject to negative resolution.

Returning
Officer and
election
clerks.
Cap. 4
2 of 1985.

11A.-(1) For the purposes of holding an election the Elections and Boundaries Commission established under section 88 of the Belize Constitution shall from time to time and as occasion demands appoint a person to be the returning officer for the town in respect of which an election is held.

(2) The Chief Elections Officer shall, with the approval of the Commission, appoint an election clerk for each town. If at any time between the dissolution of a Board and the declaration of the result of the election following thereon the returning officer dies or becomes incapable of performing his duties as such, the election clerk shall forthwith report that fact to the Chief Elections Officer and shall discharge all the duties and exercise all the powers of the returning officer until some other returning officer is appointed or the returning officer ceases to be incapable of performing his duties, as the case may be.

(3) An appointment made under subsections (1) and (2) may be revoked at any time.

Mayor and
chairman.
12 of 1962.

12.-(1) Each board shall have a chairman and a deputy-chairman who shall be elected annually by the board from among the members thereof and shall be eligible for re-election;

Provided that in the case of the town boards of San Ignacio, Corozal Town, Orange Walk Town, Dangriga and Punta Gorda, the chairman and the deputy-chairman shall be termed the mayor and the deputy mayor respectively.

(2) Whenever a casual vacancy occurs in the office of chairman or deputy-chairman, an election to fill the vacancy shall be held at the next meeting of the board held after the date on which the vacancy occurs.

(3) A person elected to fill such casual vacancy shall hold office until the date upon which the person in whose place he is elected would regularly have retired, and he shall then retire, but shall be eligible for re-election.

(4) No person shall be elected chairman or deputy-chairman without his consent to be so elected.

(5) The chairman or deputy-chairman may, at any time during his term of office, be removed at a meeting of the board by a resolution of two thirds of the membership of the board if notice of the resolution is given to members not less than fourteen days before the meeting at which the resolution is to be proposed.

(6) The chairman or in his absence the person presiding at a meeting shall have an original and a casting vote.

Chairman and Committees of Boards

13.-(1) A board may, from time to time, appoint out of its number such and so many committees, either of a general or special nature and consisting of such number of persons, as it thinks fit, for any purpose or purposes which it considers may be better regulated or managed by such committee or committees.

Appointment
of committees.

(2) The acts and proceedings of every committee shall be subject to the approval of the board.

(3) The board appointing any committee may appoint a member of the committee to be the chairman thereof and in default in so doing the committee may make the appointment.

(4) Nothing in this section shall authorise a board to delegate to a committee, or chairman of a committee, any power of fixing a rate or of making a by-law or executing a contract.

(5) All rules made for the regulation of meetings of the board shall, subject to any special rules for committee meetings made by the board, apply to the meetings of a committee.

14.-(1) Members of boards shall attend the meetings of the board of which they are members.

(2) No member shall absent himself from four consecutive meetings of a board duly called for the transaction of business without leave previously sought and obtained from the chairman.

(3) Where the chairman grants leave of absence to a member he shall immediately report the grant thereof to the Minister.

(4) If any member is absent without leave for four consecutive meetings of the board duly called for the transaction of business and is at the date of the last of such meeting-

- (a) absent from Belize, he shall cease to be a member of the board and his seat on the board shall thereupon become vacant;
- (b) in Belize, the chairman shall without delay report the matter to the Minister and the Minister may, after such inquiry as may seem necessary to him, declare that the member has ceased to be a member of the board and the seat on the board of such member shall thereupon become vacant.

Provided that, unless by reason of absence from Belize of the member, or otherwise, it is not practicable to do so, the Minister shall, before declaring that the member shall cease to be a member of the board, call upon him to show cause in writing why his seat on the board should not be declared vacant and shall afford him an opportunity of making his defence in person before the Minister.

Meetings and Proceedings of Boards

15.-(1) A board shall meet once at least in each quarter and at such other times as may be fixed by its rules or when convened by the chairman. Meetings.

(2) If a chairman refuses to call a meeting after a requisition for that purpose signed by three members of a board has been presented to him, any three members may forthwith on that refusal call a meeting.

(3) If a chairman, without so refusing, does not within seven days after such request convene a meeting, any three members of the board may, on expiration of those seven days, convene a meeting.

16.-(1) Any three members of a board shall form a quorum for the transaction of business. Quorum.

(2) All acts of a board and all questions before a board may be done and decided by a majority of its members present and voting at a meeting, the whole number present at the meeting whether voting or not being not less than a quorum.

(3) A member of a board or committee shall not vote upon or take part in the discussion of any matter before the board or committee in which he has, directly or indirectly by himself or his partner, any pecuniary interest.

17. No act or proceedings of a board or of any committee shall be invalidated in consequence of there being any vacancy in the number of the board at the time of such act or proceeding, or of the subsequent discovery that there was some defect in the election of any person or that he was incapable of being a member. No act to be questioned on account of vacancy.

18.-(1) A minute of the proceedings of a board, or of a committee thereof, signed at the same or next ensuing meeting by the chairman, or by a member of the committee describing himself as or appearing to be chairman thereof, shall be received in evidence, without further proof, in all courts and for all other purposes whatever. Admission of minutes of proceedings.

(2) Until the contrary is proved, every meeting of a board or of a committee thereof in respect of the proceedings whereof a minute has been so made shall be considered to have been duly convened and held, and all

members present at the meeting shall be considered to have been duly qualified.

(3) Where the proceedings are proceedings of a committee, the committee shall be considered to have been duly constituted and to have had power to deal with the matter referred to in the minute until the contrary is proved.

Term of office
of Board.
14 of 1962.
23 of 1987.

19.-(1) Every new board shall hold office until the last day of February next ensuing after the day on which that board has been two years in office:

Provided that-

40 of 1963.

(a) the retiring members of a board shall continue to act as such board until the first meeting of the new board takes place, which first meeting shall be held as soon as possible after the expiration of the term of office of the previous board;

(b) the Minister may by order at any time dissolve a board and cause a new board to be constituted and, pending the constitution of the new board, the powers and duties of the board shall be exercised and performed by such persons as the Minister may direct.

(2) Both elected and nominated members shall be eligible for new election or nomination.

By-elections.
13 of 1972.

20. If during the term of office of the board, a member's seat becomes vacant, the vacancy shall be filled within sixty days:

Provided that a vacancy shall not be filled if it occurs within a period of one hundred and eighty days before the time when the seat which is vacated would ordinarily have been vacated.

Rules and
regulations.

21.-(1) The Minister may, from time to time as occasion requires, make rules and regulations to facilitate the operation of this Act.

(2) Such rules and regulations shall be published in the *Gazette*, and when so published shall be binding upon every board.

Powers and Duties of Boards

22.-(1) A board may by resolution appoint, remove and re-appoint fit officers and servants as it thinks necessary, and may pay such persons such salaries and allowances out of the Town Funds as it thinks fit.

Board may
appoint
officers and
servants.

(2) All appointments, removals, and remunerations shall be subject to the approval of the Minister.

40 of 1963.

23. Every board shall be entrusted with the general rule and good government of its town and shall have power, subject to this Act and any orders, rules, regulations or by-laws, to do all things necessary to carry this Act into operation and particularly to do or cause to be done all or any of the matters following-

By-elections.

(a) to establish, regulate, control, maintain and manage markets, slaughter-houses, bath-houses and wash-houses;

(b) to light the town or populous areas within the towns;

(c) to impose rents and fees upon persons using or benefited by such markets, slaughter-houses and wash-houses;

(d) to provide for the naming, numbering and lighting of places and streets in the town;

(e) to perform any duties which may lawfully be performed by any public officer and which the Minister may from time to time declare by notice in the *Gazette* to be transferred to the board;

40 of 1963.

(f) to impose such restrictions upon owners of land in towns as may be necessary to prevent any building upon such land from being or becoming a source of danger to surrounding property, whether from fire or from its insecure construction or dilapidated condition; and

(g) generally to perform all duties and functions and to do such acts as may be necessary for the improvement, development and conservancy of the town.

Board may
cause land
adjoining
street to be
fenced, etc.

24. Where any land adjoining any street within the jurisdiction of any board is allowed to remain unfenced, or the fences of any such land are allowed to be or remain out of repair, and the land is, owing to the absence or inadequate repair of the fence, a source of danger to passengers, or is used for any immoral or indecent purposes, or for any purpose causing inconvenience or annoyance to the public, that board may, at any time after the expiration of fourteen days from the service upon the owner or occupier of notice in writing requiring the land to be fenced or any fence on the land to be repaired, cause the land to be fenced or the fences to be repaired in a manner as it thinks fit, and the reasonable expenses thereby incurred shall be recoverable from the owner or occupier summarily as a civil debt.

