

CAYMAN ISLANDS



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THE ROADS (NAMING AND NUMBERING) LAW, 1997

(LAW 1 OF 1997)

CAYMAN ISLANDS

THE ROADS (NAMING AND NUMBERING) LAW, 1997

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The Roads (Naming and Numbering) Law, 1997

CAYMAN ISLANDS

Law 1 of 1997.

I Assent

JOHN OWEN

Governor.

20 May, 1997.

**A LAW TO PROVIDE FOR THE NAMING OF EXISTING AND NEW
STREETS AND FOR THE NUMBERING OF EXISTING AND NEW
BUILDINGS; AND FOR INCIDENTAL AND CONNECTED PURPOSES.**

ENACTED by the Legislature of the Cayman Islands

Part 1 - Introductory

1. This Law may be cited as the Roads (Naming and Numbering) Law, 1997.

Short title

2. In this Law, unless the context otherwise requires-

Interpretation

“building” includes part of a building;

“development” has the meaning assigned to it in the Development and Planning Law (1995 Revision);

“Minister” means the minister for the time being responsible for roads;

“owner” in relation to a building means the person registered under the Registered Land Law (1995 Revision) as proprietor of an interest in the land on which the building is erected; and

“street” means any highway, road, bridge lane, footpath, square, court, alley or passage, whether a thoroughfare or not, and includes a part of a street.

Part II - Street Naming

Power to name streets

3. (1) The Minister may by order assign a name to a street, whether or not in substitution for a name already given, assigned or used.

(2) Before making an order under this section, the effect of which would be to assign a name to a street in substitution for that ordered immediately after the commencement of this Law, the Minister shall cause notice of his intention to be posted in a conspicuous position at each end of the street and shall publish notice of his intention in a newspaper circulating in the Islands.

(3) Every notice posted or published under subsection (2) shall state the manner in which, and the time (being not less than one calendar month after the date of the notice) within which, objections to the intended order may be received by the Minister, and the Minister shall, before making the order, consider every objection sent to him, and may, having regard to any objection, amend any name which he has proposed to assign.

(4) On the making of an order under this section the Minister shall-

- (a) within three days give notice of the making of the order and of the name of the street by circular delivered to every building to which access may be gained from the street; and
- (b) publish a copy of the order in the Gazette, whereupon the order shall have effect.

Naming of streets in new developments

4. (1) Where it is proposed to undertake development which involves the construction of a new street no work shall be done for the purpose of carrying out the development unless-

- (a) a proposed name for the new street has been approved by the Minister; and
- (b) the Minister has made an order assigning the name to the proposed street.

(2) On the making of an order under this section the Minister shall publish a copy of the order in the Gazette, whereupon the order shall have effect.

(3) Where work is done in contravention of subsection (1) the owner of the land on which the development is undertaken and, if he is a different person, the person carrying out the work is guilty of an offence and is liable on summary conviction to a fine not exceeding \$500.

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5. (1) Within one calendar month of making an order under section 3(1), or of the completion of the laying out of the new street in respect of which an order has been made under section 4(1), the Minister shall cause a plate showing the name assigned to the street to be set up at each end of the street either on a free-standing support or by affixing it to a building, wall or other structure immediately adjacent to the street.

Power to erect street
name plates

(2) Whenever a name plate of a street is destroyed, removed, defaced, obliterated or obscured the Minister as soon as practicable shall replace or renew it.

6. (1) A person who-

Offences as to naming of
streets

- (a) sets up in a street a name plate showing a name different from the name assigned to the street by the Minister;
- (b) places or affixes any notice or advertisement within 12 inches of a name plate that has been set up in accordance with section 5; or
- (c) otherwise than for the purpose of renewal or repair, wilfully destroys, removes, defaces or obliterates a name plate that has been set up in accordance with section 5,

is guilty of an offence and liable on summary conviction to a fine not exceeding \$500.

(2) Notwithstanding subsection (1), where a name plate has been lawfully affixed to a building wall or structure and at least 3 days' notice of intention to demolish or alter the building, wall or structure is given by the owner to the Minister, no offence shall be committed by the destruction, removal, defacement or obliteration of the name plate in connection with the demolition or works of alteration.

Part III - Numbering

7. (1) The Minister may order that a building adjoining a street to which access may be obtained from that street shall, for the purpose of distinguishing it, be marked (whether or not already marked with a number) with such number or numbers as may be specified in the order or shown upon a plan referred to in the order, and that any existing number which differs from that specified in the order shall no longer be used in respect of that building.

Power to number
buildings

(2) For the purpose of subsection (1), a letter, a number followed by a letter or a fraction shall be deemed to be a number.

