
**Bulletin
of Sint Eustatius**

Year of publication: 2018

Number: 29

Issuance: 20.12.2018



Decision of the Government Commissioner d.d. December 18, 2018 No. 5.25A in place of the Island Council for the adoption of the ordinance of the General local ordinance Sint Eustatius

The Government Commissioner of Sint Eustatius, in accordance with the Temporary law neglect of Sint Eustatius acting in place of the Island Council and as appropriate in place of the Executive Council, having regard to article 149 of the Bonaire, Sint Eustatius and Saba Public Entities Act.

Decision:

Adopt the following

General local regulation of Sint Eustatius

Chapter 1 General Provisions

Article 1.1 Definitions

In the ordinance:

In this ordinance is meant or to also be understood by:

Built-up area: more or less conjoined buildings designated as such by the Island Resolution containing general measures:

Building: any structure that forms a covered space accessible to persons, fully or partially enclosed by walls;

Public road: all streets, roads, alleys, corridors, paths, squares, quays, bridges, pavements, sidewalks, parks, verges, as well as parking areas adjacent to the roads and designated as such or other for the publicly accessible open places and waters;

Entitled party: anyone who has any control over any good by virtue of a real or personal right or has actual power over it;

Owner of an establishment: a person who, as owner manager, or otherwise, establishes or runs an establishment;

Catering establishment: a hotel, restaurant, guest house, café, cafeteria, snack bar, discotheque, community centre or clubhouse

Any other enclosed space accessible to the public in which accommodation is provided or drinks are served or food for direct consumption is provided or prepared on the spot on a commercial or commercial scale, as if it were a business activity.

Terrace: a part thereof located outside the confined space of the catering establishment where drinks can be served or food for immediate consumption can be prepared or provided on the spot for a fee

holder: the person who operates or actually manages a catering establishment.

Article 1.2 Application for a permit or exemption

To obtain a permit or exemption as referred to in this regulation, a written application must be submitted to the competent body.

Article 1.3 Decision period

1. The authorized body decides on an application for a permit or exemption within eight weeks after the day on which the application has been received.
2. The administrative authority may postpone the term for a maximum of eight weeks.

Article 1.4 Form of permit or exemption

A permit or exemption granted under the regulation is only effective if it is given in writing.

Article 1.5 Deviation

1. The requirement set out in article 1.2 and 1.4 may be deviated from if compliance with it cannot reasonably be required in view of the urgent nature of the case.
2. In appropriate cases, the verbally issued and communicated permit or exemption may be confirmed in writing within reasonable time a written confirmation be given to the one to whom it has been granted.

Article 1.6 Regulations and restrictions

1. Conditions and restrictions may be attached to a permit of exemption granted under the Regulation.
2. These regulations and restrictions may only serve to protect the interest of the interests in connection with which the permit or exemption is required.
3. Anyone who has been granted a permit or exemption under these regulations is obliged to comply with the conditions and restrictions prohibited therein.

Article 1.7 Personal nature of the permit or exemption

The permit or exemption is subject to personal orders, unless stipulated otherwise by or pursuant to these regulations.

Article 1.7 Terms

1. The permit or exemption is valid for an indefinite period of time, unless it is determined otherwise.
2. The nature of the permit or exemption precludes in any case validity for an indefinite period if the number of permits or exemptions is limited to and the number of possible applicants exceeds the number of available permits or exemptions.

Article 1.8 Grounds for refusal

1. The permit or exemption can in any case be withdrawn or modified in the interest of:
 - a. the public order;
 - b. the public safety;
 - c. the public health;
 - d. the protection of the environment.
2. A permit or exemption may also be refused if the application for it was submitted less than 3 weeks before the intended date of the intended activity and the application cannot therefore be properly processed.

Article 1.8 withdrawal or amendment of a permit or exemption

1. The permit or the exemption may be withdrawn or amended:
 - a. If incorrect or incomplete information has been provided in order to obtain this;
 - b. If on the basis of a change in circumstances or views that occurred after the permit or exemption was granted, it must be assumed that withdrawal or amendment is demanded by the interest or interests for the protection of which the permit or exemption is required.
 - c. If the conditions and restrictions attached to the permit of exemption have not been or are not being complied with.
 - d. If the permit or exemption is not used within a period stated therein or, in the absence of such a period, within a reasonable period.
 - e. If the holder or his successor in title so requests.
2. A decision to revoke or amend a permit or exemption must be substantiated and will not be taken until the holder of the permit or exemption has been given the opportunity to express his view about the intention for taking this decision within a time to be stated by the authorized entity.
3. The provisions of the second paragraph do not apply in urgent cases.

Article 1.9 Inspection of the permit or exemption

The holder of the permit or exemption is obliged to hand it over to that official at the first request of an official charged with ensuring compliance with one or more provisions of these regulations.

Chapter 2 Public order and security

Paragraph 1 Violation of emergency regulations

Everyone is obliged to comply with generally binding regulations issued and promulgated by the Lt. Governor pursuant to Article 179 of the Public Entities of Bonaire, Sint Eustatius and Saba Act to maintain public order or to limit danger

Paragraph 2 Dangerous or annoying actions, whether or not on or next to the road

Article 2.2.2 Causing rocks to blow up by means of explosion

Without or contrary to a permit from the Executive Council and without having taken the necessary precautions, it is prohibited to use an explosion to blow up stones in places where this could be harmful or dangerous for neighbouring yards or for passers-by.

Article 2.2.3 Prohibition of setting off fireworks

1. It is prohibited to set off or throw fireworks and to ignite or otherwise detonate gunpowder or other explosive substances.
2. This prohibition does not apply to:
 - a. 30 December from 8 a.m. to 8 p.m.
 - b. 31 December after 08.00 a.m.
 - c. January 1 before 2 a.m.
3. If special circumstances give cause to do so, the Executive Council, or if the special circumstances are related to public entertainment the Lt. Governor will grant exemption from the prohibition set out in the first paragraph for dates and times other than those referred to in the second paragraph.

