

THE KINGSTON AND ST. ANDREW BUILDING ACT

REGULATIONS
(under section 25)THE KINGSTON AND ST. ANDREW BUILDING (NOTICES AND OBJECTIONS)
REGULATIONS, 1938

(Made by the Corporation on the 13th day of June, 1938 and approved
by the Governor in Privy Council on the 30th day of August, 1938)
[1st October, 1938.]

G.N. 735/38
Amd:
G.N. 872/46
L.N. 126/57
127/57

1. These Regulations may be cited as the Kingston and St. Andrew Building (Notices and Objections) Regulations, 1938.

2. In these Regulations unless the context otherwise requires, "proposed site" means the holding or site upon which a person proposes to erect or re-erect any building.

NOTICES

3. Where any person desires to erect or re-erect—

- (a) a building to be used for the sale of petroleum products or for the purposes of a factory wherever the proposed site may be situated; or
- (b) a building intended to be used for the purposes of any trade or business or as a church, school or place of assembly on any site not within a "business area" as defined by section 2 of the Act,

such person shall not less than three nor more than seven days before giving to the Building Authority the notice prescribed by section 10 of the Act, give notice of his intention to submit plans under that section.

4. The notice of intention to submit plans shall be in the Form No. 1 in the Schedule and shall accurately describe the site on which it is proposed to erect or re-erect the building by stating the name of the roadway and the number or name of the site and shall state the class of building proposed to be erected and the name and address of the owner of the proposed site and also the name and address of the builder, if any, whom it is proposed to employ, and a copy of such

Schedule.
Form No. 1

notice shall be served upon the owner and occupier of every holding adjoining the proposed site and a copy thereof in letters not less than half an inch high shall be posted on some part of the proposed site in such manner as to be distinctly visible from the roadway and the original notice together with proof of the service and posting of the copies thereof shall accompany the notice and plans prescribed by section 10 of the Act:

Provided that in proving service on the occupier or owner of an adjoining holding it shall be sufficient to prove that a copy of the notice was sent by registered post addressed to the last known address of such owner or occupier or in case any adjoining holding is unoccupied and the owner or his address is unknown that such copy was posted on a conspicuous part of such holding.

5. The Building Authority shall not approve of the erection or re-erection of any such building until the expiration of thirty days from the service or posting of the last of such copy notices.

OBJECTIONS

6.—(1) The owner or occupier of an adjoining holding and the owner of any holding within a radius of two hundred yards of a proposed site may object to the approval of any plans submitted in respect of such proposed site by serving (personally or by registered post) upon the owner of the proposed site a notice in writing of such objection and of the grounds thereof and by delivering to the Building Authority a duplicate of such notice together with proof of the service thereof on the owner of the proposed site.

Form No. 2

(2) Every such notice of objection shall be in the Form No. 2 in the Schedule and shall be served upon the owner of the proposed site and a copy thereof delivered to the Building Authority within thirty days after the day on which the notice of intention to submit plans shall have been posted on the proposed site.

7. The Building Authority shall before coming to a determination on the plans submitted take into consideration all objections which may be made and the grounds thereof and may either grant or refuse approval of the plans submitted or may appoint a time and place to hear the parties and give notice of such appointment to the owner of the proposed site and to every objector and at such hearing the owner of the proposed site and the persons who have objected may

appear or be represented by counsel or solicitor but at such hearing no objection to the proposed building other than those contained in the notices delivered may be put forward or argued.

8. For the purposes of an appeal to the Tribunal of Appeal every person who may have given a notice containing grounds of objection shall be deemed a person heard by the Building Authority in opposition to the application.

SCHEDULE

Form No. 1

(Regulation 4)

Notice of intention to submit plans

TAKE NOTICE that it is my intention to submit plans and apply for permission to erect (*here state the building proposed to be erected and the purposes for which it is intended to be used*) on the land known as street or road in the parish of

All persons proposing to object to the approval of plans submitted are required to give notice in writing in the prescribed form of their objection and of the grounds thereof to the undersigned owner and to the Building Authority within thirty (30) days from the date hereof.

Dated the _____ day of _____ 19_____

.....
Owner

.....
Postal Address

.....
Builder

.....
Postal Address

NOTE: Information as to the prescribed form and the procedure to be adopted may be obtained from the office of the City Engineer.

Form No. 2

(Regulation 6)

Notice of Objection

I _____ being the owner or occupier
of No. _____ a holding adjoining the site No. _____
in the parish of _____ or being
the owner of No. _____ a holding within
200 yards of the site _____ No. _____
in the parish of _____
HEREBY GIVE NOTICE that I object
to the approval of plans submitted for the erection of _____

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(here set out the nature of the building) on the ground that

My address for the purposes of this objection is

Dated the _____ day of _____ 19____

(Signature of objector)

NOTE: This form must be carefully completed and a copy served personally or by registered post on the owner of the site on which it is proposed to build and a copy together with proof of service delivered to the Building Authority within 30 days from the date on which the notice of intention to submit plans was posted on the site.