

**Ordonnance relative aux Douits et Barrats sous le
contrôle du Conseil des Eaux des Etats.**

(Le 11 juin 1938)

ATTENDU que le devoir de réparer les bords de tout douit et barrat et de curer le lit de tout douit et barrat incombe aux riverains:

VU les représentations du Conseil des Eaux des Etats à l'effet que le libre cours des eaux écoulant dans les douits et barrats contrôlés par le dit Conseil et les douits et barrats y communiquant est en partie retardé et empêché à raison de la non-exécution par des riverains des devoirs qui leur incombent en ce qui concerne tels douits et barrats:

LA COUR, pour à ce remédier, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne comme suit, savoir:

Streams
controlled
by the
States
Water
Board

1.—Every person who, having the duty of:—

- (a) maintaining in repair any part of the banks: or
- (b) cleaning and keeping clear of obstruction any part of the bed:

of any stream which is a stream controlled by the States Water Board or flowing into a stream so controlled, fails to maintain in repair that part of the banks of that stream or fails to clean or keep clear of obstructions that part of the bed of that stream shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding Ten Pounds or, in the case of a second or subsequent offence, to a fine not exceeding Twenty Pounds.

Powers of
the States
Water
Board

2.—Upon the conviction of any person under the provisions of the preceding section, it shall be lawful for the States Water Board to proceed with the work of maintenance or of cleaning or clearing of obstructions in respect of the failure to perform which that person has been convicted and to recover from that person the reasonable cost of the performance of such work and, for the purpose of the performance thereof, the employees of

the States Water Board shall be entitled, under the supervision of some person bearing the authority in writing in that behalf of the Manager or acting Manager of the States Waterworks Department, upon production of such authority on the reasonable request of any person having an interest in the premises entered, to enter upon private premises whereon any such work as is authorised by this section is to be performed in regard to any stream and such other premises as it is necessary to enter for the purpose of access to that stream.

3.—(a) An official appointed by the States Water Board bearing a general or special authority in writing in that behalf of the Manager or acting Manager of the States Waterworks Department, upon production of such authority on the reasonable request of any person having an interest in the premises entered, shall be entitled on weekdays during the hours of daylight to enter any premises for the purpose of visiting any part of any such stream as is mentioned in Section 1 of this Ordinance in order to ascertain the state of repair of the banks of such stream and the condition of the bed thereof.

Officials of
States
Water
Board
entitled
to enter
premises to
ascertain
state of
stream

(b) Every person shall be liable upon conviction to a fine not exceeding Five Pounds or, in respect of a second or subsequent offence, to a fine not exceeding Ten Pounds, who wilfully obstructs or impedes any official or employee of the States Water Board in the execution of his duty under this Ordinance.

Penalty for
obstruction