Article 2.2.4 Prohibition to light a fire

1. Without prejudice to the provisions of Articles 2.2.16, 2.2.4 and 2.2.5, it is prohibited to start, stoke or have a fire in the open air if this could cause damage, nuisance or inconvenience to others.
2. The prohibition does not apply insofar as it concerns
 - a. Building, stoking or having a fire:
 - Under the constant supervision of an adult person
 - At a distance of more than 30 meters from a building and a pile of harvested products;
 - At a distance of more than 100 meters from a forest;
 - Which does not pose any danger to the environment and notified to the fire brigade
 - b. Cooking, baking or roasting, if this does not endanger the environment.
3. Furthermore. The prohibition stated in the first paragraph does not apply insofar as article 447 or 448 of the BES Penal Code applies.

Article 2.2.5 Smoking ban

1. It is prohibited to smoke in forests or within a distance of thirty meters from that during the period indicated by the executive council.
2. It is forbidden to drop, throw or leave burning or smoldering objects in forests or within a distance of a hundred meters from them.
3. The prohibition set forth in the first and second paragraph does not apply insofar as the provisions of article 448, opening sentence and under 3e, of the BES Penal Code apply.

Article 2.2.6 Prohibition of the use of firearms and air rifle

It is forbidden to fire firearms or air rifles on public roads.

Article 2.2.7 Flying of kites

It is forbidden to fly or leave kites flying:

- a. Within a distance from an airfield or airport determined by the Executive Council
- b. If this may cause damage to the aforementioned telephone or electrical cables.

Paragraph 3 Right to demonstrate

Article 2.3.1 Notification of demonstrations in public places

1. The person who intends to hold a demonstration in a public place, including a gathering as referred to in article 3, paragraph 1 of the Public Events Act, gives written notice of that to the mayor before the public announcement and at least 48 hours before the demonstration is held.
2. The notification contains
 - a. Name and address of the person holding the demonstration;
 - b. The purpose of the demonstration.
 - c. The date on which the demonstration is held and the time of beginning and termination, the place and, insofar as applicable, the route and the place of ending.
 - d. Insofar as applicable, the method of composition, and
 - e. Measures that the person holding the demonstration will take to promote a regular course.
3. The person giving notice of that receives proof of that in which the time of the notice will be dealt with outside this period.
4. If the time of commencement of the demonstration falls on a Friday after 12.00 noon, a Saturday, a Sunday or a generally recognized public holiday, the notification will be given no later than 12 noon on the working day preceding the day of that time before 12 noon
5. The Lt. Governor may in special circumstances, on request, process a notification outside this period.

Paragraph 4, Fight against disturbances

Article 2.4.1 Gathering and disturbances

1. It is forbidden to participate in a gathering in a public place, to force it unnecessarily or to give rise to disturbances by defiant behaviour.
2. Anyone who, on the occasion of a gathering, disturbance or imminent disturbance of public order, is ordered by a police officer to leave in the interest of public order, is obliged to immediately comply with this order, along the road or in the direction designated by the police.
3. It is prohibited to go to or to be in public places that are condoned off in the interest of public safety or to prevent disturbances.
4. The Lt. Governor may grant exemption from the prohibition set out in the third paragraph.

Paragraph 5. Events on or near the road

Article 2.5.1 Definitions

In this section, an event is understood to mean an event open to the public or for participation by the public, such as

- a. A commemoration ceremony
- b. a march, not being a demonstration as referred to in the public manifestation Act;
- c. a street or neighbourhood party
- d. a music performance or

- e. a race on or beside the road, not being a race with vehicles;
- f. in this part a small event is defined as an event that does not last longer than one day.

Article 2.5.2 Event permit and notification of a small event

1. It is prohibited to organize an event on or near the road without or in deviation from a permit from the Lt. Governor.
2. No permit is required for a clinic event if:
 - a. The number of attendees does not exceed 60 persons
 - b. The event takes place between 7 a.m. and midnight;
 - c. No music is played or sound equipment is used after 23.00
 - d. The event does not take place on the roadway or parking lot or otherwise obstructs traffic and emergency services.;
 - e. Only small, immediately movable objects are used, such as small tables, chairs and umbrellas;
 - f. An organizer is provided
 - g. The organizer has reported this to the Lt. Governor at least 10 working days prior to the event.
3. The Lt. Governor may, within 5 working days of receipt of the notification, decide to ban a small event if there is reason to suspect that this will endanger public order, public safety, public health or the environment.

Article 2.5.3 Disruption of the order

It is forbidden to disturb the order at an event

Paragraph 6 Use of the road

Article 2.6.1 Objects or substances on, or above the road

It is prohibited without or in deviation of a permit from the executive council:

- a. To plant, place, stretch, hang, attach, spread, dry, air, drag or have in, on or over the public road;
- b. To deposit or have goods, rubble, demolition, lime, earth, clay, sand, manure or building materials on the public road or to have, except when and for as long this is necessary for regulated continuous loading or off-loading;
- c. To use the public road as a work or storage place.

Article 2.6.2 Construction, damage and modification of a road

1. It is prohibited to build a road, break up the pavement thereof dig or dig in a road without or in derogation from a permit from the Executive Council, change the nature or width of the road, pavement or otherwise alter it in the manner of construction of a road.
2. The prohibition in the first paragraph does not apply if public tasks are performed on the instructions of an administrative authority or public body.
3. Furthermore, the prohibition does not apply to situations provided for by the BES Penal Code or an island ordinance.

Article 2.6.3 Nuisance planting and dangerous object

It is prohibited to install or have plants or an object in such a way that the unobstructed view to road traffic is obstructed or that nuisance or danger to road traffic is created in any other way.

Article 2.6.4 Pollution from road works

If the road is contaminated during the loading or unloading or transport of substances or objects or during other activities, the person who performs the said activities, as well as, if acting on behalf of the client, is obliged to clean the road or have it cleaned:

- a. If the pollution causes danger for the safety of the traffic or for damage to the road surface, immediately after the start of the pollution:
- b. If the pollution does not endanger the safety of the traffic or damage of the road surface immediately after the completion of the work or, if these last longer than a day, immediately after the end of the work on that day:

Article 2.6.5 Transport of polluting substances

It is prohibited on the public road:

To transport animal blood or guts of animals or stench spreading substances other than adequately covered and at other hours than between 10.00 pm and 5.00 a.m. debris, decomposition, lime, earth, clay, sand, manure, sawdust, scraps, chips, loose straw, pack hay, ash, mud or waste other than in means of transport that are designed and used in such a way that the dumping or dusting of the content is prevented.

