

COMMONWEALTH OF DOMINICA

STATUTORY RULES AND ORDERS NO.59 OF 2003

REGULATIONS

**MADE BY THE MINISTER UNDER SECTION 30 OF
THE ENVIRONMENTAL HEALTH SERVICES
ACT, 1997 (ACT NO. 8 OF 1997).**

(Gazetted 26th February, 2004.)

1. These Regulations may be cited as the -

Short title.

**ENVIRONMENTAL HEALTH SERVICES
(BOARDING AND LODGING HOUSES) REGULATIONS, 2003.**

2. In these Regulations -

Interpretation.

“boarding house” means that class of house or building not being at hotel, guest house, lodging house or inn which provides accommodation and meals and in which persons on payment of a fee are received for short periods and, though strangers to one another, may be allowed to inhabit one common room, and in any case in which only part of a house is used as a boarding house the part so used;

“common conveniences” include bathing, washing and sanitary facilities provided for use by the occupants of more than one room or set of rooms;

“lodging houses” means that class of house or building not being a hotel, guest house or inn in which persons on payment of a fee are received for short periods and, though strangers to one another, may be allowed to inhabit one common room, and in any case in which only part of a house is used as a lodging house the part so used;

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“room” means a room in which persons are permitted to sleep;

“sanitary facilities” means any receptacle for the disposal of human excreta and includes a cesspit, suckwell, septic tank, drain or sewer used connection therewith

Boarding and lodging
houses to be registered.

3. No person shall keep a boarding house or receive a boarder or lodger therein or permit any room therein to be occupied unless such boarding house or lodging house is registered in accordance with these Regulations.

Application for
registration

4. (1) The owner, keeper or person in charge of a boarding house or lodging house shall apply in writing to the Chief Environmental Health Officer for the registration of such houses.

(2) The application for registration shall state -

- (a) the name and address of the owner or keeper;
- (b) the name and address of the person in charge;
- (c) the location;
- (d) the number and dimensions of each room; and
- (e) the number of toilets in the boarding house or lodging house

5. (1) The Chief Environmental Health Officer shall receipt of an application for the registration of a boarding house or lodging house satisfy himself that such boarding house or lodging house complies with the provisions of these Regulations, and on being so satisfied shall submit to the Minister for his consideration the application, together with his report and recommendations thereon.

(2) The Minister, after consideration of the application and the recommendations, may grant to the applicant a certificate of registration which certificate shall state -

- (a) the name and address of the owner or keeper;
- (b) the name and address of the person in charge;

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- (c) the location of the boarding house or lodging house;
- (d) the number of rooms therein;
- (e) the maximum number of persons that may be recommended at any one time in each room of the boarding house or lodging house.

6. The owner or keeper or the person in charge of every boarding house or lodging house cause the certificate issued by the Minister to be displayed in a conspicuous place at the boarding house or lodging house in respect of which it was issued.

Display of certificate.

7. A certificate issued in accordance with these Regulations may be cancelled by the Minister if he is satisfied that the premises in respect of which such certificate was issued fails to comply with the provisions of these Regulations.

Cancellation of certificate.

8. No person shall at any time cause to be received into any boarding house or lodging house or permit any room therein to be occupied by a greater number of persons than is specified in the certificate.

Prohibition against overcrowding.

9. (1) The number of persons received at any one time in a boarding house or lodging house and the number of persons permitted to sleep in any room therein shall not be greater than will allow forty square feet of floor space for each person over the age of ten years and twenty square feet for persons of ten years and under.

Minimum sleeping space.

(2) Notwithstanding paragraph (1), where sleeping facilities are provided in the form of bunks constructed in tiers, sufficient air space shall be available for the occupier, of each bunk to have not less than three hundred cubic feet of air space.

(3) In calculating the floor area, no part of a floor under a ceiling of less than eight feet in height shall be taken into account, and in calculating air space no ceiling of less than eight feet or of more than fourteen feet in height shall be taken into account.

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Provision of beds etc.

10. (1) The owner, keeper or person in charge of a boarding house or lodging house shall to the satisfaction of the Chief Environmental Health Officer provide sufficient and suitable beds or bunks for all persons permitted to occupy any room therein; and where there is more than one such bed or bunk in a room there shall be a clear space of not less than two feet six inches between such bed or bunk and another.

(2) Where sleeping facilities are provided are in the form of bunks constructed in tiers, the following provisions shall apply -

- (a) no tier shall consist of more than three bunks;
- (b) the lowest bunk shall be no less than eighteen inches above the level of the floor;
- (c) the vertical distance between any two bunks in a tier shall not be less than three feet;
- (d) there shall be a space of not less than two feet six inches between any two tiers of bunks.

Separate sleeping and toilet facilities for both sexes.