Power to make
by-laws.

25.-(1) A board may from time to time make by-laws for the rule and good government of its town generally and in particular in respect of all or any of the following matters-

- (a) for lighting of places and streets of any town;
- (b) for the naming and numbering of houses, lots, places and streets in any town;
- (c) for regulating the passing of livestock through the streets of such town and specifying the streets through which the livestock shall be allowed to pass, the time of such passing and the method of leading or driving the livestock;
- (d) for the establishment of and the control and use of public lavatories and latrines;
- (e) for regulating the construction and materials of fire-places and furnaces in buildings of every description in the town and for the prevention of fires;
- (f) for regulating the construction of chimneys to carry away the smoke from fire-places and furnaces of any kind and for insuring protection from sparks therefrom and for the prevention of nuisances from smoke in the town;

- (g) for regulating the construction of buildings including temporary structures in the town;
- (h) for the establishment, regulation, control, maintenance and management of markets, slaughter-houses, bath-houses and wash-houses;
- (i) for regulating the rent and fees payable by persons using or benefited by such markets, slaughter-houses, meat or other stalls therein, bath-houses and wash houses;
- (j) for prohibiting, except in the case of wild animals which may be shot in the bush, the killing or slaughtering of any animal the flesh of which is intended for human food in any place within, or within one mile beyond the limits of, any town, other than in the slaughter-house;
- (k) for prohibiting the exposing or exhibiting for sale of the flesh of any animal, other than a wild animal shot in the bush, in any place within, or within one mile beyond the limits of, any town other than in the market or such place or places as the board may appoint;
- (l) for the regulation of parks, gardens and public recreation grounds in the town;
- (m) for the licensing of horses, mules, carts, drays and handcarts (except such as are kept by the Governor-General or the Government), kept or used in a town, and the imposition of fees in respect thereof;
- (n) for preventing animals from being landed or imported except at a place or places as may from time to time be prescribed and for the provision of public pens for animals and for the imposition of fees and regulations in respect of the user thereof;
- (o) for the licensing of drivers of vans, carts and drays and the imposition of fees in respect thereof; and

- (p) generally for all matters connected with the rule and good government of the town and the proper carrying out of this Act.

40 of 1963.

S.I. 44 of 1966.

- (2) A board may in any by-law made under paragraph (m) of subsection (1) provide for the exemption from any requirement in respect of licensing and from the payment of the whole or any part of any fee payable therefor by the owner of any horse, mule, cart, dray or handcart which is certified by the Permanent Secretary to be used wholly or partially for the public service.

40 of 1963.

- (3) All by-laws made by a board under the authority of this Act shall be subject to the approval of the Minister who may alter and amend them when submitted to him, and shall come into force on publication in the *Gazette* after his approval and shall have the same force and effect as if they were enacted by this Act.

- (4) All fees prescribed by the by-laws to be paid for any licences shall be subject also to the approval of the National Assembly.

- (5) A board may by by-laws impose upon offenders against the by-laws reasonable penalties as it thinks fit not exceeding one hundred dollars, and in the case of a continuing offence a further penalty not exceeding ten dollars for each day after giving written notice of the offence.

- (6) Any by-law may contain the power to arrest any person for its breach and also to seize and forfeit any article in relation to which a breach of any by-law has been committed.

Standing Orders.

- 26.-(1) Subject to this Act a town board may from time to time make, amend and revoke Standing Orders for the regulation and orderly conduct of its own proceedings and the despatch of business.

40 of 1963.

- (2) All Orders shall be subject to the approval of the Minister who may alter and amend them when submitted to him and shall come into force on publication in the *Gazette* after such approval and shall have the same force and effect as if they were enacted by this Act.

Legal Proceedings and Procedure

27. All legal proceedings by or against any board shall be in the name of the board, but any complaint or information in respect of any offence against this Act or any by-law may be laid and prosecuted by any member of the Police Force, and all notices, writs, letters and other communications shall be given, issued, sent or made by the authority of the chairman thereof.

Proceedings
by or against
boards.

28. All offences against any rule, regulation or by-law shall be prosecuted under the Summary Jurisdiction Acts and any magistrate may, where an offence has been duly proved against any person upon application by or on behalf of any board and in lieu of imposing a penalty, make an order compelling that person to do or abstain from doing any act or thing, the doing of which or failure to perform which constitutes such offence.

Offences
against rules
published
summarily.
Cap. 99
Cap. 100

29. Any complaint or information in pursuance of this Act, unless otherwise specially provided, shall be made or laid within six months from the time when the matter of the complaint or information arose and not afterwards.

Complaints to
be laid within
six months.

30. Proceedings for the recovery of a penalty under this Act shall not, unless expressly provided, be had or taken by any person other than by a party aggrieved or by a board without the consent in writing of the Director of Public Prosecutions.

Penalties not
recoverable
except with
consent of
Director of
Public
Prosecutions.
1 of 1969.

31. Any board may appear before a magistrate by any officer or member authorised generally or in respect of any special proceeding so to appear.

How board
may appear
before
magistrate.

32.-(1) Unless otherwise directed, any document requiring to be signed by a board shall be signed by the chairman of that board.

Documents
requiring to be
signed by
board to be
signed by the
chairman.

(2) It shall not be necessary in any legal proceeding to prove any signature purporting to be the signature of the chairman or of a member of a board or that a person so signing was the chairman or member thereof, but the burden of proof shall be on the person disputing it.

Documents
purporting to
be signed by
chairman to be
admitted in
evidence.

33. In any proceeding under this Act or under any rule, regulation or by-law made pursuant thereto, any notice or order, purporting to be signed by the chairman of any board or by any person authorised and acting under this Act or under any rule, regulation or by-law as aforesaid, shall on production be admitted in evidence and shall be presumed to have been duly signed by the chairman or by the person and in the character by whom and in which it purports to be signed, until the contrary is shown.

Board
protected by
Act.

Cap. 24

34. Every board shall be entitled to the same protection under the Public Authorities Protection Act as if it were included in the definition of "public authority" given in section 2 of that Act and the place at which the board shall hold its meetings shall be deemed to be the "abode" of the board within the meaning of the Act.

Land, how
acquired.

Cap. 150

35. Where any land is required for public purposes by any board, such land shall for all purposes be taken to be land required by the Minister for public purposes and may be acquired in the manner prescribed by the Land Acquisition (Public Purposes) Act.

Members of a
board not
liable
personally.

36. No matter or thing done and no contract entered into by any board and no matter or thing done by any member, officer or servant of any board shall, if the matter or thing were done or the contract were entered into *bona fide* for the purpose of executing this Act, subject them or any of them personally to any action, liability, claim or demand, whatever, and any expense incurred by any board, member, officer or servant shall be borne and repaid out of the funds at the disposal of the board.

Signature of
chairman
sufficient
authentication.

37. Notices, orders and documents under this Act may be in writing or print, or partly in writing or partly in print, and if they require authentication by the board, the signature thereof by the chairman shall be sufficient authentication.

Notices, etc.,
how served.

38. Notices, orders and other documents required or authorised to be served by a board under this Act or any rule, regulation or by-law may be served by delivering them to or at the residence of the person to whom they are respectively addressed or where addressed to the owner or occupier of premises by delivering them, or a true copy thereof, to some person on the premises, or if there is no person on the premises who can be so served, by fixing them on some conspicuous part of the premises.

39. All expenses incurred or payable by a board on the execution of this Act shall be paid out of the Town Fund and all disbursement by such board shall be made in accordance with the Financial Regulations for the time being in force and such directions as may be issued by the Minister.

Expenses, how met.

S.I. 17 of 1964.

40.-(1) All moneys in the hands of any board shall be kept by the appropriate officer under section 12 of the District Officers (Abolition of Office) Miscellaneous Amendments Act 1982.

Custody of money and keeping of accounts.

S.I. 17 of 1964.

14 of 1982.

(2) The accounts of a board shall be kept by the clerk of that board in accordance with such directions as may be issued by the Minister.

41. There shall be placed to the credit of or paid into a fund to be called the "Town Fund"-

The Town Fund.

- (a) all moneys voted from time to time by the National Assembly in aid thereof;
- (b) all moneys payable in any manner whatever to such board, whether under or pursuant to this Act or otherwise;
- (c) all fines and penalties paid in respect of non-compliance with this Act or the rules, regulations and by-laws.