Article 2.6.5 Road safety

1. It is prohibited:
 - a. To transport more than five kilos of fireworks, explosives or other explosive substances without or in deviation from a permit from the Executive Council.
 - b. To burn torches or tar barrels and to build or have a fire on public road.
 - c. To carry items longer than three meters, other than in horizontal position, and can be carried in such a way that each end rests on the shoulder or in the hand of the carrier.
 - d. To fly kites or play any ball game at places other than those designated by the Executive Council;
 - e. To carry out any work on roofs, outside facades, walls or walls of buildings or carpentry adjacent to the public road or to build on the public road, to demolish buildings, walls or timber, without any visible place on or a red triangle with equal sides of at least 0.3 meters is hanging and in accordance with conditions to be set by the Executive Council such measures have been taken that danger for by-passers - bye is excluded and adequate lighting is also installed on site between sunset and sunrise.
 - f. To hoist, lower or to throw objects on or near the public road without an adult person standing below who warns passers-by in good time.
 - g. Leave slamming doors, windows, hatches or blades other than properly latched flat against the wall open;
 - h. To place or have metal pins or pointed, stabbing, sharp or cutting objects on, or against fences, posts or fences, wall or plots on the public road in such a way that they protrude over the public road;

- i. Fences, walls, parcels or woodwork poles, kiosks or other objects adjacent to the public road to paint or tar a vertical distance of 2 meters above the ground floor, without taking measures to prevent both by day as by night warn passers-by as long as the painted or tarred is not yet dry.
 - j. To place or have objects on windowsills, on the edge of balconies, on landings or in gutters, without these being protected against falling onto the public road.
 - k. To hang, fix or have objects on fences, walls, doors, windows, trees or posts if they pose a danger of falling onto the public road;
 - l. Have an apertured well, cellar, cistern or similar reservoir on or along the road that is not properly closed in such a way that no danger to persons or animals can arise;
 - m. Removing, damaging, hindering or impeding their operation by another installation of warning signs, barriers or lighting to indicate dangerous situations.
2. Owners of rights to walls on the public road are obliged to ensure that the said walls are always in good condition and that stones falling from those walls onto the public road are immediately removed.
 3. Owners of rights on properties which are on the public road, but which are situated slightly higher, are obliged if they build walls, fences or something else, to ensure that the stones or other objects thrown from the said walls or fences do not block the public road or disturb the traffic.
 4. Owners of rights on properties which are situated alongside the public road, but that are situated lower are obliged if they carry out work on wall, fences or other work on said properties, see to it that the public road is not impaired.

Paragraph 7 Measures against nuisance and mischief

Article 2.7.1 Annoying behaviour on or near the road

Persons who are on or near the public road in such a way that they cause nuisance or inconvenience to road users or residents of homes located near the road, if ordered by the police to refrain from doing so or to move away from there, are immediately obliged to comply with this order.

Article 2.7.2 Drinking on the road

It is prohibited to consume alcoholic beverages on or near the road or to carry opened bottles, cans, plastic cups, glasses and the like containing alcoholic beverages. The provisions of paragraph 1 do not apply to a terrace that is part of a catering establishment or an annex of a catering establishment for which a permit has been granted on the basis of the BES Permit Act.

Article 2.7.3 Drinking on the road

It is forbidden to take up post on or by the road or to move to and from there, as well as to be on or by the road in or on a vehicle or to drive around with it with the apparent purpose of using means as intended in the Opium Act 1960 BES, or similar goods, to be delivered, offered or acquired, whether or not against payment, to assist in this or to mediate in this. It is prohibited on or near the road, in a public place;

Article 2.7.4 Fireworks

1. It is prohibited on or near the public road or in any other place accessible to the public, to light or throw fireworks, to ignite or otherwise detonate gunpowder or other

- explosive substances, to use torches or tar barrels to create or have fires and fire explosive substances, to use torches or tar barrels
2. With regard to setting off fireworks, the prohibition set out in the first paragraph does not apply to
 - a. 30 December from 08 a.m. to 8. p.m.
 - b. 31 December after 08.00 a.m.
 - c. January 1 before 2 a.m.
 3. If special circumstances give cause to do so, the Executive Council, or if the special circumstance is connected with a public entertainment, may be excepted by the authority of the prohibition set out in the first paragraph for other dates and times mentioned in the second paragraph.

Article 2.7.5 Other behaviours

It is prohibited on the public road:

- a. To cause nuisance or inconvenience to others, to impede traffic in any way or to move or be located in an obstructive manner;
- b. Fight, shout, kick stones or other objects, light street fires, trees or posts, climb on hang on or walk behind or on a moving carriage, motor vehicle or pushcart on fences, walls, or hold aside, lean against, climb, hang on or sit on any part of kiosks, pavilions or bandstands;
- c. To remove, move or knock down street closures or barriers that have been installed with a permit or by order of the competent authority;
- d. To incite animals against each other;
- e. To play for money with cards, money, domino stones or dice
- f. Scratch or blot the road or that part of a property that is visible from the road
- g. Without the written consent of the person entitled to the road or to that part of an immovable property that is visible from the road to affix a poster, advertising billboard, other printed matter or writing whatever it may be and in any other way whatsoever and to apply it in another way or to use lime, chalk, tar or a color or dye to apply any image, letter, number or sign, unless action is taken by virtue of statutory regulation.

Chapter 3. Keeping animals

Paragraph 1 Definitions

In this section is meant to be with:

Aggressive breed: A. dog breeds Pitbull, Rottweiler, Fila Brasileiro, Ridgeback, German Shepherd, Dogo Argentino, Doberman Pincher, Bull Terrier, Bulldog, Mastif, Shar-Pei, Chow-Chow, and Cane Corso;

B. other dog breeds; designated by the Executive Council

Chipping: Inserting an ISO chip;

The LVV service: the organizational unit of the public body charged with the implementation of this chapter;

Dangerous dog type: type of dogs with physical characteristics that match the characteristics of dangerous dogs and that have been bred for aggressive behavior or are characterized by aggressive or dangerous behavior;

Dangerous dog: dogs belonging to an aggressive breed, dogs that have attacked pets and/or other animals and/or displayed dangerous and/or aggressive behavior and dogs that have been wholly or partially trained for surveillance, search, or defense work;

Livestock: goats, sheep, cattle, donkeys and pigs.

