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PUBLIC HEALTH LAW

(2002 Revision)

**PUBLIC HEALTH (GARBAGE AND REFUSE DISPOSAL)
REGULATIONS**

(2003 Revision)

Revised under the authority of the Law Revision Law (1999 Revision).

The Garbage and Refuse Disposal Regulations, 1975 (sic) made the 31st December, 1974

consolidated with Laws 4 of 1997 (part) enacted the 24th March, 1997 and 20 of 1998 (part) enacted the 15th February, 1999, and with the-
Public Health (Garbage and Refuse Disposal) (Amendment) Regulations, 1981 made the 17th November, 1981

Public Health (Garbage and Refuse Disposal) (Amendment) Regulations, 1984 made the 7th February, 1984

Public Health (Garbage and Refuse Disposal) (Amendment) Regulations, 1985 made the 28th November, 1985

Garbage and Refuse Disposal (Amendment) Regulations, 1990 made the 24th July, 1990

Garbage and Refuse Disposal (Amendment) (No. 2) Regulations, 1990 made the 7th August, 1990

Garbage and Refuse Disposal (Amendment) (No. 3) Regulations, 1990 made the 6th November, 1990

Garbage and Refuse Disposal (Amendment) Regulations, 1994 made the 18th October, 1994

Garbage and Refuse Disposal (Amendment) (No. 2) Regulations, 1994 made the 20th December, 1994

Public Health (Garbage and Refuse Disposal) (Amendment) Regulations, 2001 made the 19th June, 2001

Public Health (Garbage and Refuse Disposal) (Amendment) Regulations, 2002 made the 4th December, 2002

Public Health (Garbage and Refuse Disposal) (Amendment) Regulations, 2003 made the 10th January, 2003.

Public Health (Garbage and Refuse Disposal) Regulations (2003 Revision)

Public Health (Garbage and Refuse Disposal) (Amendment) (No.2) Regulations,
2003 made the 8th day of April, 2003

Consolidated and revised this 10th day of June, 2003.

*Note (not forming part of the Regulations): This revision replaces the 1999
Revision which should now be discarded.*

**PUBLIC HEALTH (GARBAGE AND REFUSE DISPOSAL)
REGULATIONS
(2003 Revision)**

ARRANGEMENT OF REGULATIONS

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**PUBLIC HEALTH (GARBAGE AND REFUSE DISPOSAL)
REGULATIONS
(2003 Revision)**

1. These regulations may be cited as the Public Health (Garbage and Refuse Disposal) Regulations (2003 Revision). Citation

2. In these regulations-

Definitions

“construction waste material” includes waste building material from the construction, alteration and remodelling of a building or structure of any kind, such as lumber, concrete, steel, roofing, etc.;

“container service” means the delivery, removal and emptying of a garbage container;

“Department” means the Environmental Health Department;

“Director” means the Chief Environmental Health Officer;

“garbage” includes waste food, vegetables, fruits, meats and other putrescible matter;

“refuse” includes waste paper, bottles, cans, boxes, yard clippings and trash;

“residential premises” means a house, apartment, tenement house, guest house, lodging house or condominium;

“service area” means an area designated by the Department, subject to the approval of the Minister, to be provided with a garbage and refuse collection service; and

“unit” means living accommodation used or intended for the domestic use of one or more individuals living as a single housekeeping entity, with facilities, whether exclusive or shared, for cooking, eating, living, sleeping and sanitary purposes.

3. All occupiers of premises in service areas shall-

Duties of occupiers of
premises

- (a) provide, for the collection of garbage, a water tight metal or plastic container or containers with tight fitting covers;
- (b) ensure that such containers are of a type and description approved by the Department:

Provided that, for commercial establishments and residences having small volumes of garbage and refuse, plastic bags with openings securely tied, with wet garbage wrapped in several thickness of paper, may be used in lieu of containers;

- (c) place the containers or bags for collection in front or at the side of premises on streets abutting the premises or in such other place as may be approved by the Department;
 - (d) remove containers from streets after collection;
 - (e) so place containers as not to obstruct traffic; and
 - (f) refrain from dumping any garbage or refuse on any property belonging to another or on or within the vicinity of any public highway, beach, waterfront or public place.
- Disposal of garbage
4. (1) The use of the garbage collection service in service areas is mandatory save for large commercial establishments specifically exempted by the Department.
- (2) Large commercial establishments may deliver garbage and refuse in private vehicles to landfill disposal sites designated by the Department.
- (3) All garbage and refuse from service areas shall be deposited at the landfill disposal sites designated by the Department.
- (4) Save with the permission in writing of the Department the burning of garbage at private premises in a service area is prohibited.
- (5) No garbage or refuse shall be permitted to accumulate in or on any premises.
- (6) All commercial concerns shall provide for the proper storage of all garbage and refuse to prevent the harbourage of vermin and to prevent scattering by animals or by the wind.
- (7) Approval shall be obtained from the Department prior to construction of any special type garbage or refuse storage bin or facility.
- Collection service
5. (1) A collection service will be provided in residential parts of service areas at least twice per week on days which will be notified, from time to time, in the Gazette, and containers shall be placed as required by regulation 3(c) before 6 a.m. on each day of collection.
- (2) Residential premises with ten or more units will require commercial containers with the appropriate service frequency determined by the Department.
- Designation of garbage vehicles
6. All vehicles carrying garbage and refuse shall be so designed and loaded as to prevent spillage during transit.

