

THE KINGSTON AND ST. ANDREW CORPORATION ACT

REGULATIONS (under section 193)

THE KINGSTON AND ST. ANDREW CORPORATION (REMOVAL OF SAND AND GRAVEL) REGULATIONS, 1956

(Made by the Council of the Corporation on the 8th day of October, 1956 and approved by the Minister on the 30th day of May, 1957)

L.N. 130/57
138/57
139/57

[1st July, 1957.]

1. These Regulations may be cited as the Kingston and St. Andrew Corporation (Removal of Sand and Gravel) Regulations, 1956.

2. No person notwithstanding that he may be the owner of the land, shall remove any sand, gravel or other material from any gully, watercourse or river bed within the Corporate Area except in accordance with the terms of a licence from the Council.

3. Applications for licences shall be made in the form set out in the Schedule, or such other form as the Council may from time to time by resolution prescribe and which may be obtained from the office of the Town Clerk. Such form shall state the name and address of the owner of the land and the name and address of the applicant, the position of the gully, watercourse or river bed, and the position and extent of the part thereof from which it is proposed to remove such sand and gravel and shall be accompanied by evidence of the ownership of the land, and in case where the applicant is not the owner, permission in writing by the owner to the application and to the grant of the licence, and by the fee payable on the issue of the licence for which application is made.

Schedule.

4. The Town Clerk shall refer the application to the City Engineer who shall examine the area from which it is proposed to remove sand and gravel and shall report his opinion as to whether the application should be granted and the terms and conditions upon which any licence may be granted, giving his reasons when he reports against the grant of the licence.

5. The Town Clerk shall lay before the Council the application and the report of the City Engineer, and the Council may in its discretion

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grant a licence upon such terms and conditions as it may determine or may refuse the application.

6. Every licence which shall be granted shall be in the form set out in the Schedule and shall be signed by the Town Clerk and shall bear the date on which it is signed and shall expire on the 31st March next following such date.

7. The Council may at any time revoke a licence for any reason which in its discretion may appear to be sufficient.

8. Every person who shall—

(a) remove any sand or gravel from any gully, watercourse or river bed within the Corporate Area without a licence as hereinbefore provided or otherwise than in accordance with the terms and conditions of such licence;

(b) in any application make any false or misleading statement, shall be guilty of an offence against these Regulations and shall for every such offence be liable to a penalty not exceeding twenty dollars.

9. The fee payable for every licence under these Regulations shall be one dollar for every thousand square feet or part thereof of the area from which sand and/or gravel is to be removed with a minimum of one dollar.

SCHEDULE

Application

(Regulation 3)

I, of hereby make application to the Council of the Kingston and St. Andrew Corporation for a licence to remove sand or gravel from that part of the gully, watercourse or river bed forming the boundary of or running through the premises in the parish of and known as.....

The area for which the licence is desired is..... feet down the course of the gully, watercourse or river bed and..... feet across such course, the corner of such area being..... feet from.....

(a) I am the owner of the said gully, watercourse or river bed.

(b) I am not the owner of the said gully, watercourse or river bed and deliver herewith the written permission of the owner thereof to this application and to the grant of the licence applied for.

Strike out where not applicable.

Delivered herewith are the following documents in proof of the ownership of the said gully, watercourse or river bed.

The name and address of the owner of the said gully, watercourse or river bed is.....

Strike out if not applicable.

Dated this..... day of..... 19.....

Signature of applicant

LICENCE

(Regulation 6)

This is to license..... of..... subject to the terms and conditions set out on the back hereof to remove sand and gravel from that part of the gully, watercourse or river bed at..... in the parish of.....

DESCRIPTION

The parcel of land measuring..... feet down the gully, watercourse or river bed approximately..... feet wide with an area of approximately..... square feet starting from the corner of land known as No. and extending in a..... direction.

CONDITIONS

The sand or gravel shall be removed over the whole area in such manner as to leave the remaining surface as level as practicable and in no case shall holes or pits deeper than three feet below the immediately surrounding surface be made. No excavation shall be made or materials removed which shall leave a depth of less than two feet of sand and gravel above the subsoil of the gully, watercourse or river bed.

This licence may be revoked at any time by the Council of the Kingston and St. Andrew Corporation for any cause which it may consider sufficient.