Paragraph 2 Dogs

Article 3.2.1 Registration and chipping

The LVV service maintains a register, keeps a record of the race, month and year of birth, sex and registration number, as well as the details of the rightful claimant. Those entitled to a dog are obliged to register the dogs with the LVV service within three months after birth. Dogs that are imported must be registered with that service immediately after the importation. A dog that has not yet been provided with an ISO chip is chipped at the registration.

The registration of a dog can only take place in the name of a person of 18 years or older.

Import and export, surrender to another, acquisition or death of a dog must be reported to the LVV service by the person entitled within 48 hours. The entitled party is obliged to ensure that the LVV service receives all necessary information. The obligation to register does not apply to institutions where temporary residence, such as the animal home or the animal shelter.

Article 3.2.2. Reporting missing, death or illness, rabies

The person entitled to a dog is obliged to immediately report the missing of that dog to the service. The person entitled to a dog is obliged to report serious illness or symptoms of disease in that dog to the service or a veterinarian. Everyone is obliged to report this immediately to the Lt. Governor if a dog is suspected of being infected with rabies.

Article 3.2.3 Prohibition of letting dogs run loose.

It is forbidden for the person entitled to a dog to leave that dog unattended on the public road or on an area accessible to all or on the premises of another person without his permission

Article 3.2.4 Powers of the Lt. Governor

If, in the opinion of the Lt. Governor, facts or circumstances arise that pose a danger to public order and safety or public health, in which dogs are involved, the Lt. Governor may take measures to prevent further danger.

These measures may include that the Lt. Governor orders to kill a dog.

Article 3.2.5 Nuisance by dogs

It is forbidden for the person entitled to a dog that due to the actions of the dog nuisance or hindrance in the form of sound, stench or pollution is caused for the environment.

If the nuisance or hindrance mentioned in the first paragraph is caused on the public road or on a site accessible to everyone, then the Lt. Governor may designate roads and areas on which it is prohibited to walk with dogs.

Article 3.2.6 Killing a dog

In cases in which a dog is killed pursuant to the provisions of this Island Ordinance, the killing will take place in a manner that is most suitable according to veterinary insights.

Article 3.2.7 Obligations with regard to dangerous dogs

1. The person entitled to a dangerous dog is obliged to have a muzzle available for that dog in question that:
 - a. Is made of strong material of strong leather or of both materials;
 - b. By way of a strong leather belt affixed in such a way around the neck that removal is not possible without human assistance; and
 - c. Inserted in such a way that the dog cannot bite, that the closed space inside the basket allows a small opening of the mouth and that there are no sharp parts within the basket
2. The person entitled to a dangerous dog is obliged to ensure that
 - a. If this is outside the area of the keeper, keep the dog on a short leash with a leash with a length, measured from hand to collar, of no more than 1.50 meters and fitted with a muzzle, as described above.
 - b. If the dog is in the vicinity of persons of 1.60 meters or smaller, the dog is provided with a muzzle, as described above.
3. The person entitled to a dangerous dog that lets his dog run free in his yard is responsible for:
 - a. a proper fence of his yard;
 - B a clearly visible warning sign warning of the presence of a dangerous dog.
 - c. That his yard is closed at all times and all entrances to the yard must be provided with a proper gate with a lockable bolt.

Paragraph 3 Livestock

Article 3.3.1 Registration of livestock

A register is kept by the LVV service in which all livestock is registered.

In the register keeps a record of the animal species, month and year of birth, sex, registration number and the details of the entitled party.

The entitled party must notify the LVV department of the birth, import and export, slaughter or other death of cattle within 48 hours. The entitled party is obliged to ensure that the LVV service receives all necessary information.

Article 3.3.2 Marks

1. The party entitled to livestock is obliged to have his livestock marked within three months after birth with an external mark and have it registered by the LVV service. Livestock imported from outside the island must be marked within four weeks.
2. The mark consists of a plastic ear tag with unique number combination to be issued once, consisting of five positions from 00001 to 99999
 - a. 3-1/4 x 3 inches for cattle and donkeys
 - b. 2x1-3/4 inches for sheep pigs and goats
3. Livestock imported from outside the island and provided with an external mark, provided it does not involve incision(s) in one or both ears, docking of start or other external changes, need not be externally marked again. The animal can then be marked by inserting an ISO chip.
4. The Executive Council may grant an exemption from the provisions of the first paragraph in the event of:
 - a. Transit of the livestock, whereby the livestock will remain on the island in a lockable corral for a maximum of 48 hours.
 - b. Quarantine of livestock.

Article 3.3.3 Let livestock run loose

It is forbidden:

- a. To let livestock run loose unattended on or along public roads;
- b. To let livestock run free on the premises of another without his permission
- c. To let livestock run free on domain land, and more generally
- d. To allow livestock to run free on a site that is not provided with proper livestock insurance, or to give permission to someone else to allow livestock to run free on it.

Paragraph 4 General

Article 3.4.1 Keeping or feeding of annoying or harmful animals

It is prohibited in places designated by the Executive Council to prevent or eliminate nuisance or damage to public health, to have animals designated in that designation decision present to be present other than with due observance of the rules set by the Council.

To have present in a greater number than is indicated in that indication, or to carry it;

The council can grant the person entitled to an immovable property situated within a place which has been indicated in accordance with the first paragraph, exemption of one or more prohibitions referred to in the first paragraph.

Article 3.4.2 Keeping wild animals

1. It is prohibited to keep an animal that is not domesticated and which, if escaped, could endanger humans or animals.
2. The Executive Council may grant an exemption from the prohibition set forth in the first paragraph.

Article 3.4.3 Poultry

It is forbidden:

- a. To allow non fledging poultry to walk on public roads;
- b. To keep fleeing poultry or to keep them or to have them kept within a distance from an airport determined by the Executive Council

Chapter 4 Catering establishments

Article 4.1 Definitions

In this section visitors is not understood to mean

- a. The family members of the holder, as well as his relatives by blood and affinity living elsewhere, without restriction in the straight line, in the branch line up to and including the third degree;
- b. The persons who have night accommodation within the catering establishment and are included in the register as referred to in Article 458 of the BES Penal Code.
- c. The persons whose presence in the catering establishment is necessary for urgent reasons.