42.-(1) Whenever the general interest and welfare or development of any town will in the opinion of two-thirds of the members of the board be advanced by an expenditure greater than can be met out of the annual revenue of the Town Fund, the Board may, by resolution carried by two-thirds of its members, recommend, on the guarantee of an annual allocation of such amount of the Town Fund as may be equivalent to the annual interest and sinking fund necessary for its redemption, the raising of a loan, the proceeds of which shall be devoted to the advancement of the general interest and welfare or development of the town.

Loans when and how raised.

(2) The Minister may borrow such sum of money as may be authorised under the Local Public Loans Act, and thereafter the sum necessary to meet the annual interest and sinking fund for the redemption of the loan shall be a first charge upon all moneys which may then or may thereafter form part of the Town Fund described in section 41.

Cap. 62

Penalty for
obstructing
members and
officers of
board.

43. Any person who obstructs, impedes, insults or molests, or attempts to obstruct, impede, insult or molest, any member of a board, or the secretary, tax collector, clerk or other officer of a board lawfully authorized as such by this Act in the discharge of his duties or in his official capacity or in the exercise of his powers either under this or any other Act is guilty of an offence and liable on summary conviction to a fine not exceeding two hundred and fifty dollars.

Mullins River

Vesting of
Mullins River
property.

4 of 1943.

44. All the real and personal property of whatever nature and kind, including all things in action, all interests in real and personal property and all estates, interests, easements and rights, whether legal or equitable, in, to or out of any real or personal property which belonged to the Town Board of Mullins River since abolished or held and enjoyed with that Town Board shall from and after the 1st September 1943 vest in the Governor-General and his successors in trust for the public service.

Vesting of the
property of the
Monkey River
Town Board.

7 of 1931.

45. All the real and personal property of what nature and kind so ever including all things in action, all interests in real and personal property and all estates, interests and easements and rights, whether legal or equitable in, to, or out of any real or personal property which belong to the Town Board of Monkey River on the thirtieth day of November 1981 shall as from the first day of December 1981 vest in the Crown.

SCHEDULE

[Section 3]

Towns and their Limits

LIMITS OF TOWNS

| | <i>Towns</i> | <i>Limits of Towns</i> |
|------------------|----------------------------|--|
| 4 of 1964. | Benque Viejo Del Carmen | As defined in the Order of the Minister dated 20th day of October, 1981 (S.I. 87 of 1981). |
| 4 of 1964. | Corozal Town | As defined in the Order of the Minister dated 29th May, 1972 and published in the <i>Gazette</i> of 3rd June, 1972 (S.I. 25 of 1972). |
| 17 of 1975. | Dangriga | As defined in the Order of the Minister dated 9th day of May, 1983 and published in the <i>Gazette</i> of 14th May, 1983 (S.I. 36 of 1983). |
| 4 of 1964. | Orange Walk Town | As defined in the Order of the Minister dated 20th October, 1977 and published in the <i>Gazette</i> of 29th May 1977 (S.I. 70 of 1977). |
| | Punta Gorda | As defined in the Order of the Minister dated 4th December, 1989 and published in the <i>Gazette</i> of 9th December, 1989 (S.I. 129 of 1989). |
| 4 of 1964. | San Ignacio | As defined in the Order of the Minister dated 20th day of October, 1981 and published in the <i>Gazette</i> of 24th October, 1981 (S.I. 86 of 1981). |
| S.I. 92 of 1984. | San Pedro | As defined in the Order of the Minister dated 8th October 1989, and published in the <i>Gazette</i> of 14th October, 1989 (S.I. 111 of 1989). |



No. 4 of 1978

I assent,

P. D. McENTEE,

Governor.

5th May, 1978

AN ORDINANCE to amend the Local Government (District Boards) Ordinance.

(Gazetted 6th May, 1978).

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the House of Representatives and the Senate of Belize, and by the authority of the same as follows:—

1. This Ordinance may be cited as the

Short Title

LOCAL GOVERNMENT (DISTRICT BOARDS)

(AMENDMENT) ORDINANCE 1978.

Ch. 136

and shall be read and construed as one with the Local Government (District Boards) Ordinance, which Ordinance, as amended is hereinafter referred to as the principal Ordinance, and shall come into force on such date as the Minister may by Order published in the Gazette appoint.

Section 10 repealed and replaced.

2. Section 10 of the principal Ordinance is hereby repealed and replaced by the following new section:—

“Per- 10.—(1) Every person who—

sons entitled to vote.

(a) is registered as an elector under the Representation of the People Ordinance and was so registered at least two months before the expiry of the term of office of the Board; and

(b) subject to subsection (3) of this section, is in possession of an identification card issued to him under that Ordinance; and

(c) resides in the town for which the election is held,

shall be entitled to be registered as an elector, and when so registered to vote, at the election of a member of the Board.

(2) Every person who, not being a British subject by birth, registration or naturalisation and being legally resident in Belize, has actually resided in the town for which the election is held for a period, or periods in all, not less than three years, shall be entitled to be registered as an elector and when registered to vote, at the election of a member of the Board if he—

(a) has attained the age of eighteen years;

(b) is under no legal incapacity;

(c) is not an undischarged bankrupt; and

(d) is, subject to subsection (3) of this section, in possession of an identification card issued to him under the provisions of this Ordinance.

(3) Notwithstanding the provisions of subsections (1) and (2) of this section a person, who has been registered under the Representation of the People Ordinance or under this Ordinance but who is unable to produce his identification card, may be permitted to vote upon proving to the satisfaction of the Presiding Officer that although he has been registered he has not been issued with an identification card or that the identification card issued to him has been lost or destroyed:

Providing that the Presiding Officer shall state to the candidates or agents then present in the polling station, and also make a record of his reasons for so doing and shall maintain a list of the names and registration numbers of the

Ordinance
No. 2 of
1978.

electors voting without producing their identification cards, showing the numbers of the ballot papers issued to each of them."

3. Section 12 of the principal Ordinance is hereby repealed and replaced by the following new section:—

Section 12.
Repealed and
Replaced.

"Regulations. 12.—(1) The Minister may make regulations—

- (a) to provide for the registration of electors;
- (b) to provide for the holding of elections and by-elections of members of a Board;
- (c) to provide for the conduct of elections and by-elections of members of a Board;
- (d) to prohibit any act or matters which in his opinion is not conducive to the maintenance of order on polling day;
- (e) to declare any act committed in the course of any campaign for election or elections an election offence;
- (f) to declare the grounds upon which an election may be challenged and the persons who may challenge an election;
- (g) to declare the grounds upon which an election may be avoided and the procedure for challenging an election;
- (h) to provide for the trial of election petitions and matters connected therewith including the deposit of security and the award of costs;
- (i) to prescribe the form of the ballot papers and sample ballot papers;
- (j) to provide for the custody and disposal of ballot papers;
- (k) to provide for penalties for the breach of any regulation;
- (l) and to prescribe for all such other matters as may be necessary for the carrying out of the provisions of this Ordinance.

(2) Contravention of any such regulations may be declared by the Minister to be illegal practices and provisions may be made in the said regulations for the punishment, on summary conviction, of persons committing or taking part in the commission of such illegal practices by—

- (a) fine, not exceeding two thousand dollars; and

- (b) disqualification from voting at any election under this Ordinance and the Representation of the People Ordinance, and from being elected or appointed as a member of any City Council or Town Board or of the National Assembly for a period of three years from the date of his conviction.

(3) The regulations made pursuant to this section shall be laid before the National Assembly as soon as may be after the making thereof and if the Assembly by resolution request that the regulations laid before it or any of them be rescinded, the Minister shall rescind the same, but without prejudice to the validity of anything done thereunder."

BELIZE:

STATUTORY INSTRUMENT

No. 86 of 1981

ORDER made by the Minister of Local Government and Social Security after consultation with the San Ignacio Town Board, under Section 3 of the Local Government (District Boards) Ordinance, Chapter 136 of the Laws.

(Gazetted 24th October, 1981)

- | | |
|---|---|
| 1. This order may be cited as the Local Government (District Boards) San Ignacio (Alteration of Boundaries) Order, 1981. | Short Title. |
| 2. The boundaries of the Town of San Ignacio shall be as set out in the schedule hereto. | Boundaries. |
| 3. The order dated 7th day of July, 1978 and published in the <i>Gazette</i> of the 15th July, 1978 is hereby rescinded and the item in the Schedule to the Local Government (District Boards) Ordinance relating to the town of San Ignacio is hereby amended by substituting a reference to this Order for the reference to the Order dated 7th July, 1978. | Cancellation. of S.I. No. 47 of 1978. |

MADE by the Minister of Local Government and Social Security this 20th day of October, 1981.

