

PUTATAN DISTRICT COUNCIL (OFFENSIVE TRADES) BY-LAWS 2010

In exercise of the powers conferred upon him by section 109 of the Public Health Ordinance 1960, the Putatan District Council makes the following by-laws:

Citation

1. These by-laws may be cited as the Putatan District Council (Offensive Trades) By-laws 2010.

Interpretation

2. In these By-laws –

“Council” means the Putatan District Council;

“offensive trades” means trade or business of blood boiling or blood cleaning, blood drying, tallow melting, fat melting or fat extracting, skin storing, skin curing, gut scraping, fish drying, leather dressing, tanning, glue making, charcoal burning, brick burning, lime burning, manufacturing lime or terrazzo brush, manure making, manure storing, manufacturing and processing of fertilizer, manufacturing sauce, manufacturing matches, a foundry, making bricks, black smithy, sago factory, timber and sawmill factory, distilling and brewing factory, vehicle repair workshop, tyre processing, tyre repairer, carpentry works, processing of rattan and feathers, business of laundry, pottery or any other trade or business as maybe declared from time to time by the Ministry responsible for local government and housing as offensive trades.

Licence to operate

3. No offensive trade shall be permitted in any building or premises within the jurisdiction of the Council except with a licence issued by the Council.

Licence fee

4. The annual fee for a licence to use a premises for the purpose of an offensive trade issued under subsection 105(2) of the Public Health Ordinance 1960 shall be sixty ringgit:

Provided that for any licence granted after the 31st day of January of any year the fee shall be five ringgit for each month or part of a month remaining unexpired in that year.

Building or premises must be satisfactory

5. No building or premises shall be licensed for use in any offensive trade unless the location, condition, construction, drainage and water supply, safety, health and environmental aspects are satisfactory and proper in the opinion of the Council.

Sanitary requirements

6. All buildings or premises licensed for use in an offensive trade shall be kept clean and wholesome at all time so as not to be offensive or prejudicial to public health.

Exhibition of licence

7. Every licensee of an offensive trade shall exhibit his licence at all time in a conspicuous place at the premises to which it relates so as to be visible to every person entering the premises.

Offensive products and materials

8. No product, by-product or material used in connection with or resulting from an offensive trade which in the opinion of the Council are offensive shall be spread or hung up to dry in any part within five hundred metres of any dwelling-house, and the Council may in its discretion increase the minimum distance.

Proper storage of offensive materials

9. Every licensee carrying on any offensive trade shall cause all materials which have been received upon the premises where his trade is carried on, and which are not immediately required for use, to be stored in such a manner and in such a situation to the satisfaction of the Council.

Proper disposal of waste

10. (1) All refuse from the process of carrying on any offensive trade and all fat, offal and other offensive matter shall be kept or stored before disposal, in a proper and efficient manner so as not to create nuisance or cause any risk, harm or injury to persons or animals or likely pollute the environment.

(2) If so required by the Council, the licensee shall remove the waste from the premises daily or periodically to a disposal facility as may be approved by the Council.

Penalty

11. Any person who contravenes any of the provisions of these By-laws commits an offence and shall on conviction be liable to a fine not exceeding twenty thousand ringgit.

Compounding of offences

12. (1) Notwithstanding any provision of these By-laws, any officer of the Council may in his discretion compound any offences under these By-laws by collecting from a person reasonably suspected of having committed the offence a sum not exceeding five hundred ringgit.

(2) On payment of such sum, an official receipt will be issued and no further proceedings shall be taken against the person in respect of such offence.

Made this 15th July 2010.

AG. ABD. GHANI BIN AG. YUSOP,
Chairman,
Putatan District Council.

I approve the foregoing By-laws.

Dated 15th July 2010.

DATUK HAJI HAJIJI HAJI NOOR,
Minister of Local Government and Housing.