Article 4.2 Relation to the BES Permit Act

This chapter does not apply if and insofar as its application would be contrary to the provisions of the BES Licensing Act.

Article 4.3 Closing time

1. The holder of a catering establishment is prohibited from opening it to visitors or admitting or allowing visitors to stay there between 2 a.m. and 6 a.m. (closing time)
2. The Lt. Governor may grant an exemption from the prohibition set forth in the first paragraph.

Article 4.4. Deviation from closing time; temporary closure.

In the interest of public order, safety or health or in the event of special circumstances, the Lt. Governor may temporarily set different closing times or order temporary closure for one or more catering establishments.

The Lt. Governor announces the closure of a catering establishment by affixing a copy of his decision at or near the entrance or entrances to the catering establishment. The decision takes effect from the moment the said copy is made.

Everyone is obliged to allow the copy to be affixed and remain affixed, as long as the closure is in effect

Article 4.5 Admittance officers of police and supervisors

The holder of a catering establishment is obliged to ensure that officers of the police and supervisors have immediate and unimpeded access to his catering establishment from the public road.

- a. During the time that the catering establishment is open to visitors; or
- b. During the time that the catering establishment must be closed and visitors are present in there.

Article 4.6 Prohibited conduct

It is forbidden in a catering establishment to:

- a. To disturb the peace
- b. To be located after closing time or during the time that the catering establishment must be closed on the basis of a decision of the Lt. Governor.

Article 4.7 Beverage distribution outside a catering establishment

1. The provision of alcoholic beverages for use on site on or along the road is prohibited.
2. This prohibition does not apply to:
 - a. On a terrace belonging to a catering establishment;
 - b. To persons who use the seats available on the terrace
 - c. At times that the catering establishment may be open

Article 4.8 Lighting terrace

The terrace must be sufficiently lit during use.

Article 4.9 Sound devices in catering establishment

The proprietor of a catering establishment is prohibited from operating a sound device for the public in or in its origin without or in derogation of a license from the Lt.

Governor for the benefit of the public or to allow a sound device to be in operation.

The prohibition laid down in the first paragraph does not apply if and insofar as it concerns the playing of music as referred to in Article 52 of the BES Licensing Act.

Chapter 5 Public health

Article 5.1 Nature's call

It is prohibited within built-up areas in a public place to discharge one's natural needs outside of designated places.

Article 5.3 Situation of pits

The situation of pits outside of buildings may not be in a situation for users of the buildings or for others:

- a. Endangers safety
- b. Harm to health or cause nuisance

Article 5.3 Cesspool or cesspit

1. Owners of real estate are obliged to ensure that the distance between their cesspool or cesspit in relation to a water supply in the vicinity is at least 10 meters.
2. In existing situations the distance may be less than 10 meters if a cesspool or cesspit is located deeper in relation to the water supply and a proper separation wall has been installed between the cesspool or cesspit and the water supply

Article 5.4 Keeping the yard clean and controlling pests.

Owners of property are obliged to ensure that their property is kept clean.

If on a property harmful animals has been observed, the entitled person must challenge this.

He must prevent the multiplication of bugs as much as possible

Article 5.5 Proper covering of food

It is prohibited to consume candy, bread and other foodstuff, intended for consumption uncooked or unpeeled or prepared on the spot, other than properly transported neatly covered, offered for sale, have in stock.

This prohibition does not apply if and insofar as the BES Commodities Act provides for this subject.

Article 5.6 Faulty food and drink products

1. It is prohibited to sell food and drink products with an expiry date or date of sale, packaged or unpackaged foodstuffs containing insects, or food or drink products that could endanger human health or safety due to their faultiness. To offer, display, stock for sale, deliver, prepare or serve.:
 - a. On or beside the public road
 - b. In a catering establishment, or;
 - c. In another place accessible to the public
2. This prohibition does not apply if and insofar as the BES Commodities Act provides for this subject.

Chapter 6 Protection of the environment and natural beauty and care for the appearance of the island.

Paragraph 1 Noise nuisance

Article 6.1.1 Definitions

In this section is taken to mean under:

Noise nuisance: danger, damage or nuisance as a result of noise

Audio device: a device intended for or also intended for the production of sound, such as sound amplifying equipment and loudspeakers, musical instruments and gaming machines.;

Device: a sound device or a device that, when used other than through human energy, can cause noise nuisance, not including an aircraft;

Article 6.1.2 Noise nuisance

It is prohibited to perform actions or to operate installations and appliances in any other way with sound equipment or in any other way that causes noise nuisance to a local resident or the environment or to allow these actions to be performed.

Noise nuisance is in any case present if the following values for the long-term average assessment level (Zl.Ar, LT) and the maximum noise level L_{Amax}, expressed in dB(A), are exceeded, measured at the places indicated in the table. These sound values include unamplified music and exclude a 10 Db (A) surcharge due to a clearly recognizable music character.

| | 07.00 – 19.00 | 19.00 – 23.00 | 23.00 – 07.00 |
|--|------------------|------------------|------------------|
| Long-term average on building façade | 50 dB(A) | 45 dB(A) | 40 dB(A) |
| Long-term average in indoor and adjacent buildings | 35 dB(A) | 30 dB(A) | 25 dB(A) |
| Max noise level on buildings façade | 70 dB(A) | 65 dB(A) | 60 dB(A) |
| Max noise level in indoor and adjacent buildings | 55 dB (A) | 50 dB(A) | 45 dB(A) |

Measurements and calculations to control the aforementioned noise level are carried out in accordance with HRM1-99. In contrast to the HRM1-99, measurements may also be made with a type 2 sound level meter, according to the specifications of IEC publication 60651, type 2 sound level meter.

The maximum noise level L_{Amax} included in the table does not apply to loading and unloading activities and car traffic.

The values indicated in the table within built-in or adjacent sensitive buildings do not apply if the user of these sensitive buildings does not give permission for reasonably carrying out or having carried out the noise measurements.