E. E. BRICENO,
*Minister of Local Government and
Social Security*

SCHEDULE

Description of the Revised Boundaries of the Town of San Ignacio.

ALL AND SINGULAR those certain parcels or tracts of land and premises situate, lying and being in the Cayo District and being the new Boundary of the Town of San Ignacio and Santa Elena, which supercedes the previous boundary ref. S.I. No. 47/1978 and containing 1600 acres approximately as shown on a sketch plan of the Lands and Survey Department, Belmopan, and being more particularly described as follows:—

Commencing at a found concrete pillar which is near the South-West corner of Red Creek bridge, whose geographical coordinate are:— Longitude 89 degrees 03 minutes 05 seconds West, Latitude 17 degrees 10 minutes 14 seconds North, thence on a true bearing of S 55 degrees 16 minutes 40 seconds East for a distance of 355.00 feet to a concrete pillar, thence on a true bearing of South 15 degrees 30 Minutes zero seconds West approximately for a distance of 4290 feet approximately to a point on the Western Bank of the Eastern Branch of the Belize River, thence in a southerly direction along the West bank of the said river for a distance of 2700 feet approximately to a point, thence West for a distance of 6560 feet approximately to a concrete pillar, thence North for a distance of 1580 feet approximately to a point, thence East for a distance of 1390 feet approximately to a point thence on a true bearing of North 01 degrees 00 minutes 20 seconds West for a distance of 4150 feet approximately to a concrete pillar. thence on a true bearing of North 76 degrees

40 minutes 20 seconds East for a distance of 6092.90 feet to a concrete pillar, thence on a bearing of North 05 degrees 00 minutes 00 seconds West for a distance of 3750 feet approximately to a point on the North Bank of the Eastern Branch of the Belize River, thence in an easterly direction along the North bank of the said river for a distance of 3050 feet approximately to a point, thence on a true bearing of North 60 degrees 00 minutes 00 seconds East approximately for a distance of 1290 feet approximately to a point, thence on a bearing of South 82 degrees 00 minutes 00 seconds East approximately for a distance of 5320 feet approximately back to the point of commencement.

BELIZE:

STATUTORY INSTRUMENT

No. 36 of 1983

ORDER made by the Minister of Local Government and Social Security after consultation with the Dangriga Town Board, under section 3 of the Local Government (District Boards) Ordinance, Chapter 136 of the Laws.

(Gazetted 14th May, 1983)

1. This Order may be cited as the

LOCAL GOVERNMENT (DISTRICT BOARDS) DANGRIGA (ALTERATION OF BOUNDARIES) ORDER, 1983

2. The Boundaries of the Town of Dangriga shall be as set out in the Schedule hereto.

3. The Order of the Minister of Local Government dated 28th day of April 1972 (S. I. No. 16 of 1972) as amended by Order dated 20th day of March, 1973 (S. I. No. 24 of 1973) is hereby rescinded and the item in the Schedule to the Local Government (District Boards) Ordinance relating to the town of Dangriga is hereby amended by substituting a reference to this Order for the reference to the Order dated 20th day of April 1972 as amended by Order dated 20th day of March, 1973.

MADE by the Minister of Local Government and Social Security this 9th day of May, 1983.

E. E. BRICENO
*Minister of Local Government
and Social Security*

SCHEDULE

Description of the Revised Boundaries of the Town of Dangriga.

ALL AND SINGULAR those certain parcels or tracts of land and premises situate lying and being in the Stann Creek District and being the New Boundary of the Town of Dangriga, which supercedes the previous boundary reference S. I. 16 of 1972 as amended by S. I. 24 of 1973 as shown on a sketch plan at the Lands and Surveys Department, Belmopan and being more particularly described as follows:—

Commencing at a wooden post which is the North West corner of Parcel No. 214A (Grant No. 36/1954) thence East for a distance of 1492.86 feet more or less to a point on the Western boundary of Parcel No. 693 (Grant No. 5/1952), thence South for a distance of 393 feet more or less to a concrete pillar, thence East for a distance of 492 feet more or less to a concrete pillar, thence South for a distance of 200 feet more or less to a wooden post, thence East for a distance of 1300 feet more or less to a point on the coast, thence in a South Easterly direction along the sea coast for a distance of 6360 feet more or less to where the North Stann Creek River enters the sea, thence in a Southerly direction along the sea coast for a distance of 5200 feet more or less to a concrete pillar, being the South Eastern corner of Grant No. 15/1926 now or formerly the property of James Lecruit, thence West for a distance of 1960 feet more or less to a point, thence North for a distance of 1640 feet more or less to a point, thence West for a distance of 3125 feet more or less to a point thence North for a distance of 9400 feet more or less back to the point of commencement.

BELIZE:

STATUTORY INSTRUMENT

No. 111 of 1989

ORDER made by the Minister of Local Government in exercise of the powers conferred upon him by Section 3 of the Local Government (District Boards) Act, Chapter 67 of the Laws of Belize, 1980 and all other powers thereunto him enabling, and after consultation with the San Pedro Town Board.

(Gazetted 14th October, 1989.)

1. This Order may be cited as the

Short title.

LOCAL GOVERNMENT (DISTRICT BOARDS)(SAN PEDRO)
(AMENDMENT) ORDER, 1989.

and shall be read and construed as one with the Local Government (District Boards)(San Pedro) Order, 1984 which, as amended, is hereinafter referred to as the principal Order.

S. I. 92/84
S. I. 45/86

2. The Schedule to the principal Order is hereby repealed and replaced by the Schedule to this Order.

Repeal and
Replacement
of Schedule.

3. This Order shall come into force on the 10th day of October, 1989.

Commencement.

MADE by the Minister of Local Government this
8th day of October, 1989.

(SAMUEL WAIGHT)
Minister of Local Government

DESCRIPTION OF SAN PEDRO TOWN BOUNDARY

ALL THAT piece or parcel of land situate in the Belize District and being part of the island known as Ambergris Caye, and bounded as follows:- on the north by the Northern Boundary of the Basil Jones estate and part of the said Ambergris Caye, on the south by the Caribbean Sea, on the east by the Caribbean Sea and on the west by the Caribbean Sea and part of the said Ambergris Caye, containing approximately 15.6 square miles as shown on sheet number 7 D.O.S. 4499p series E755, edition 4-D.O.S., Crown Copyright 1980, published by the Directorate of Overseas Surveys of the United Kingdom and lodged in the office of the Commissioner of Lands and Surveys in Belmopan as Ambergris Caye number 29.

Commencing at a point on the eastern shore of the Caribbean sea, the said point being the intersection of the northern boundary of the previously mentioned Basil Jones estate with the said Caribbean Sea; Thence on a true bearing of north $62^{\circ} 35' 44''$ West along the said boundary to a point distant 1/2 mile measured westerly and perpendicularly from the eastern shores of the said Ambergris Caye; Thence southerly along a line drawn parallel to the said eastern shores to a point having approximate grid coordinates of 402,100m Eastings and 1,989,500m Northings; Thence southwesterly along a straight line to a point having approximate grid coordinates of 399,000m Eastings and 1,986,150 Northings; Thence southerly along the east coast of Laguna De San Pedro to a point having approximate grid coordinates of 398,400m Easting and 1,985,000m Northings; Thence on a grid bearing of $270^{\circ} 00' 00''$ west to a point on the west coast of the said Ambergris Caye having approximate coordinates of 395,850m Eastings and 1,985,000m Northings; Thence southerly along the west coast of the said Ambergris Caye (including Caye Romero) to the southern end of the said island; Thence easterly along the southern coast and northerly along the eastern coast back to the point of commencement.

Local Government (District Boards)

BELIZE:

STATUTORY INSTRUMENT

No. 129 of 1989

ORDER made by the Minister of Local Government in exercise of the powers conferred upon him by Section 3 of the Local Government (District Boards) Act, Chapter 67 of the Laws of Belize, 1980, and all other powers thereunto him enabling, and after consultation with the Punta Gorda Town Board.

(Gazetted 9th December, 1989.)

1. This Order may be cited as the

Short Title.

LOCAL GOVERNMENT (DISTRICT BOARDS)
(PUNTA GORDA) (ALTERATION OF BOUNDARIES)
ORDER, 1989.

2. The boundaries of Punta Gorda Town shall be as set out in the Schedule hereto.

Boundaries.

