



Public Health (Scotland) Act 1897

1897 CHAPTER 38

PART II

SANITARY PROVISIONS.

Offensive Trades.

37 Provision as to nuisance created by local authority in dealing with refuse.

- (1) The removal of house refuse and street refuse by a local authority when collected or deposited by that authority, or by any contractor or other person authorised by such local authority, shall be deemed to be a business carried on by that authority, or by such contractor or other person, within the meaning of this Act, and a complaint or proceedings in relation to any such business may be made or taken by the county council of the district, other than a burgh, where such business is carried on, or, in the case of any district, by any person authorised by the Board in like manner as if such county council or such person were a local authority.
- (2) Any premises used by a local authority, or by any contractor or other person authorised by such local authority, for the treatment or disposal of any street refuse or house refuse, as distinct from the removal thereof, which are a nuisance or injurious or dangerous to health, shall be a nuisance liable to be dealt with summarily under this Act, and for the purpose of the application thereto of the provisions of this Act relating to such nuisances the county council, in the case of a district other than a burgh, and any person authorised as aforesaid by the Board shall be deemed to be a local authority.