The Executive Council may grant an exemption from the provisions of the first paragraph.

Article 6.1.3 Sound cars

It is prohibited on public roads when peddling, when making broadcasts or when distributing, recommending, announcing or publishing printed or written documents or pictures in such a way as to shout, to go about or ride with such advertising means or such noise making means as to disturb the public order.

Paragraph 2 Bottom – road and environmental pollution

Article 6.2.1 Pollution of the road and of areas

1. It is forbidden
 - a. To place waste or any other such substance or object that can cause pollution, damage or insufficient drainage of the road or can cause nuisance or adverse effect on the environment, outside a designated collection point on or place in the bottom, to dump, to throw, pour out, to let it fall or run or to hold;

- b. To use a waste basket, bin or similar object placed on or by the road for a purpose other than the deposit of small waste, such as packaging of snacks and small eatables, and cigarettes and cigar boxes.
2. The prohibition laid down in the first paragraph, preamble and under a, does not apply insofar as the substances or objects end up on the road or are temporarily placed on the road as an unavoidable consequence of the loading and unloading or transport of substances or objects or from performing other work on or near the road.
3. The Executive Council may grant an exemption from the prohibition laid down in the first paragraph, under a.

Article 6.2.2 Prohibition of harmful discharges

It is prohibited to drain, dump or throw waste water or water that is permeated with or contaminated by crude oil or oil products, crude oil or chemicals into public sewers or seawaters or onto public roads.

Paragraph 3 Measures against disfigurement

Article 6.3.1 Disfiguring or annoying advertisements, etc.

1. It is prohibited to affix commercial advertising on or to real estate that is visible from the road, or to keep such advertising in sand or tolerate its presence as the owner or user of that real estate.
2. The prohibition contained in the first paragraph does not apply:
 - a. To advertising for goods that are manufactured or traded or for a profession or a business, that is performed on or in the immovable goods, insofar as the Executive Council has declared to the owner or user of the immovable good, that the advertisement in its opinion in writing
 - b. On advertising, affixed to a sign with a surface area not exceeding 1 m², to the offer for sale of one or more buildings or sites for rent.
3. The Executive Council may grant an exemption from the prohibition contained in the first paragraph if, in its opinion, the advertisement does not impermissibly harm the property.

Article 6.3.2 Having sea containers placed

1. It is prohibited to keep a sea container in a place visible to the public for more than 48 hours.
2. The restraining order set out in the first paragraph does not apply to:
 - a. Sea containers that are apparently in use as a transport container for their original purposes
 - b. Sea containers for the placement of which a building permit has been granted.
3. The Executive Council may grant an exemption from the prohibition contained in the first paragraph.

Article 6.3.3 Maintaining placed above-ground installations withdrawn from their use

It is prohibited to have installations wholly or partly above ground in a place visible to the public, if they are no longer used and apparently will no longer be used for the purpose for which they were erected.

Article 6.3.4 Placing or keeping vessels on land

1. It is prohibited to have a boat docked or docked on land in a place visible the public for more than 72 hours.
2. The Executive Council may designate places by decree to be made public where the prohibition set out in the first paragraph does not apply. The Executive Council may determine that a designation only applies to certain categories of vessels.
3. The Executive Council may grant an exemption from the prohibition laid down in the first paragraph.

Chapter 7 Other topics concerning the housekeeping of the island territory

Paragraph 1. Parking Excess

Article 7.1.1. Definitions

In this section, the following definitions apply:

- a. Roads, all streets, roads, alleys, corridors, paths, squares, quays, bridges, steps, sidewalks, as well as the verges of sides belonging to the roads that are open to public driving or other traffic.
- b. Vehicles, all driving and vehicles, with the exception of:
 - Bicycles and mopeds
 - Wheelbarrows and similar small vehicles, wheelchairs;
- c. Parking, operating or leaving vehicles, other than during the time necessary for and used for the immediate entry or exit of persons or the immediate loading or unloading of goods.

Article 7.1.2. Parking of vehicles of a car company, etc.

1. It is prohibited for anyone who makes his business, ancillary business or makes it a habit to set up, repair, demolish, move or trade vehicles.
 - a. To park three or more vehicles on the road belonging to or entrusted to him, or
 - b. To use the road as a workshop for vehicles
2. The vehicles referred to in the first paragraph do not include:
 - a. The vehicles on which repair or maintenance work is carried out, which in total does not take more than one hour, such during the time necessary for an used for this work.
 - b. Vehicles used for the personal use of the person referred to in the first paragraph
3. The Executive Council may grant an exemption from the prohibition laid down in the first paragraph.

Article 7.1.3 Defective vehicles

It is prohibited to park a vehicle that cannot or may not be driven on the road for longer than 48 hours as a result of defects other than those that can be easily remedied.

Article 7.1.5 Vehicles otherwise exclusively for traffic purposes.

It is prohibited to leave a vehicle, such as a warehouse vehicle or dump truck, that is used exclusively or partly for purposes other than traffic on the road for longer than three consecutive days.

The Executive Council may grant an exemption from the prohibition laid down in the first paragraph.

Article 7.1.6 Parking of large vehicles

1. It is prohibited to park a vehicle that, including the load, with a length of more than 6 meters
 - a. Where this is detrimental to the appearance of the island
 - b. Where this hinders the efficient use of the road.
2. The prohibition does not apply on working days from Monday to Friday, daily from 08.00 to 18.00 hours.
3. The Executive Council may grant an exemption from the prohibition laid down in the first paragraph.

Article 7.1.7 Parking of view obstructing vehicles

1. Parking of view-obstructing vehicles on the road near a building intended for residential or other daily use in such a way that as a result the view of residents or users from that building is obstructed in an annoying way or that they are otherwise inconvenienced or caused nuisance.
2. The prohibition set out in the first paragraph does not apply during the time necessary for an used for carrying out work for which the presence of the vehicle on site is necessary.

Article 7.1.8 Parking of vehicles with odor-propagating substances

It is prohibited to park a vehicle with odor-causing substances where residents or users of nearby buildings or sites may experience nuisance or inconvenience.