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(3) The Minister shall give notice to the owner and occupier of every building to which an order made under this section relates requiring him to mark the building, or some part of the premises of which the building forms part, with the number which the Minister has ordered, and to remove, within such time as may be specified in the notice, any number marked on the building, or on the premises of which the building forms part, which differs from that specified in the order.

(4) Whenever the marking of a number assigned by an order of the Minister is destroyed, removed, defaced, obliterated or obscured the owner or occupier of the building shall renew the marking within the time specified in a notice from the Minister requiring him to do so.

(5) If a notice from the Minister in pursuance of this section is not complied with the Minister shall cause the number to be marked on the building and shall also cause any number which differs from that specified in the order to be removed.

(6) A number marked in accordance with subsection (3), (4) or (5) shall be-

- (a) in arabic numerals;
- (b) marked at least 2 feet 6 inches from the ground;
- (c) marked in numerals at least 3 inches in height;
- (d) marked in colours that contrast with the background on which the number is marked; and
- (e) visible and legible from the street during daylight hours except that, where the entrance to the building cannot be seen from the street, a similarly visible and legible directional sign indicating the route to the entrance shall be provided.

Offences as to
numbering

8. (1) A person who-

- (a) marks a number on a building or on the premises of which the building forms part-
 - (i) different from a number lawfully given thereto or ordered in respect thereof; or
 - (ii) except in accordance with section 7(6);
- (b) otherwise than for the purpose of renewal or repair wilfully destroys, removes, defaces or obliterates or obscures a number that has been marked in accordance with section 7; or
- (c) fails to comply with a notice served on him under section 7(3) or (4),

is guilty of an offence and is liable on summary conviction to a fine not exceeding \$500.

(2) Notwithstanding subsection (1), where a number which has been lawfully marked on a building is destroyed, removed, defaced, obliterated or obscured in connection with the demolition, alteration or erection of a building or a part thereof, no offence shall be committed by the destruction, removal, defacement, obliteration or obscuration of the number.

Part IV - General

9. (1) The Minister shall keep a record of-

Official record of names
and numbers

- (a) the names lawfully given to streets; and
- (b) the numbers with which he orders buildings to be marked.

(2) The record shall be kept in such a form as to show-

- (a) the date of the order assigning a name to a street, and the immediately previous name or names (if any) by which the street was known; and
- (b) the date of the order assigning a number to a building, and the immediately previous number of the building.

(3) It shall, upon payment of such fee (not being of an amount less than the full cost of the service) as may be determined by the Minister, be lawful-

- (a) for a person during such hours as the Minister may determine, to inspect the record and to take a copy of any portion thereof; and
- (b) for the Minister to provide a copy, or information as to the contents, of any portion of the record to an applicant.

10. (1) Where the Minister is required or empowered by this Law in default of any other person to cause the number of a building to be set up, marked, renewed or removed he may recover the cost of so doing from the owner of the building.

Recovery of costs

(2) All rights powers and remedies given to the Minister by this Law shall be in addition to and not derogation of any other powers, rights or remedies conferred on him by any other law.

11. Within 3 days of the making of-

Registration of names
and numbers

- (a) an order under section 3;
- (b) an order under section 7; or
- (c) an order under section 6(1)(b),

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the Minister shall send a copy thereof to the Registrar of Lands who shall make appropriate amendments to the Land Registers.

Offences by bodies
corporate

12. (1) Where an offence under this Law, which has been committed by a body corporate, is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, he, as well as the body corporate, shall be guilty of that offence and be liable to be proceeded against and punished accordingly.

(2) Where the affairs of a body corporate are managed by its members, subsection (1) shall apply in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.

Dates of service of
notices

13. Where this Law authorises or requires any document to be served on or sent or delivered to any person, such service, sending or delivery is deemed to be properly effected by properly addressing, pre-paying and posting a letter containing the document to the person at his address as recorded on the land register maintained under the Registered Land Law (1995 Revision) in respect of the land in question or at his last-known address or place of business and, unless the contrary is proved, to have been effected at the time at which the letter would be delivered in the ordinary course of post.

Amendments and
repeals

14. (1) The Roads Law (Revised) is amended-

- (a) in section 5(1)(a) by repealing "named, described"; and
- (b) in section 19 by repealing paragraphs (d) and (f).

(2) The Road Names and Property Numbers Regulations, 1996, are repealed.

Passed by the Legislative Assembly the 14th day of March, 1997.

Mabry S Kirkconnell

Speaker.

Georgette Myrie

Clerk of the Legislative Assembly.