



# Civic Government (Scotland) Act 1982

## 1982 CHAPTER 45

### PART VIII

#### BUILDINGS, ETC.

#### **92 Cleaning and painting of common stairs, etc.**

(1) In this section—

" common property " means common stairs, passages, water-closets, backgreens or basements or other similar areas or private courts;

" occupier", in relation to common property, means the occupier or occupiers of lands or premises having a right of access by, or a right in common to, the common property.

- (2) It shall be the duty of the occupier to keep the common property clean to the satisfaction of the district or islands council within whose area the common property is situated.
- (3) A district or islands council may make byelaws for the regulation of the cleaning of common property by the occupier in accordance with this section and such byelaws may provide that persons contravening such provisions of the byelaws as may be specified as provisions contravention of which is an offence shall be liable, on summary conviction, to a fine not exceeding £50 or such lesser sum as the byelaws may specify.
- (4) A district or islands council may by notice in writing require the occupier to comply with subsection (2) above or with byelaws made under subsection (3) above within such reasonable time as may be specified in the notice.
- (5) Sections 99(4) and 106 of this Act shall not apply to a notice served under subsection (4) above.
- (6) A district or islands council may by notice in writing require the owner or owners of lands or premises having a right of access by common stairs or passages to paint

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*Status: This is the original version (as it was originally enacted).*

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or otherwise suitably decorate the common stairs or passages within such reasonable time as may be specified in the notice.

- (7) A district or islands council may remove litter from a backgreen or private court.
- (8) An authorised officer of a district or islands council shall be entitled at any reasonable time to enter common property for the purpose of—
- (a) determining whether subsection (2) above and any byelaws made under subsection (3) above are being complied with;
  - (b) determining whether any common stairs or passages referred to in subsection (6) above require to be painted or otherwise suitably decorated.
- and a person authorised to do so by such a council shall be entitled at any reasonable time to enter such property and to do there anything which the council may do under subsection (7) above.
- (9) A person who throws down, drops or otherwise deposits, and leaves, litter in any common property shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding £200.