



# Public Health (Scotland) Act 1897

## 1897 CHAPTER 38

### PART II

#### SANITARY PROVISIONS.

##### *Scavenging and Cleansing.*

#### **39 Scavenging of highways, &c. within special districts.**

Where a special scavenging district has been or may hereafter be formed under the provisions of the Local Government (Scotland) Act, 1894, the district committee of the district or the county council where the county is not divided into districts, in which such special scavenging district is or may be situated shall, in their discretion, have power to cleanse and scavenge the highways and the footpaths under their management and control within such special scavenging district, or to pay or contribute out of the assessments raised under the Roads and Bridges (Scotland) Act, 1878, for a proportion of the cost of cleansing and scavenging such highways and footpaths.

Where within such special district any private street or footway, or part thereof, is not levelled, macadamised, paved, channelled, and made good, to the satisfaction of the district committee (or, where the county is not divided into districts, the county council), such authority may, by notice addressed to the respective owners of the premises fronting, adjoining, or abutting on such street or footway, or parts thereof, as may require to be levelled, macadamised, paved, channelled, and made good, order them to do all such works or any of them, and that within a time to be specified in such notice.

If such order is not complied with, the said authority may, if they think fit, execute the works mentioned therein, and may recover in a summary manner the expenses incurred by them in so doing from the owners in default according and in proportion to the frontage and valuation of their respective premises or, in the case of dispute, in such proportion as may be settled by the sheriff.

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*Status: This is the original version (as it was originally enacted).*

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Provided that it shall be competent to appeal to the sheriff against any such order, and all the provisions of section one hundred and twenty-two of this Act in regard to an appeal to the sheriff against a resolution of a local authority shall, with the necessary modifications, apply to an appeal against such order.