3. The Order dated 26th day of February, 1963 and published in the Gazette on the 8th day of March, 1963 is hereby revoked and the item in the Schedule to the Local Government (District Boards) Act relating to the town of Punta Gorda is hereby amended by substituting a reference to this Order for the reference to the Order dated 26th February, 1963.

Revocation of
S.I. 10 of
1963.

MADE by the Minister of Local Government this 4th day of December, 1989.

(SAMUEL WAIGHT)
Minister of Local Government

SCHEDULE

BOUNDARIES OF PUNTA GORDA TOWN

Commencing at concrete marker which marks the North Eastern Corner of Block No. 79 of William Usher. Then in a westerly direction to a concrete marker which marks the south Eastern Corner of block No. 45 then in a Northerly direction to a concrete marker which marks the North East Corner of Block 45. Then in a Easterly direction to a concrete marker which marks the South Eastern Corner of Block No. 44 for Martin Enriquez. Then in a Northerly direction to a concrete which marks the South Western Corner of Block (25) Town extention.

Then in a easterly direction to concrete marker which marks the South Western Section of Block 24. Then in a northerly direction to a concrete marker which marks the South Western Corner of Block No. 12. Then in a Easterly direction to a concrete marker which marks the North Eastern Corner of Block No. 12. Then in a Northerly direction along property line of Toledo Community College to a concrete marker. Then in an Easterly direction to a concrete marker marking the North Eastern Corner leased to Lloyd Williams. Then along the sea coast in Southerly direction to point of commencement to contain 481 acres or there about.

Local Government (District Boards)

BELIZE:

STATUTORY INSTRUMENT

No. 23 of 1991

REGULATIONS made by the Minister of Local Government in exercise of the powers conferred upon him by section 11 of the Local Government (District Boards) Act, Chapter 67 of the Laws of Belize 1980, and all other powers thereunto him enabling.

(Gazetted 9th February, 1991.)

1. These Regulations may be cited as the

Short Title.

**LOCAL GOVERNMENT (DISTRICT BOARDS)
(REGISTRATION OF ELECTORS AND
ELECTIONS) (AMENDMENT)**

REGULATIONS, 1991

and shall be read and construed as one with the Local Government (District Boards) (Registration of Electors and Elections) Regulations, 1978, which Regulations, as amended, are hereinafter referred to as the principal Regulations.

**S.I. 37/78
76/78
77/78
69/81
91/84
10/85
17/85**

2. Regulation 3 of the principal Regulations is hereby repealed and replaced by the following:—

**Repeal and replacement of
Reg. 3.**

Amendment of
Reg. 5.

"3. Every registering officer shall on or before the 18th day of February in each year cause to be published copies of a register in alphabetical order or in order of streets or polling areas or such combination of those as he may think fit; substantially in Form 1, of the names of all the persons, registered up to the 15th day of February of that year under the Representation of the People Act, who qualify to vote at the election of a member of the Board in his division".

3. Regulation 5 of the principal Regulations is hereby amended by repealing sub-regulations (2) and (3) thereof and replacing them by the following:—

"(2) Every person so objecting shall, on or before the 25th day of February give or cause to be given to the registering officer and to the person objected to, a notice of such objection in Form 10A and 10B respectively. Every person claiming to have his name included in the register shall deliver his application to the registering officer before the 25th day of February.

(3) Immediately after the 25th day of February, the registering officer shall prepare a list of all such applications and objections and the names of the persons who have made the same, and shall cause a copy of such list to be published before the 28th day of February next following. These list shall be examined by the revising court as hereinafter provided".

Amendment of
Reg. 23.

4. Regulation 23 of the principal Regulations is hereby amended by repealing sub-regulation (1) thereof and replacing it by the following:—

"(1) Immediately after the 1st day of March in each year an open court shall be held in each district town for the purpose of revising the register of electors published under regulation 3".

5. Regulation 24 of the principal Regulations is hereby amended by repealing sub-regulation (1) thereof and replacing it by the following:—

Amendment of
Reg. 24.

"(1) The Court shall have power to adjourn to such time and as often as may be necessary; provided that it must conclude its work no later than the 5th day of March.

6. These regulations shall come into force upon signature.

Date when effective.

MADE by the Minister of Local Government this 7th day of February, 1991.

(VALDEMAR I. CASTILLO)(HON.)

Minister of Local Government

BELIZE:

STATUTORY INSTRUMENT

INSTRUMENT No. 30 of 1991
BOARD OF DISTRICTS OF BELIZE
1991, 28th FEB

ORDER made by the Minister responsible for Local Government in exercise of the powers conferred upon him by section 5 of the Local Government (District Boards) Act, Chapter 67 of the Laws of Belize 1980 and all other powers thereunto him enabling.

(Gazetted 2nd March, 1991.)

WHEREAS section 19 (1) of the Local Government (District Boards) Act, Chapter 67 of the Laws of Belize, 1980, as amended by Act No. 23 of 1987 provides that every new Board shall hold office until the last day of February next ensuing after the day on which that Board has been two years in office;

AND WHEREAS, it further provides that the retiring members of a Board shall continue to act as such Board until the first meeting of the new Board takes place, which first meeting shall be held as soon as possible after the expiration of the term of office of the previous Board ;

AND WHEREAS, the term of office of the present District Boards of the Towns of Corozal, Orange Walk, San Pedro (Ambergris Caye), San Ignacio and Santa Elena, Benque Viejo del Carmen, Dangriga and Punta Gorda will expire on the 28th day of February, 1991;

BEFORE

Short Title.

1. This Order may be cited as the

**STATUTORY INSTRUMENT
LOCAL GOVERNMENT (DISTRICT
BOARDS) (DATE OF GENERAL ELECTION)
ORDER, 1991.**

**Date of general
election to Dis-
trict Boards.**

2. In exercise of the powers conferred upon me by section 5 of the Local Government (District Boards) Act, I do hereby fix the 25th day of March, 1991 as the date on which a general election of members for the above-mentioned Boards shall be held.

**Retiring Board
members to con-
tinue.**

Ch. 67.

3. In accordance with proviso (a) to section 19 (1) of the said Local Government (District Boards) Act, the retiring members of a Board shall continue to act as such Board until the first meeting of the new Board takes place.
MADE by the Minister of Local Government this 27th day of February, 1991.

(**VALDEMAR I. CASTILLO**)
*Minister of Labour, Local Government
and Public Services*

Printed by the Government Printery

BELIZE:

STATUTORY INSTRUMENT

No. 40 of 1991

REGULATIONS made by the Minister of Local Government in exercise of the powers conferred upon him by section 11 of the Local Government (District Boards) Act, Chapter 67 of the Laws of Belize 1980, and all other powers thereunto him enabling.

(Gazetted 15th March, 1991.)

1. These Regulations may be cited as the

Short Title.

**LOCAL GOVERNMENT (DISTRICT BOARDS)
(REGISTRATION OF ELECTORS AND ELECTIONS) (AMENDMENT NO. 2)**

REGULATIONS, 1991

and shall be read and construed as one with the Local Government (District Boards) (Registration of Electors and Elections) Regulations, 1978, which Regulations, as amended, are hereinafter referred to as the principal Regulations.

S.L 37/78
76/78
77/78
69/81
91/84
10/85
17/85
23/91

2. Regulation 3 of the principal Regulations is hereby amended by adding the following proviso thereto:

**Amendment of
Reg. 3.**

"Provided that in respect of election of members of the Corozal Town Board due to be held in

March, 1991, the words "8th day of March, 1991" shall be substituted *for* the words "18th day of February" occurring in the above Regulation 3".

Amendment of
Reg. 5.

3. Regulation 5 of the principal Regulations is hereby amended as follows:—

(i) by adding the following proviso to sub-regulation (2) thereof:—

"Provided that in respect of election of members of the Corozal Town Board due to be held in March, 1991, the words "25th day of February" *first* appearing in the said sub-regulation shall be substituted by the words "18th day of March, 1991", and the words "before the 25th day of February" last appearing in the said sub-regulation shall be substituted by the words "on or before the 19th day of March, 1991;"

(ii) by adding the following proviso to sub-regulation (3) thereof:—

"Provided that in respect of election of members of the Corozal Town Board due to be held in March, 1991, the words "25th day of February" appearing above shall be substituted by the words "19th day of March, 1991", and the words "28th day February" appearing above shall be substituted by the words "20th day of March".

Amendment of
Reg. 23.