Paragraph 2 Collecting

Article 7.2.1 Collecting of money

1. It is prohibited, without or in deviation from a permit from the Executive Council, to collect money or goods on the public road or at home if it is thereby indicated or gives the impression that the proceeds are wholly or partly for a charitable or ideological purpose.
2. This prohibition does not apply to private collection.

Paragraph 3 Peddling and work locations

Article 7.3.1 Peddling etc.

1. It is forbidden without or in derogation of a permit of the Executive Council to offer food or have for sale from house to house. Other than on order and other than outside a permanent group of clients.
2. A license as referred to in the first paragraph may be refused
 - a. In the interest of public order;
 - b. In the interest of preventing or limiting nuisance
 - c. In the interest of freedom of movement or safety

- d. In the interest of public health

Article 7.3.2 Places of work; displays on the road

1. It is prohibited without or in derogation of a permit from the Executive Council on or near a public road or on a public waterway.
 - a. to occupy or have a stand with a vehicle in order to offer, sell or provide goods for sale, to sell or to provide or to offer services in the course of trade;
 - b. otherwise display or have displayed goods in order to offer them for sale, to sell or to provide them to the public;
 - c. to have chairs, benches or other seats for the benefit of the public.
2. This prohibition does not apply to terraces at catering establishments insofar as it concerns the conduct of the hotel business.
3. The Council may refuse the permit
 - a. In the interest of public order
 - b. In the interest of preventing or limiting nuisance;
 - c. In the interest of protecting the appearance of the environment;
 - d. In the interest of freedom of movement or safety;
 - e. In the interest of public health, insofar as the BES Commodities Act is not applicable.

Paragraph 4 Warning Signs and Road Signs

Article 7.4.1 Obligation to tolerate warning signs and road signs

1. The Executive Council can oblige entitled persons to allow warning signs or traffic signs to be installed on their building or on their property by or on behalf of the Executive Council.
2. It is prohibited to change, make invisible or unrecognizable, or remove the board or sign thus affixed.

Paragraph 5 Animal protection measures.

Article 7.5.1 Abuse of animals

It is forbidden:

- a. To drive on a public road a draught animal, that is injured or affected by an outwardly observable ailing condition, unless the animal became in that condition during the time of the use that was made of it at the moment that the fact had been noticed and it had not yet been possible to be put out of operation.
- b. To let a head of cattle go on the public road when it is reasonably foreseeable that it will not be able to reach its destination due to injury or weakness.
- c. To transport livestock on public roads with their head outside the means of transport or in a recumbent position in such numbers that the bottom of the means of transport does not provide each head of livestock with sufficient and proper berth;

- d. To drive a vehicle on a public road if the carriage, including the driver and other passengers, is not in balance or requires excessive effort from the draft animal due to the heaviness;
- e. To drive a carriage or draft animal on a public road if any part of the harness causes abrasions or other injuries to the animal due to hardness, insufficient width or dimensions.

Article 7.5.2 Documenting dogs and cats

- 1. It is prohibited to moor a dog, to have it sequestered or to have or keep it, unless the dog is provided with a collar, the length and width of which are such that the collar is not harmful to it and in such a way it is recorded that it can move freely.
- 2. There must be a shady area and/or area within reach of the captured dog where the animal has shelter from weather conditions such as sun and rain.
- 3. It is prohibited to capture, detain, have captured or detained cats, or to do or have detained cats.

Article 7.5.3 Protection of livestock against weather conditions

It is prohibited to secure livestock other than for a short time or to have them in a coral or stable, if they are not adequately protected against weather conditions such as sun and rain.

Paragraph 6 Plot numbers, Street Signs, Warning Signs and Road Signs

Article 7.6.1 Plot numbers

The person entitled to a structure, building or wooden structure, is obliged to ensure that:

- a. The number is placed in a suitable place, which is at least one and a half meters high and at most three meters above the ground floor, if possible visible from the public road;
- b. The number placed on it or therewith is maintained in a legible condition.

Article 7.6.2. Readability number

- 1. The entitled person is obliged to take care, that during the execution of work to the plot the number remains indicated clearly and readably.
- 2. It is prohibited to remove the number of the plot or to install or have another number.

Article 7.6.3 Obligation to tolerate

It is prohibited to change, make invisible or unrecognizable, or remove the sign, number or sign thus affixed, without indication of the Executive Council.

Chapter 8 Penal, transitional and final provisions

Article 8.1 Penal provision

Violation of any provision of this island regulation is punished with imprisonment of at the most two months or fine of the second category and can besides be punished with publication of the judicial decision.

Article 8.2 Supervisors

The person designated by the competent authority are charged with supervising compliance with this regulation.

Article 8.3 Entering homes

If the supervision of compliance or the detection of a violation of a provision of this Regulation that is intended to maintain public order or security or to protect the life or health of persons requires that the persons charged with investigation are authorized to enter a home without the consent of the resident, they are granted this authority.

Article 8.4. Transitional provisions

1. This Island Ordinance may be cited as: General Local Ordinance Sint Eustatius
2. It shall enter into force on the day following its promulgation
3. The following Regulations are repealed:
 - a. Island Ordinance Promotion of Public Order and Community Protection 1993
 - b. The Sint Eustatius Dog Ordinance;
 - c. The Island Ordinance regulating the marking and registration of livestock on the island of Sint Eustatius (livestock Registration Regulation), as well as
 - d. The Island Decree, containing general measures, of 22 December 1997 regulating the registration of livestock falling under the Livestock Registration Regulation.
4. Permits, exemptions and other decisions granted or taken under these Regulations shall be deemed to have been granted or taken pursuant to these Regulations
5. If an application for a permit or exemption by whatever name has been submitted on the basis of the regulations referred to in subsection 1 before the date of entry into force of this Regulation and the application has not yet been submitted before the date of entry into force of this Regulation decided, the corresponding provision of this Regulation shall be applied to it.
6. Regulations or prohibitions for which a permit or exemption is required under this Regulation and which are not included in the Regulations referred to in the first paragraph, do not apply.
 - a. During three months after the entry into force of this Regulation
 - b. Also after the term determined under a, insofar as the person needing the permit or exemption, has submitted a request as

referred to in article 1.2, until irrevocably has been decided on this request.