11. (1) Subject to paragraph (2), where persons of both sexes are to be accommodated in a boarding house or lodging house the owner, keeper or person in charge of the boarding house or lodging house shall provide separate sleeping accommodation for persons of each sex who are over the age of seven years.

(2) Paragraph (1) shall not apply to the accommodation in a boarding house where members of the same family are being accommodated.

(3) Every boarding house and lodging house that is registered under these Regulations shall provide separate toilet facilities for each sex and such facilities for each sex shall be effectively separated by a wall or partition extending from the floor to the ceiling; and in each case the compartment for each sex shall be clearly marked.

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12. The owner, keeper or person in charge of a boarding house or lodging house shall, to the satisfaction of the Chief Environmental Health Officer-

Provision of basic facilities.

- (a) provide and maintain such boarding house or lodging house with -
 - (i) a proper and sufficient supply of potable running water;
 - (ii) adequate common conveniences and which shall be kept in good repair;
 - (iii) suitable and sufficient receptacles for the collection of garbage and refuse;
 - (iv) adequate and sanitary facilities for the preparation and consumption of meals;
- (b) cause every yard-area, forecourt or other open space within the curtilage of such house to be in good repair and maintained in a clean condition;
- (c) cause all drains and sanitary facilities in such house to be maintained in a clean condition and to be in good repair and in good working order;
- (d) cause all means of ventilation provided in such house to be maintained in good working order;
- (e) cause-
 - (i) the inside walls and ceiling of such houses (whether or not such walls or ceilings are plastered) and all passages or staircases of such houses to be painted with oil, paint or varnish, and
 - (ii) any oil, paint or varnish to be washed at least once every six-months or more if necessary with hot water and soap or detergent and to be renewed at least once every four years.

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sanitation etc.

13. It shall be a condition of every certificate of registration that the keeper or person in charge of a boarding house or lodging house shall -

- (a) provide such house with adequate lighting facilities;
- (b) sweep at least once every day before the hour of ten in the morning and wash at least once a week, all floors and stains in the house;
- (c) cleanse as often as may be necessary windows and fixtures of wood, stone or metal;
- (d) keep the house free from vermin;
- (e) keep all beds, bunks, bed-clothes and bedding clean and free from vermin;
- (f) cause every bed or bunk with its bedding and bed-clothes to be exposed to the air for at least two hours in each day;
- (g) cause the bed-clothes of every bed or bunk to be removed as soon as may be convenient after the bed has been vacated by a boarder and in any case before the bed or bunk is occupied by another boarder;
- (h) provide and maintain for the use of all boarders sufficient basins or other receptacles for water of adequate capacity which are conveniently accessible and keep such basins and receptacles clean and in good order;
- (i) provide an adequate supply of clean towels which shall be renewed as often as may be necessary;
- (j) remove all filth or refuse before the hour of ten in the morning from the house and afterwards cleanse all vessels, utensils or other receptacles which contain such filth or refuse;
- (k) keep fully open for at least two hours a day windows in each room unless reasonably prevented from doing so by the state of the weather or any other sufficient cause;
- (l) maintain all plumbing fixtures in good repair.

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14. (1) The Chief Environmental Health Officer shall be responsible for ensuring that all boarding houses and lodging houses in the Commonwealth of Dominica comply with these Regulations.

Enforcement of regulations.

(2) The Chief Environmental Health Officer may by notice in writing require the owner or person in charge of a boarding house or lodging house to carry out, within the time stated in the notice, any work which may be necessary under these Regulations.

15. (1) The Chief Environmental Health Officer may cause any boarding house or lodging house to be inspected for the purpose of enforcing these Regulations upon giving forty-eight hours' notice to the owner, keeper or person in charge of the boarding house or lodging house.

Inspections.

(2) Where a boarding house or a lodging house is inspected under these Regulations the Medical Officer or the Environmental Health Officer who carried out the inspection shall prepare and submit a report thereon to the Chief Environmental Health Officer with his recommendations.

(3) Upon receipt of the report under this regulation the Chief Environmental Health Officer who carried out the inspection shall prepare and submit that report to the Minister with his comments thereon.

16. Where any act is prohibited or prescribed by these Regulations, the duty of complying therewith shall rest upon both the owner and person in charge of the boarding house or lodging house; and in the event of a breach of these Regulations either the owner or person in charge or both shall be liable to be prosecuted.

Onus of compliance.

17. The Minister may cancel or suspend a certificate of registration for a contravention of these Regulations or for a breach of a condition imposed by regulation 13.

Power to cancel or suspend certificate.

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Offence.

18. Any person who contravenes these Regulations is guilty of an offence and shall be liable on summary conviction to a fine of one thousand dollars or to imprisonment for a term not exceeding three months or both and, in the case of a continuing offence to a further fine of one hundred dollars for each day or part thereof during which the offence continues after a conviction is first obtained.

Made by the Minister this 31st day of December, 2003

HERBERT SABROACHE
Minister for Health

DOMINICA

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