4. Regulation 23 of the principal Regulations is hereby amended in sub-regulation (1) thereof by adding the following proviso thereto:

"Provided that in respect of election of members of the Corozal Town Board due to be held in March, 1991, the words "1st day of March" appearing above shall be substituted by the words "20th day of March, 1991".

5. Regulation 24 of the principal Regulations is hereby amended in sub-regulation (1) thereof by adding the following proviso thereto:—

Amendment of
Reg. 24.

"Provided that in respect of election of members of the Corozal Town Board due to be held in March, 1991, the words "5th day of March" appearing above shall be substituted by the words "21st day of March, 1991".

6. These Regulations shall come into force upon signature.

Commence-
ment.

MADE by the Minister of Local Government this 15th day of March, 1991.

(VALDEMAR I. CASTILLO)
Minister of Local Government

STATUTORY INSTRUMENT

No. 143 of 1991

AN ORDER made by the Minister of Local Government in exercise of the powers conferred upon him by Section 3 of the Local Government (District Boards) Act, Chapter 67 of the Laws of Belize, 1980, and all other powers thereunto him enabling, and after consultation with the Corozal Town Board.

(Gazetted 9th November, 1991.)

1. This Order may be cited as the

Short Title.

**LOCAL GOVERNMENT (DISTRICT BOARDS)
(COROZAL TOWN) (ALTERATION OF
BOUNDARIES) ORDER, 1991**

2. The Boundaries of Corozal Town shall be as set out in the Schedule hereto.

**Boundaries.
Schedule.**

3. The Order dated 29th day of May, 1972 and published in the *Gazette* on the 3rd day of June, 1972 is hereby revoked and the item in the Schedule to the Local Government (District Boards) Act, relating to the Town of Corozal is hereby amended by substituting a reference to this Order for the reference to the Order dated 29th May, 1972.

**Revocation of
S.I. No. 25 of
1972.**

MADE by the Minister of Local Government this 5th day of October, 1991.

(VALDEMAR I. CASTILLO)
Minister of Local Government

Printed by the Government Printery.

DESCRIPTION OF THE REVISED BOUNDARIES OF THE TOWN
OF COROZAL

Commencing on the sea coast of Corozal District approximately 6,000 feet in a south westerly direction from the junction of South Street and Bye Pass Road, Corozal Town at a concrete pillar on the said sea coast; thence on a bearing of S 81° 07' 55" W for a distance of 958.01 feet to a concrete pillar at the south western corner of Land leased to Albert Vault; thence on a bearing of N 00° 19' 15" E for a distance of 2747.28 feet to a concrete pillar; thence on a bearing N 15° 49' 10" E for a distance of 387.38 feet to a concrete pillar on the alignment of an access road reserve; thence along the alignment of the said access road on a bearing of N 70° 15' 45" W for a distance of 459.13 feet to a concrete pillar; thence on a circular curve of arc length 204.08 feet and radius 203.93 feet to a concrete pillar; thence on a bearing of N 02° 55' 28" W for a distance of 218.70 feet to a concrete pillar; thence on a bearing of N 16° 11' 22" W for a distance of 420.58 feet to a concrete pillar on the alignment of the Northern Highway; thence on a bearing of N 16° 11' 22" W for a distance of 100.79 feet across the said highway to a point; thence on a bearing of N 66° 37' 35" E along the alignment of the Northern Highway for a distance of 475.50 feet to a concrete pillar on the said highway alignment; thence on a circular curve of arc length 179.98 feet and radius 525.00 feet to a concrete pillar; thence on a bearing of N 02° 32' 36" W for a distance of 412.16 feet to a concrete pillar; thence on a bearing of N 40° 05' 05" E for a distance of 1287.61 feet to a concrete pillar; thence on a bearing of N 17° 49' 55" E for a distance of 973.75 feet to a concrete pillar; thence on a bearing of N 82° 35' 45" E for a distance of approximately 400 feet to a point; thence on a bearing of N 23° 39' 25" E for a distance of approximately 105 feet to a concrete pillar; thence on a bearing N 82° 34' 30" W for a distance of 973.67 feet to a concrete pillar; thence on a bearing S 80° 01' 20" W for a distance of 988.94 feet to a concrete pillar; thence on a bearing S 67° 29" W for a distance of 36.56 feet to a concrete pillar; thence on a bearing N 07° 40' 20" E for a distance of 1938.94 feet to a concrete pillar; thence on a bearing N 82° 23' 40" W for a distance of 1916.74 feet to a concrete pillar; thence on a bearing N 08° 12' 50" E for a distance of 847.81 feet to a concrete pillar; thence on a bearing N 77° 30' E for a distance of 109.0 feet to a concrete pillar; thence on a bearing N 28° 34' 30" E for a distance 357.95 feet to a concrete pillar; thence on a bearing S 82° 15' 55" E for a distance of 918.31 feet to a concrete pillar; thence on a bearing S 05° 01' 45" W for a distance of 171.54 feet to a concrete pillar; thence on a bearing S 84° 58' 15" E for a distance of 1597.11 feet to a concrete pillar; thence on a bearing N 05° 01' 45" E for a distance of 478.65 feet to a concrete pillar; thence on a bearing N 57° 32' 25" W for a distance of approximately 390 feet to a point; thence on a bearing of N 40° 27' 15" E for a distance of 1219.47 feet to a concrete pillar; thence on a bearing of N 09° 45' 10" E for a distance of 1966.55 feet to a concrete pillar; thence on a bearing of S 55° 29' 50" for a distance of 1351.95 feet to a point; thence on a bearing of N 04° 33' 20" E for a distance of 477.01 feet to a concrete pillar; thence

on a bearing of N 16° 33' 00" E for a distance of 282.44 feet to a concrete pillar; thence on a bearing of S 76° 17' 00" E for a distance of 2491.85 feet to a concrete pillar; thence on a bearing of N 00° 00' 50" E for a distance of 478.39 feet to a concrete pillar; thence in the direction of east for a distance of 1026.44 feet to a wooden post; thence on a bearing of N 02° 25' 30" W for a distance of 5.95 feet to a wooden post; thence on a bearing of S 89° 59' 15" W for a distance of 452.29 feet to a concrete pillar; thence on a bearing of S 00° 00' 45" W for a distance of 575.65 feet to a concrete pillar; thence on a bearing of S 89° 59' 15" E for a distance of 515.96 feet to a concrete pillar; thence in the direction south for a distance of 2323.06 feet to a point; thence on a bearing of S 47° 27' 30" W for a distance of 229.40 feet to a concrete pillar; thence on a bearing of S 42° 32' 30" E for a distance of 300.16 feet to a concrete pillar; thence on a bearing of S 47° 42' 38" E for a distance of 1681.40 feet to a concrete pillar on the sea coast; thence along the sea coast in a south westerly direction back to the point of commencement; the above being delineated on a plan of surveys numbered 1394 executed by J. E. Hertular Government Surveyor and lodged in the office of the Commissioner of Lands and Surveys, Belmopan.

BELIZE:

STATUTORY INSTRUMENT

No. 79 of 1993

ORDER made by the Minister of Local Government in exercise of the powers conferred upon him by section 3 of the Local Government (District Boards) Act, Chapter 67 of the Laws of Belize, Revised Edition 1980-1990, and all other powers thereunto him enabling, and after consultation with the San Pedro Town Board.

(Gazetted 19th June, 1993.)

1. This Order may be cited as the

Short Title.

**LOCAL GOVERNMENT (DISTRICT BOARDS)
(SAN PEDRO) (AMENDMENT) ORDER, 1993**

and shall be read and construed as one with the Local Government (District Boards) (San Pedro) Order, 1984 which, as amended, is hereinafter referred to as the principal Order.

**S. I. 92/84.
S. I. 45/86.
S. I. 111/89.**

2. The Schedule to the principal Order is hereby repealed and replaced by the Schedule to this Order.

Repeal and Replacement of Schedule.

3. This Order shall come into force on the 21st day of June, 1993.

**Commence-
ment.**

MADE by the Minister of Local Government this 15th day of June, 1993.

