

NUISANCES

BYELAWS

Made by the Mayor, Aldermen, and Burgesses
of the Borough of Burnley, acting by the
Council

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COUNTY BOROUGH OF BURNLEY

BYELAWS

WITH RESPECT TO

NUISANCES

BYELAWS MADE BY THE MAYOR, ALDERMEN, AND BURGESSES OF THE BOROUGH OF BURNLEY ACTING BY THE COUNCIL WITH RESPECT TO NUISANCES IN THE BOROUGH OF BURNLEY.

Interpretation of Terms

1. Throughout these byelaws the expression “the Council” means the Mayor, Aldermen, and Burgesses of the Borough of Burnley acting by the Council, and the expression “the district” means the Borough of Burnley.

For the prevention of nuisances arising from snow, filth, dust, ashes, and rubbish, and for the prevention of the keeping of animals on any premises so as to be injurious to health.

2. The occupier of any premises fronting, adjoining, or abutting on any street shall, as soon as conveniently may be after the cessation of any falling snow, remove or cause to be removed from the footways and pavements adjoining such premises which he is liable to cleanse all snow fallen or accumulated on any such footways and pavements in such a manner and with such precautions as will prevent any undue accumulation in any channel or carriageway or upon any paved crossing.

3. Every person who shall remove any snow from any premises shall deposit the same in such a manner and with such precautions as to prevent any undue accumulation thereof in any channel or carriageway or upon any paved crossing.

If in the process of such removal any snow be deposited upon any footpath or pavement, he shall forthwith remove such snow from such footway or pavement.

4. Every person who shall throw salt upon any snow fallen or accumulated on any footway or pavement shall forthwith effectually remove from such footway or pavement the whole of the product resulting from the mixture of the salt with the snow.

5. The occupier of any premises who shall remove or cause to be removed any filth, dust, ashes, or rubbish produced upon his premises shall not, in the process of removal, deposit such filth, dust, ashes, or rubbish, or cause or allow such filth, dust, ashes, or rubbish to be deposited upon any footway, pavement, or carriageway.

6 (a) Every person who shall convey any filth, dust, ashes, or rubbish through or along any street shall use a cart, carriage, or other means of conveyance properly constructed and furnished with a sufficient covering so as to prevent the escape of the contents thereof.

(b) If in the process of such removal or conveyance as aforesaid any filth, dust, ashes, or rubbish be slopped or spilled, or fall upon any footway, pavement or carriageway, he shall forthwith remove such filth, dust, ashes, or rubbish from the place whereon the same may have been slopped or spilled or may have fallen, and shall immediately thereafter thoroughly sweep or otherwise thoroughly cleanse the place.

7. The owner or consignee, or any person who may have undertaken the delivery to such owner or consignee, of any cargo, load, or collection of filth which may have been conveyed, by water or by land, to any place within the district to await removal from such place by such owner or consignee, and may have been deposited to await such removals upon any premises whereon such filth may lawfully be deposited, but in such a situation and in such a manner that such filth may be exposed without adequate means of preventing the emission of stench therefrom at a distance of not more than one hundred yards from any street or from any building or premises used wholly or partly for human habitation, or as a school, or as a place of public worship, or of public resort or public assembly, or from any building or premises in or on which any person may be employed in any manufacture, trade, or business, shall not, without reasonable excuse, cause or suffer such filth to remain after the deposit and before the removal thereof for a longer period than twenty-four hours.

8. Every person who, for any purpose of agriculture, shall deposit or cause to be deposited upon any lands or premises within the distance of one hundred yards from any street, or any building or premises used wholly or partly for human habitation, or as a school, or as a place of public worship, or of public resort or public assembly, or from any building or premises in or on which any person may be employed in any manufacture, trade, or business, any filth which may have been removed from any cesspool, or any filth which may have been removed from any privy, or from any receptacle used in connexion with any privy, and which may not have been effectually deodorized, shall, with all reasonable dispatch, cause such filth to be ploughed or dug into the ground, or to be covered with a sufficient layer of earth, ashes, or other suitable substance, or shall adopt such other precautions as may be reasonably necessary to prevent the emission of noxious or offensive effluvia from such filth.

9. No person shall unload or deposit within one hundred yards from any street or from any building used for human habitation, or as a school or place of public resort, or in which any person is employed in any manufacture, trade, or business, any filth emitting a stench, and brought to the place of unloading or deposit for the purpose of being removed therefrom.

