



# Public Health (Scotland) Act 1897

## 1897 CHAPTER 38

### PART V

#### *Regulation of Common Lodging-Houses.*

#### **89 Common lodging-houses to be registered.**

The local authority shall cause a register to be kept, in which shall be entered the names and residences of the keepers of all common lodging-houses within the district of the local authority, and the situation of every such house, and the number of lodgers authorised according to this Act to be kept therein, and in each apartment thereof ; provided that the keeper of every common lodging-house shall apply to the local authority at or previous to the fifteenth day of May in every year for a renewal of such registration; and the local authority may refuse to register any house which they do not consider suitable for the purposes of a common lodging-house, and as the keeper of a common lodging-house any person who does not produce to the local authority a certificate of character in such form as the local authority shall direct, but notwithstanding such certificate the local authority may, if they see fit, make further inquiry, and may thereafter refuse to register, if they are satisfied that the person applying is not qualified to be the keeper of a common lodging-house; and the local authority may from time to time, with the approval of the Board, raise or diminish the sum payable per night, according to which, as in this Act mentioned, it is ascertained whether a house or part thereof is a common lodging-house, but so as not to exceed sixpence per night.

#### **90 No lodger to be received in common lodging-house till it has been inspected and registered.**

It shall not be lawful to keep or use as a common lodging-house any house, or to receive or retain any lodgers therein, unless such house shall have been inspected for that purpose by the inspector of common lodging-houses for the district, and approved by the local authority, and shall have been and be registered as by this Act provided : and if any person shall contravene this enactment he shall be guilty of an offence under

this Act, and if, in the opinion of the local authority, any common lodging-house on the register, or the keeper thereof, shall cease to be suitable for the purpose, the local authority may present a petition to the sheriff for authority to remove such house from the register either permanently or until there is a change of circumstances, and the sheriff, if he thinks fit, may grant warrant accordingly.

**91 Evidence of register.**

A copy of an entry made in a register kept under this Act, purporting to be certified by the person having the charge of such register to be a true copy, shall be received in all courts and on all occasions whatsoever as evidence, and shall be prima, facie proof of all things therein registered, without the production of the register, or of any document, act, or thing, on which the entry is founded, or proof of the signature; and every person applying at a reasonable time shall be furnished by the person having such charge with a certified copy of any such entry for payment of twopence.

**92 Power to local authority to make byelaws.**

The local authority may from time to time make byelaws respecting common lodging-houses within its jurisdiction for the keeping and well ordering of such houses, and for the separation of the sexes therein, and for fixing the number of lodgers which may be received in each such house, and in each room therein, and for enforcing sufficient privy or watercloset accommodation and other appliances and means of cleanliness in proportion to the number of lodgers and occupiers, as also proper drainage and ashpits for such houses, and for promoting the cleanliness and ventilation of such houses, and with respect to the inspection thereof, and the conditions and restrictions under which such inspection may be made.

**93 Copy of byelaws to be furnished gratis to keepers.**

A copy of all such byelaws made by the local authority in pursuance of this Act, when confirmed as herein-after provided and printed, shall be furnished gratis to every keeper of a common lodging-house, and such keeper shall be bound to keep a copy thereof hung up in some conspicuous place in each room in which lodgers are received.

**94 Power to local authority to require additional supply of water.**

Where it appears to the local authority that a common lodging-house is without a proper supply of water or without sufficient privy or watercloset accommodation for the use of the lodgers, and that such a supply of water can be furnished thereto at a reasonable rate, the local authority may, by notice in writing, require the owner or keeper of the common lodging-house, within a time specified therein, to obtain such supply, and to execute all works necessary for those purposes ; and if such notice be not complied with accordingly, the local authority may remove the common lodging-house from the register until it be complied with. It shall be competent to any person interested to appeal to the sheriff against any resolution of the local authority removing a common lodging-house from the register under this section ; but in the case of a district other than a burgh the appeal to the sheriff shall only arise after the county council has disposed of any appeal which may have been brought before them.

**95 Power to local authority to order reports from keepers.**

The keeper of a common lodging-house shall from time to time if required by any order of the local authority served on such keeper, report to the local authority, or to such person or persons as the said 'local authority shall direct, every person who resorted to such house during the preceding day or night, and for that purpose schedules shall be furnished by the local authority to the persons so ordered to report, which schedules they shall fill up with the information required, and transmit to the local authority.

**96 Local authority may remove sick persons to hospitals, &c.**

When a person in a common lodging-house is ill of any infectious disease, the local authority may, without further warrant than this Act, cause such person to be removed to a hospital or infirmary, with the consent of the authorities thereof, where different from the local authority, and on the certificate of the medical officer, or of any legally qualified medical practitioner, that the disease is infectious and that the patient may be safely removed, but if removal be considered dangerous to life by such officer or medical practitioner and is so certified, no lodger shall be admitted to such lodging-house until it is certified free from infection; and the local authority may, so far as they think requisite for preventing the spread of disease, cause any clothes or bedding used by such person to be disinfected or destroyed, and may pay to the owners of the clothes and bedding so disinfected or destroyed reasonable compensation for the injury or destruction thereof.

**97 As to giving notice of fever, &c. occurring.**

The keeper of a common lodging-house shall, when a person in such house is ill of any infectious disease, give immediate notice thereof either to the medical officer or to the inspector of common lodging-houses, who shall forthwith inform the medical officer, and if he is satisfied that the person is suffering from an infectious disease, be shall cause the patient to be removed without delay, and shall cause the premises to be disinfected.

Provided always, that if the medical officer considers the patient not fit to be removed with safety, until it is certified by him that the premises are free from infection the house shall not be used as a common lodging-house, except such part thereof as may be certified by the medical officer to be free from infection, and the local authority may make provision for the temporary shelter or house accommodation, and, if necessary, maintenance at a rate not exceeding the same payment per night as usually paid by persons frequenting said lodging-house while such persons are prevented from returning to such common lodging-house.

**98 Inspection.**

The keeper of a common lodging-house shall, at all times when required by any officer of the local authority, give him free access to such house and every part thereof.

**99 Cleansing.**

The keeper of a common lodging-house shall thoroughly cleanse all the rooms, passages, stairs, floors, windows, doors, walls, ceilings, waterclosets, earth-closets, privies, ashpits, cesspools, and drains thereof, to the satisfaction of the inspector, and so often as shall be required by or in accordance with any regulation or byelaw of the

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

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local authority, and shall well and sufficiently, and to the like satisfaction, lime-wash the walls and ceilings thereof in the first week of each of the months of April and October in every year, and at such other times as the local authority may by special order appoint or direct.

**100 Conviction for third offence, &c. to disqualify persons from keeping common lodging-houses.**

Where a keeper of a common lodging-house is convicted of a third or any subsequent offence under this Act, it may be adjudged as the punishment or part of the punishment for such offence that he shall not, at any time within five years, or any shorter period after such conviction, keep or have or act in the care or management of a common lodging-house.