**(VALDEMAR CASTILLO)
Minister of Local Government**

DESCRIPTION OF SAN PEDRO TOWN BOUNDARY

All that piece or parcel of land situated in the Belize District and being part of the island known as Ambergris Caye, and being bounded on the North partially by the Northern Boundary of the Basil Jones Estate and by the Sea, on the South by the Sea, on the East by the Barrier Reef and the Caribbean Sea, and on the West partially by the Sea and by other lands comprising Ambergris Caye and containing approximately 27.5 square miles and is more particularly bounded and described as follows:

Commencing at a point on the Eastern shore of the Sea, the said point being the intersection of the Northern boundary of the Basil Jones Estate with the said Sea; thence on a true bearing of North 62 degrees 35 minutes 44 seconds West along the said boundary to a point distant half ($\frac{1}{2}$) mile measured westerly and perpendicularly from the eastern shores of Ambergris Caye; thence in a Southerly direction along a line drawn parallel to the said eastern shores (half mile aback) to a point having approximate grid coordinates of 402.100m. Eastings and 1,989.500m. Northings; thence on a grid bearing of 42 degrees 46 minutes 43 seconds for a distance of 4564.3 metres to a point having approximate grid coordinates of 399,000m. Eastings and 1,986.150m. Northings; thence in a Southerly direction along the east coast of the Laguna de San Pedro and running across the said lagoon to a point having approximate grid coordinates of 398,400m. Eastings and 1,985,000m. Northings; thence on a grid bearing of 270 degrees 00 minutes 00 seconds for an approximate distance of 2550 metres to a point on the west coast of Ambergris Caye having approximate grid coordinates of 395,850m. Eastings and 1,985,000m. Northings; thence in a southerly direction along the west coast of the said Ambergris Caye (including Cayo Romero) to the southern end of the said island and including two (2) cayes which form a portion of the Hol Chan Area Marine Reserve; thence in an easterly direction along the southern coast to a point at the southern tip of the said caye having approximate grid coordinated of 392,000m. Eastings and 1,976.675m. Northings; thence in an easterly direction along a straight line for an approximate distance of 500 metres to a point being on the northern boundary of the Hol Chan Area Marine Reserve and having approximate grid coordinates of 392,500m. Eastings and 1,976.375m. Northings; thence on a grid bearing of 56 degrees 18 minutes 36 seconds for a distance of 721.1 metres to a point having approximate grid coordinates of 393.100m. Eastings and 1,976.775m. Northings; thence on a grid bearing of 98 degrees 41 minutes 58 seconds for a distance of 3449.3

metres to a point having grid coordinates of 396,509.6m. Eastings and 1,976.253.3m. Northings; thence on a grid bearing of 98 degrees 41 minutes 52 seconds for an approximate distance of 500 metres to a point on the intersection of the Northern Boundary of Hol Chan Area Marine Reserve and the Barrier Reef; thence in a North-easterly direction along the meanderings of the Barrier Reef to a point having approximate grid coordinates of 409,250m. Eastings and 2,001.250m. Northings; thence on a true bearing of North 62 degrees 35 minutes 44 seconds West for an approximate distance of 300 metres back to the point of commencement and which said piece or parcel of land is more particularly shown and delineated on Sheet No. 7 (D. O. S. 4499) Series E755, Edition 2-D. O. S. Crown Copyright 1970, published by the Directorate of Overseas Surveys of the United Kingdom.

This plan can be seen at the office of the Commissioner of Lands and Surveys in Belmopan or the office of the San Pedro Town Board, Barrier Reef Drive, San Pedro Town, Ambergris Caye, BELIZE.



No. 1 of 1994

I assent,

(DR. COLVILLE N. YOUNG)

Governor-General

25th February, 1994

AN ACT to amend the Belize City Council Act, Chapter 66, and the Local Government (District Boards) Act, Chapter 67, of the Laws of Belize, Revised Edition 1980 - 1990, to remove certain disqualifications on the election of members of a city council or a town board.

(Gazetted 26th February, 1994.)

BE IT ENACTED, by and with the advice and consent of the House of Representatives and the Senate of Belize and by the authority of the same, as follows:-

1. This Act may be cited as the

Short title.

**LOCAL GOVERNMENT (REMOVAL OF
ELECTORAL DISQUALIFICATIONS)
(AMENDMENT) ACT, 1994**

Amendment of
Chapter 66
Act 7/93.

2. Section 6 of the Belize City Council Act is hereby amended in subsection (1) thereof by repealing paragraph (i) and replacing it by the following:-

"(i) is a public officer other than a teacher or an open vote worker."

Amendment of
Chapter 67
Act 7/93.

3. Section 6 of the Local Government (District Boards) Act is hereby amended in subsection (1) thereof by repealing paragraph (h) and replacing it by the following:-

"(h) is a public officer other than a teacher or an open vote worker."

BELIZE:

STATUTORY INSTRUMENT

No. 126 of 1996

ORDER made by the Minister of Home Affairs and Labour, after consultation with the Benque Viejo del Carmen Town Board, in exercise of the powers conferred upon him by section 3 of the Local Government (District Boards) Act, Chapter 67 of the Laws of Belize, Revised Edition 1980-90, and all other powers thereunto him enabling.

(Gazetted 20th September, 1996.)

1. This Order may be cited as the

Short Title.

**LOCAL GOVERNMENT (DISTRICT BOARDS)
(BENQUE VIEJO DEL CARMEN) (ALTERATION
OF BOUNDARIES) ORDER, 1996.**

2. The boundaries of the Town of Benque Viejo del Carmen shall be as set out in the Schedule hereto.

Boundaries.
Schedule.

3. The Local Government (District Boards) Benque Viejo del Carmen (Alterations of Boundaries) Order, 1981, is hereby repealed.

Repeals
S.I. 87/81.

4. This Order shall come into force on the 16th day of September, 1996.

Commencement.

MADE by the Minister of Home Affairs and Labour this 9th day of September, 1996.

(ELITO URBINA, SR.)

Minister of Home Affairs & Labour

Minister responsible for Local Government

Printed in Belize by the Government Printer

SCHEDULE (Paragraph 2)DESCRIPTION OF THE NEW BENOUE VIEJO TOWN
BOUNDARY

ALL THAT piece or parcel of land lying and being the new Town Boundary of Benque Viejo del Carmen in the Cayo District which supercedes the previous boundary SI 87/81 and bounded on the North by Block Nos. 200, 197, 196, and 195, on the East by Block Nos. 505, 515, 531 and 543, on the South by Block Nos. 524, 546, 547 and 545 and on the West by the Western Branch of the Belize River and containing approximately 517 acres as shown on Plan Nos. 1514, 1011 and Entry No. 1457 lodged at the office of the Commissioner of Lands and Surveys, Belmopan and being more particularly described as follows:-

Commencing at a concrete pillar on the East bank of the Western Branch of the Belize River, pillar being the southwestern corner of block No. 199; thence on a true bearing of North $9^{\circ} 20'$ East for a distance of 392 feet to a point; thence on a true bearing of North $3^{\circ} 26'$ East for a distance of 278.5 feet more or less to a concrete pillar; thence continuing on the said bearing of North $3^{\circ} 26'$ East for a distance of 121.5 feet to a point; thence on a true bearing of North $22^{\circ} 04'$ East for a distance of 134 feet to another point; thence on a true bearing of North $35^{\circ} 36'$ East for a distance of 103.2 feet more or less to a concrete pillar; thence continuing along the said bearing of North $35^{\circ} 36'$ East for a distance of 209.3 feet to a point; thence on a true bearing of North $42^{\circ} 28'$ East for a distance of 302.3 feet more or less to a concrete pillar; thence on a true bearing of North $25^{\circ} 06'$ East for a distance of 627.9 feet to a point; thence on a true bearing of North $40^{\circ} 02'$ East for a distance of 360 feet more or less to a concrete pillar; thence on a true bearing of South $6^{\circ} 15'$ West for a distance of 369.8 feet more or less to a concrete pillar; thence due South for a distance of 922.9 feet more or less to another concrete pillar; thence continuing due South for a distance of 859.7 feet to a point on the Northern Boundary of a 66 feet road reserve; thence due East along the said boundary for a distance of 1079.7 feet to another point; thence continuing East along the said Northern Boundary for a distance of 718.7 feet to another point; thence continuing due East along the said Northern boundary of the 66 feet road reserve for a distance of 642 feet more or less to a post; thence due South across the 66 feet road reserve more or less to