7. It shall be the responsibility of contractors to remove and dispose of all construction waste material resulting from new construction or other works on or at any premises, and such waste construction material will be accepted at the landfill. Removal of construction waste

8. Dead animals not slaughtered for consumption shall be disposed of by burial at a depth of not less than two feet of earth or as directed by a public health inspector. Dead animals

9. Large containers specially approved by the Department shall be placed and serviced by the Department, and access to these containers shall be kept clear at all times; boxes and cartons shall be broken down effectively to utilise container capacity and wet garbage shall be placed in plastic bags being put into the container. Large containers

10. (1) The annual fees specified in the Schedule shall apply in respect of garbage and refuse disposal collection. Fees

(2) The fees specified in the Schedule in respect of a collection of refuse or garbage are payable by the occupier of any premises where that collection is carried out and, subject to subregulation (3), such fees shall become due and payable as follows-

- (a) for the six month period from 1st January, 2003 to 30th June, 2003, the due date is 31st January, 2003; and
- (b) for each succeeding financial year covering the twelve month period 1st July in any year to 30th June of the following calendar year, the due date is 31st July, save that where invoices are billed on a half yearly basis the due dates are 31st July and 31st January.

(3) The Director is authorised to change the billing cycle by giving notice published in the Gazette and in at least one local newspaper no less than thirty days prior to the commencement of such change.

(4) Any fee in the Schedule which is due and payable under this regulation-

- (a) shall, in respect of premises in Grand Cayman, be paid to the Financial Secretary, and shall, in respect of premises in Cayman Brac or Little Cayman, be paid to the District Commissioner; and
- (b) is recoverable by the Department as a civil debt.

(5) Any fee or part of a fee specified in the Schedule which is due and payable shall carry interest at the prescribed rate in respect of the period beginning on the date when the fee or part of the fee becomes due and payable, and ending on the date on which the fee or part of the fee is paid.

(6) In subregulation (5)-

“prescribed rate” means such rate as may be determined by the Governor in Council for the purposes of this regulation, and different rates may be prescribed for different fees or classes of fee.

(7) The payment of fees may be made by means of cash, cheque, credit card, debit card or electronic transactions, save that where payment is made other than in cash or by cheque, the full amount is required to be paid at once.

(8) The Financial Secretary, where he is informed by the Director that he is satisfied that the occupier of any premises is complying, to the Director’s satisfaction, with the conditions of any recycling scheme carried out by the Department, may abate the fee in respect of any garbage and refuse disposal collection that would, apart from this subregulation, be due and payable by the occupier of premises at which that collection is carried out.

(9) The amounts by which any fee may be abated under subregulation (8) shall be determined by the Financial Secretary having regard to –

- (a) the cost of operating the recycling scheme and any revenue or other financial benefit derived by the Department from the recycling scheme; and
- (b) the extent to which the occupier who is liable to pay the fee to be abated has complied with the conditions of the recycling scheme.

Waiver of fees: Cayman
Brac, Little Cayman

11. The Governor in Council may, from time to time, waive or reduce any or all of the fees specified in paragraphs 1, 2 and 3 of the Schedule in relation to any person or group of persons in Cayman Brac or Little Cayman.

SCHEDULE

(regulation 10)

FEES FOR GARBAGE AND REFUSE DISPOSAL COLLECTION

1. RESIDENTIAL PREMISES

- (1) (a) private houses and apartments with frontage on a canal, the beach or the North Sound and situated between the West Bay Cemetery (Block 5C Parcel 124) and the Wharf Restaurant (Block 13E Parcel 123) \$300 per unit per annum
- (b) all other private houses and apartments \$100 per annum
- (2) (a) condominium units with frontage on a canal, the beach or North Sound and situated between the West Bay Cemetery (Block 5C Parcel 124) and the Wharf Restaurant (Block 13E Parcel 123) \$300 per unit per annum
- (b) all other condominium units \$180 per annum
- (3) (a) Guest houses, lodging houses and tenement houses comprising one to four rooms \$300 per annum
- (b) Guest houses, lodging houses and tenement houses comprising five to eight rooms \$500 per annum
- (c) Guest houses, lodging houses and tenement houses comprising nine or more rooms \$1,000 per annum
- (c) Residential premises, excluding private homes, with ten or more units will require commercial containers with the appropriate service frequency determined by the Department.