Thus decided by the Government Commissioner on 18 December 2018

The Government Commissioner,
Was signed: Mr. M.C.F. Franco

Table of contents

Chapter 1 General Provisions

- Article 1.1 Definition of terms
- Article 1.2 Request for permit or exemption
- Article 1.3 Decision period
- Article 1.4 Form of permit or exemption
- Article 1.5 Deviation
- Article 1.6 Regulations and limitations
- Article 1.7 Terms
- Article 1.8 Grounds for refusal
- Article 1.8 Revocation or alteration of permit or exemption
- Article 1.9 Inspection of permit or exemption

Chapter 2 Public order and safety

Paragraph 1 Violation of emergency decrees

- Article 2.1.1 Violation of emergency decrees

Paragraph 2 Dangerous or annoying acts, whether or not on or side of the road

- Article 2.2.2 Blasting stones by means of explosion
- Article 2.2.3 Prohibition to light fireworks
- Article 2.2.4 Prohibition to light fire
- Article 2.2.5 Smoking ban
- Article 2.2.6 Prohibition of the use of firearms and wind rifles
- Article 2.2.7 Flying kites

Paragraph 3 Right to demonstration

- Article 2.3.1 Notification of demonstrations in public places

Paragraph 4. Fighting irregularities

- Article 2.4.1 Assembling and disturbances

Paragraph 5. Events on or near the road

- Article 2.5.1 Definition of terms
- Article 2.5.2 Event permit and notification of a small event
- Article 2.5.3 Disruption of the peace

Paragraph 6. Use of the road

- Article 2.6.1 Objects or substances on, at or above the road
- Article 2.6.2 Construction, damage and alteration of a road
- Article 2.6.3 Annoying planting or dangerous object
- Article 2.6.4 Contamination during road work

Article 2.6.5 Transport of polluting substance
Article 2.6.5 Road safety

Paragraph 7 Measures against nuisance and wantonness

Article 2.7.1 Annoying behavior on or beside the road
Article 2.7.2 Alcohol use on the road
Article 2.7.3 Drug use on the road
Article 2.7.4 Fireworks
Article 2.7.5 Other behaviors.

Chapter 3 having animals

Paragraph 3 Having animals

Paragraph 1 Definitions

Article 3.1.1 Definitions

Paragraph 2 Dogs

Article 3.2.1 Registration and chips
Article 3.2.2 Reporting missing, death or illness, rabies
Article 3.2.3 Ban on letting dogs run loose
Article 3.2.4 Powers of the Lt. Governor
Article 3.2.5 Nuisance caused by dogs
Article 3.2.6 Killing a dog
Article 3.2.7 Obligations with regard to dangerous dogs

Paragraph 3 Livestock

Article 3.3.1 Registration of livestock
Article 3.3.2 Marks
Article 3.3.3 Letting livestock run loose

Paragraph 4 General

Article 3.4.1 Keeping or feeding nuisance or harmful animals
Article 3.4.2 Keeping wild animals
Article 3.4.3 Poultry

Chapter 4 Catering Establishments

Article 4.1 Definitions
Article 4.2 Relation to the BES Licensing Act
Article 4.3 Closing time
Article 4.4 Deviation closing time, temporary closure
Article 4.5 Access to police officers and supervisors
Article 4.6 Prohibited conduct
Article 4.7 Supply of beverages outside a catering establishment

Article 4.8 Terrace lighting
Article 4.9 Sound equipment in catering establishments

Chapter 5 Public Health

Article 5.1 Nature's call
Article 5.3 Condition of wells
Article 5.4 Keeping the yard clean and controlling sacral animals
Article 5.5 Proper covering of edibles
Article 5.6 Faulty food and beverages

Chapter 6 Protection of the environment and the natural beauty and care for the outer appearance of the island.

Article 6.1.2 Noise pollution.
Article 6.1.3 Noise wagons

Paragraph 2 Bottom, road and environment contamination

Article 6.2.1 Contamination of the road and of sites
Article 6.2.2 Prohibition of harmful discharge

Paragraph 3 Measures against disfigurement

Article 6.3.1 Disfiguring or annoying advertisements, etc.
Article 6.3.2 Placing sea containers
Article 6.3.3 Keeping aboveground installations withdrawn from their use.
Article 6.3.4 Placing or keeping vessels on land

Chapter 7 Other issues concerning the household of the island territory

Paragraph 1 Parking Excess

Article 7.1.1 Definitions
Article 7.1.2 Parking of vehicles from a car company, etc.
Article 7.1.3 Defective vehicles
Article 7.1.5 Vehicles otherwise solely for traffic purposes
Article 7.1.6 Parking of large vehicles
Article 7.1.7 Parking obstructed vehicles
Article 7.1.8 Parking of vehicles with odor propagating substances

Paragraph 2 Collecting

Article 7.2.1 Collecting of money

Paragraph 3 Vents and operational bases

Article 7.3.2 Vents etc.
Article 7.3.3 Stands, displays on the road

Paragraph 4 Warning signs and road signs

Article 7.4.1 Obligation to tolerate warning signs and traffic signs

Paragraph 5 Measures for the protection of animals

Article 7.5.1 Abuse of animals

Article 7.5.2 Tying of dogs and cats

Article 7.5.3 Protection of livestock against weather conditions

Paragraph 6 Plot numbers, street signs, warning signs and Road signs

Article 7.6.1 Lot numbers

Article 7.6.2 Number legibility

Article 7.6.3 Obligation to tolerate

Chapter 8 Penal, transitional and final provisions

Article 8.1 Penal provision

Article 8.2 Supervisors

Article 8.3 Entering homes

Article 8.4 Transitional provisions

Article 8.5 Quotation title.

I, Harold Walther Havertong, Translator, hereby certify that I made the translation of this document consisting of 20 pages, from its original in the ~~-DUTCH-~~ language into ...ENGLISH... and that it is, to the best of my knowledge and belief, a true and exact translation according to the current uses and expressions in both languages.

The attached document is entitled: **DECISION GOVERNMENT COMMISSIONER REGARDOMG ADOPTON GENERAL LOCAL ORDINANCE**

Signature _____

Date: June 16,, 2021

Harold Walther Havertong
#11 Amaryllis Road,
Mary's Fancy
Sint Maarten, Dutch Caribbean