a pile of stones demarcating the Northeastern corner of Block No. 504; thence due South for a distance of 3069 feet more or less to a post demarcating the South eastern corner of Block No. 516 thence due West for a distance of 1377.4 feet more or less to a post at the Northeastern corner of Block No. 530; thence due South along the Eastern Boundary of Block No. 530 for a distance of 1122 feet more or less to a post; thence due West for a distance of 1294.9 feet more or less to a post at the Northeastern corner of Block No. 544; thence due South for a distance of 660 feet more or less to a post at the Southeastern corner of Block No. 544; thence due West for a distance of 967.56 feet more or less to a post at the Southwestern corner of the said Block No. 544; thence in a Northwesterly direction for a distance of 516.12 feet more or less to a post; thence on a true bearing of North $33^{\circ} 33' 07''$ West for an approximate distance of 1122 feet to a pile of stones; thence due West for an approximate distance of 1115 feet to a point at the Northeastern corner of Block No. 524A; thence on a grid bearing of $154^{\circ} 49' 59''$ for a distance of 3.982 metres more or less to another concrete pillar; thence on a grid bearing of $219^{\circ} 01' 24''$ for a distance of 101.725 metres more or less to another concrete pillar; thence on a grid bearing of $232^{\circ} 36' 44''$ for a distance of 11.198 metres more or less to a concrete pillar on the Eastern side of a pedestrian path; thence along this same bearing for a distance of 3.049 metres more or less to another concrete pillar; thence continuing along the same bearing of $232^{\circ} 36' 44''$ for a distance of 176.830 metres more or less to another concrete pillar; thence on a grid bearing of $270^{\circ} 38' 34''$ for a distance of 270.039 metres more or less to another concrete pillar on the East bank of the Western Branch of the Belize River; thence on a grid bearing of $01^{\circ} 38' 34''$ along the said bank of the Belize River for a distance of 63.635 metres more or less to another concrete pillar; thence on a grid bearing of $40^{\circ} 56' 24''$ for a distance of 180.062 metres more or less to another concrete pillar; thence in a north easterly direction along the said East Bank of the Western Branch of the Belize River for an approximate distance of 5210 feet back to the point of commencement.

BELIZE:

STATUTORY INSTRUMENT

No. 97 of 1996

*ORDER made by the Minister of Home Affairs and Labour,
after consultation with the Orange Walk Town Board,
in exercise of the powers conferred upon him by section
3 of the Local Government (District Boards) Act, Chapter
67 of the Laws of Belize, Revised Edition 1980-1990,
and all other powers thereunto him enabling.*

(Gazetted 20th July, 1996.)

1. This Order may be cited as the **Short title.**

**LOCAL GOVERNMENT (DISTRICT BOARDS)
(BOUNDARIES OF ORANGE WALK TOWN)
ORDER, 1996.**

2. The boundaries of the Town of Orange Walk shall be
as set out in the Schedule hereto.

**Boundaries
Schedule.**

3. The Local Government (District Boards) (Bound-
aries of Orange Walk Town) Order, 1977, is hereby repealed.

Repeals

**Sub. Leg.
1991. Edn.
Vol. II
CAP. 67
p. 111.**

MADE by the Minister of Home Affairs and Labour this
8th day of July, 1996.

(ELITO URBINA, SR.)

Minister of Home Affairs & Labour

Printed in Belize by the Government Printer

SCHEDULE (Paragraph 2)**DESCRIPTION OF THE ORANGE WALK TOWN BOUNDARY**

ALL THOSE pieces or parcels of land lying and being the new Town boundary of Orange Walk in the Orange Walk District which supercedes S. I. No 70/77 and bounded on the North by Lands now or formerly for Tiburcio Escalante, on the East by New River, on the South by San Jose Palmar lands and on the West by now or formerly National Lands and containing approximately 2,110 acres as shown on a sketch plan lodged at the Lands and Surveys Department in Belmopan and being more particularly described as follows:-

Commencing at a point on the Western side of the New River; point being the intersection with the Northern limit of the existing Orange Walk Town boundary; thence in a southerly direction along the Western side of the New River for an approximate distance of 2.5 miles to a point, being the intersection with the northern limit of the San Jose Palmar land; thence on a true bearing of South 81° 09' 35" West along the Northern limit of the San Jose Palmar lands for a distance of 33.00 feet to a concrete pillar; thence along the said bearing of South 81° 09' 35" West for a distance of 2357.95 feet more or less to a concrete pillar; thence continuing along the same bearing of South 81° 09' 35" West for an approximate distance of 2252.75 feet to a point; thence in a Southwesterly direction for an approximate distance of 1670.00 feet to a point; thence due West for an approximate distance of 200 feet to a point on the eastern side of the Northern Highway; thence continuing on the said bearing of due West for an approximate distance of 100 feet more or less to a concrete pillar; thence continuing due West for a distance of 200 feet more or less to a concrete pillar; thence on a true bearing of North 00° 24' 30" East for an approximate distance of 1490 feet to a point; thence on a true bearing of South 81° 09' 35" West for an approximate distance of 2050 feet to a concrete pillar; thence continuing along the said bearing of South 81° 09' 35" West for a distance of 812.13 feet more or less to a concrete pillar; thence on a true bearing of North 65° 00' 20" West for a distance of 643.91 feet more or less to a concrete pillar; thence on a true bearing of North 45° 09' 50" West for a distance of 624.40 feet more or less to a concrete pillar; thence on a true bearing of North 13° 33' 20" East for a distance of 653.50 feet more or less to a concrete pillar; thence on a true

bearing of North $26^{\circ} 59' 40''$ East for a 225.70 feet more or less to a concrete pillar; thence on a true bearing of North $13^{\circ} 11' 50''$ East for a distance of 201.50 feet more or less to a concrete pillar; thence on a true bearing of North $7^{\circ} 50' 10''$ East for a distance of 187.66 feet more or less to a concrete pillar; thence on a true bearing of North $25^{\circ} 27' 00''$ East for a distance of 198.72 feet more or less to a concrete pillar; thence on a true bearing of North $35^{\circ} 14' 40''$ East for a distance of 295.10 feet more or less to a concrete pillar; thence on a true bearing of North $48^{\circ} 11' 20''$ East for a distance of 192.95 feet more or less to a concrete pillar; thence on a bearing of North $42^{\circ} 34' 00''$ East for a distance of 184.00 feet more or less to a concrete pillar; thence on a true bearing of North $52^{\circ} 31' 50''$ East for a distance of 420.98 feet more or less to a concrete pillar; thence on a true bearing of North $68^{\circ} 41' 50''$ East for a distance of 263.90 feet more or less to a concrete pillar; thence on a true bearing of North $50^{\circ} 23' 10''$ East for a distance of 229.90 feet more or less to a concrete pillar; thence on a true bearing of North $41^{\circ} 46' 40''$ East for a distance of 713.53 feet more or less to a concrete pillar; thence on a true bearing of North $16^{\circ} 50' 30''$ East for a distance of 439.55 feet more or less to a concrete pillar thence on a true bearing of North $5^{\circ} 15' 40''$ East for a distance of 568.03 feet more or less to a concrete pillar; thence on a true bearing of North $16^{\circ} 36' 00''$ East for a distance of 270.04 feet more or less to a concrete pillar; thence on a true bearing of North $18^{\circ} 03' 20''$ West for a distance of 677.55 feet more or less to a concrete pillar; thence on a true bearing of North $5^{\circ} 07' 20''$ West for a distance of 495.09 feet more or less to a concrete pillar; thence in a Northerly direction for a distance of 50.16 feet more or less to a concrete pillar; thence on a true bearing of North $82^{\circ} 39' 05''$ West for a distance of 315.78 feet more or less to a concrete pillar; thence on a true bearing of South $83^{\circ} 19' 20''$ West for a distance of 332.41 feet more or less to a concrete pillar; thence on a true bearing of South $73^{\circ} 15' 40''$ West for an approximate distance of 400 feet more or less to a point; thence on a true bearing of North $25^{\circ} 52' 02''$ East for an approximate distance of 2,100 feet to a concrete pillar; thence along the said bearing of North $25^{\circ} 52' 02''$ East for a distance of 3,101.53 feet to a concrete pillar; thence along the same bearing of North $25^{\circ} 52' 02''$ East for a scaled distance of 1,800 feet to a point; thence on a true bearing of South $72^{\circ} 09' 40''$ East for a scaled distance of 1,800 feet to a concrete pillar; thence on a true bearing of South $72^{\circ} 09' 40''$ East for a distance of 1364.65 feet more or less to a concrete pillar; thence on a true bearing of South $69^{\circ} 35' 10''$ East for a distance of 1019.01 feet more or less to a concrete pillar; thence along the said bearing of South

69° 35' 10" East for a distance of 101.46 feet more or less to a concrete pillar; thence on a true bearing of North 13° 55' 00" East for a distance of 48.61 feet more or less to a concrete pillar; thence on a true bearing of South 69° 10' 10" East for a distance of 1223.23 feet more or less to a concrete pillar; thence along the said bearing of South 69° 10' 10" East for a distance of 10 feet back to the point of commencement.