10. Every person who shall unload or deposit any filth emitting a stench, and brought to the place of unloading or deposit for the purpose of being removed therefrom, in any place within such a distance from any building used for human habitation, or as a school or place of public resort, or in which any person is employed in any manufacture, trade, or business, that the stench is likely to cause offence to the persons in such building (although such place be not within the distance of one hundred yards from such building), shall cause such filth to be forthwith covered with a sufficient layer of earth or other suitable substance, or shall adopt such other precautions as may be sufficient to prevent the emission of any noxious or offensive effluvia from the filth.

11. Every person who shall convey any filth emitting a stench through or along any street shall, previous to and during the whole time of such conveyance, cause such filth to be covered with lime or other suitable substance, or shall adopt such other precautions as respectively may be reasonably necessary to prevent the emission of noxious or offensive effluvia from such filth.

12. A person shall not keep any swine on any premises or deposit any swine's dung within the distance of one hundred feet from any dwelling-house.

13. A person shall not keep any rabbit, pigeon, guinea pig, duck, or fowl on any premises within the distance of twenty feet from any dwelling-house, unless the house, yard, or place in which such animal is kept be maintained in a cleanly and wholesome condition.

14. A person shall not keep any cattle or swine on any premises or deposit the dung of any cattle or swine in such a situation or in such a manner as to pollute any water supplied for use, or used, or likely to be used by man for drinking or domestic purposes or for manufacturing drinks for the use of man, or any water used or likely to be used in any dairy.

15. Every occupier of a building or premises wherein or whereon any horse or other beast of draught or burden or any cattle or swine may be kept shall provide, in connexion with such building or premises, a suitable receptacle for dung, manure, soil, filth, or other offensive or noxious matter which may, from time to time, be produced in the keeping of any such animal in such building or upon such premises.

He shall cause such receptacle to be constructed so that the bottom or floor thereof shall not in any case be lower than the surface of the ground adjoining such receptacle.

He shall also cause such receptacle to be constructed in such a manner and of such materials and to be maintained at all times in such a condition as to prevent any escape of the contents thereof, or any soakage therefrom into the ground or into the wall of any building.

He shall cause such receptacle to be furnished with a suitable cover and, when not required to be open, to be kept properly covered.

He shall likewise provide in connexion with such building or premises a sufficient drain constructed in accordance with the provisions of any Statute, Byelaw, or Regulation for the time being in force within the district relating to the construction of drains and in such a manner and of such materials and maintained at all times in such a condition as effectually to contain all urine or liquid filth or refuse therefrom into a sewer, cesspool, or other proper receptacle.

He shall, once at least in every week, remove or cause to be removed from the receptacle provided in accordance with the requirements of this byelaw all dung, manure, soil, filth, or other offensive or noxious matter produced in or upon such building or premises and deposited in such receptacle.

He shall from time to time, as often as occasion shall require, limewash or otherwise properly cleanse every part of the interior of such building or premises.

He shall cause the floor of such building or premises to be properly laid with hard, impervious material, and to be properly sloped with a fall to a channel which shall discharge over a properly trapped gully into the drain provided in pursuance of this byelaw.

He shall not cause or suffer any inlet to any drain to be within such building.

Provided always that the foregoing byelaw shall not apply in any case in which any part of the building or premises wherein or whereon any such animal may be kept, or any part of the receptacle provided in accordance with the requirements of this byelaw shall not be within two hundred feet of any dwelling-house which is not in the same cartilage as such building or premises or receptacle.

Penalties

16. Every person who shall offend against any of the foregoing byelaws shall be liable for every such offence to a penalty of five pounds, and in the case of a continuing offence to a further penalty of forty shillings for each day after written notice of the offence from the Council.

Provided nevertheless, that the justices of the court before whom any complaint may be made or any proceedings may be taken in respect of any such offence may, if they think fit, adjudge the payment as a penalty of any sum less than the full amount of the penalty imposed by this byelaw.

The foregoing Byelaws were made at a monthly meeting of the Council of the Borough of Burnley, held on the first day of September, 1909.

In testimony whereof the Common)
Seal of the Mayor, Aldermen, and)
Burgesses of the Borough of Burnley)
was hereunto affixed this first day of)
September, 1909, in the presence of)

W. HOUGH,)

LS.

MAYOR,)
PEREGRINE THOMAS)
TOWN CLERK)

Allowed by the Local Government Board this eleventh day of October, 1909.

S. B. PROVIS
Secretary

LS. *Acting on behalf of the said Board under the authority of their
General Order dated the twenty-sixth day of May, 1877.*