2. COMMERCIAL PREMISES

(1) Hotels-	
10 to 19 bedrooms	\$1,400
20 to 39 bedrooms	\$2,800
40 to 60 bedrooms	\$4,200
61 to 100 bedrooms	\$5,600
101 to 150 bedrooms	\$7,000
151 to 200 bedrooms	\$8,400
201 to 250 bedrooms	\$9,800
251 to 300 bedrooms	\$11,200
301 to 350 bedrooms	\$12,600
351 to 400 bedrooms	\$14,000
over 400 bedrooms	\$15,400
(2) Restaurants (without bars)-	
with 1 to 15 seats	\$420
with 16 to 30 seats	\$840
with 31 to 50 seats	\$1,008
with 51 to 75 seats	\$1,344
with over 75 seats	\$1,680
(3) Restaurants (with bars)-	
with 1 to 15 seats	\$504
with 16 to 30 seats	\$1,008
with 31 to 50 seats	\$1,344
with 51 to 75 seats	\$1,680
with over 75 seats	\$2,016
(4) Bars (without restaurants)-	\$1,344
(5) Business premises: offices-	
(a) micro (less than 480 square feet)	\$420
(b) small (480 to 1,199 square feet)	\$700
(c) medium (1,200 to 2,399 square feet)	\$1,400
(d) large (2,400 to 3,599 square feet)	\$2,800
(e) macro (over 3,599 square feet)	\$4,200
(6) Business premises other than offices (including mobile units)-	

(a) small (less than ¼ cubic yard of garbage per week)	\$336
(b) medium (¼ to 1 cubic yard of garbage and refuse per week)	\$1,344
(c) large (more than 1 cubic yard of garbage and refuse per week)	\$2,688

3. COMMERCIAL CONTAINERS

(1) Yearly rates for rental and service:

(A) Rental of a rear loader, front loader or skiff-

2 cubic yards	\$588
4 cubic yards	\$1,176
6 cubic yards	\$1,680
8 cubic yards	\$2,016

(B) Container service of a rear loader, front loader or skiff-

Once per month	\$560
1 day per week	\$980
2 days per week	\$1,260
3 days per week	\$1,540
4 days per week	\$2,044
5 days per week	\$2,548
6 days per week	\$3,052

(C) Rental of a roll-off/roll-on-

Container stationary – 28 cubic yards	\$7,056
Open top – 20 cubic yards	\$5,040
Open top – 22 cubic yards	\$5,544
Open top – 25 cubic yards	\$6,560
Open top – 30 cubic yards	\$7,560

(D) Container service of a roll-off/roll-on-

1 day per week	\$2,016
2 days per week	\$3,864
3 days per week	\$5,768
4 days per week	\$7,672
5 days per week	\$9,576
6 days per week	\$11,508

(2) Daily rates (includes one service)-
(Available from 9 a.m. to 5 p.m.)

(a) skiff – 8 cubic yards (Monday to Friday)	\$50
(b) skiff – 8 cubic yards (Saturday and Sunday)	\$75
(c) roll-off/roll-on – 20 cubic yards open top (Monday to Friday)	\$100
(d) roll-off/roll-on – 20 cubic yards open top (Saturday and Sunday)	\$150
(e) grab-truck service – 10 cubic yards (Monday to Friday)	\$75
(f) grab-truck service – 10 cubic yards (Saturday and Sunday)	\$125
(g) grab-truck service – 20 cubic yards (Monday to Friday)	\$100
(h) grab-truck service – 20 cubic yards (Saturday and Sunday)	\$150

4. REMOVAL OF DERELICT VEHICLES

Removal of derelict vehicle (per vehicle, at owner's request)	\$75
Removal of derelict vehicle (per vehicle, upon enforcement of the law)	\$215

5. REMOVAL OF ANIMAL CARCASSES

Small carcass (75 lbs. or less)	Free
Large carcass (more than 75 lbs.)	\$75

6. INCINERATION OF WASTE OTHER THAN INFECTIOUS WASTE

\$2.00 per pound

7. FEES – BY WHOM PAYABLE

1. The fee for a private house or condominium unit shall be paid by the person registered or deemed to be registered under the Registered Land Law (1995 Revision) as the owner.
2. The fee for apartments, tenement houses and offices shall be paid by the person having control of the whole building.
3. The fee for a hotel, restaurant, guest house, lodging house and business premises other than offices, shall be paid-
 - (a) by the person licensed under the Tourism Law (1995 Revision) or taking an annual license in respect thereof under the Trade and Business Licensing Law (2003 Revision) (as the case may be); or
 - (b) if there is no such person, then by the person having the control or management thereof.
4. The fee for a bar shall be paid by the person who is the licensee thereof under the Liquor Licensing Law (2000 Revision).

Publication in consolidated and revised form authorised by the Governor in Council this 10th day of June, 2003.

Carmena Watler
Clerk of Executive Council.

(Price \$ 3.20)