



SUPPLEMENT

TO THE

NEW ZEALAND GAZETTE

OF

THURSDAY, DECEMBER 2, 1909.

Published by Authority.

WELLINGTON, WEDNESDAY, DECEMBER 8, 1909.

Town of Rotorua.—Rotorua Town By-laws, 1909.

THE Department of Tourist and Health Resorts (as the corporation constituted by "The Rotorua Town Act, 1907"), in pursuance and exercise of the powers and authorities given to it by "The Rotorua Town Act, 1907," "The Municipal Corporations Act, 1908," "The Public Health Act, 1908," "The Explosive and Dangerous Goods Act, 1908," and the regulations made on the 11th day of April, 1908, and the 25th day of August, 1908, by His Excellency the Governor by Order in Council under the provisions of "The Rotorua Town Act, 1907"; and in pursuance also of all other Acts, powers, and authorities in anywise enabling the Department in this behalf, doth hereby make the by-laws hereinafter set forth.

PRELIMINARY.

1. *Short Title.*—These by-laws may be referred to collectively as "The Rotorua Town By-laws, 1909."
2. *Division into Parts.*—These by-laws are divided into Parts as follows:—

- Preliminary.
- Part I. Traffic.
- Part II. Width of Tires.
- Part III. Licensed Vehicles.
- Part IV. Streets and Public Places.
- Part V. Motors.
- Part VI. Prevention of Fires.
- Part VII. Public Health.
- Part VIII. Licensed Hawkers.
- Part IX. Storage of Explosives.
- Part X. Public Buildings.
- Part XI. Licensed Billiard-rooms.
- Part XII. Advertising Signs and Hoardings.
- Part XIII. Electric Light.
- Part XIV. Water-supply.
- Part XV. Sanitation,

- Part XVI. Stables.
- Part XVII. Refuse-removal.
- Part XVIII. Native Guides.
- Part XIX. Buildings.
- Part XX. Porticoes and Verandahs.
- Part XXI. Native Villages.
- Part XXII. Miscellaneous.
- Part XXIII. Penalties.
- Part XXIV. Repeals and Savings.

3. *Commencement.*—These by-laws shall come into force on the 27th day of December, 1909.

4. *Application of By-laws.*—These by-laws shall, save where otherwise provided therein, apply to the whole of the Town of Rotorua.

5. *Interpretation.*—In these by-laws, where not inconsistent with the context,—

- "Approved" means approved by the Resident Officer;
- "Department" means the Department of Tourist and Health Resorts, a body incorporated with respect to the Town of Rotorua by "The Rotorua Town Act, 1907";
- "Dwellinghouse" or "dwelling" means any habitable building;
- "Footway" or "footpath" includes the edging or kerbing thereto and the channelling attached or belonging thereto;
- "General Manager" means the General Manager for the time being of the Department, and includes any officer acting for him;
- "Month" means calendar month;
- "Occupier" means the inhabitant occupier of any property;
- "Owner" of any land, building, or premises means the person for the time being entitled to receive the rack-rent thereof, or who would be so entitled if the same were let to a tenant at a rack-rent. In the case of the absence from New Zealand of the owner, the said expression includes his attorney or agent;

"Owner" of a vehicle includes a bailee thereof entitled to the possession and use thereof :

"Person" includes a body of persons, whether incorporate or unincorporate :

"Private street" means any roadway laid out within the town on private property by the owner thereof, but intended for the use of the public generally, and includes every such roadway as aforesaid that immediately before the coming into operation of "The Rotorua Town Act, 1907," was a private street of the town or of any part thereof :

"Public place" includes every road, street, private street, footpath, footway, court, alley, and thoroughfare of a public nature, or open to or used by the public as of right :

"Resident Officer" means the officer of the Department resident at Rotorua appointed for the time being to carry out the provisions of "The Rotorua Town Act, 1907," under the direction of the General Manager :

The said expression "Resident Officer," moreover, includes any officer appointed by the Minister for the time being in charge of the Department to assist the Resident Officer, or to be a deputy officer in respect of any of the duties or powers exercisable by the Resident Officer, or to act for the Resident Officer temporarily :

"Street" or "public street" means and includes the whole of any land lying within the town which,—

(1.) Immediately before the date of the coming into operation of "The Rotorua Town Act, 1907," was a public highway under the control, as such, of the Rotorua Town Council or of any other local authority of any description ; or

(2.) Is laid out by the Department as a public highway after such date ; or

(3.) For twenty years next before such date has actually, and whether legally or not, been maintained and controlled as a public highway by any local authority or local authorities of any description whatever and used by the public :

The said expressions "street" or "public street" and "private street" include every public square or public place, and every bridge, culvert, drain, channel, footway or footpath, ferry, ford, gate, building, or other thing belonging thereto, or lying upon the line, or within the limits thereof :

"Town" means the Town of Rotorua, as described in the Schedule to "The Rotorua Town Act, 1907" :

"Vehicle" includes motor-car :

"Writing," "written" or any term of like import includes words printed, typewritten, painted, engraved, lithographed, or otherwise traced or copied ; and, where anything is in these by-laws required to be written, it may be partly in writing and partly in print and typewriting or either, or it may be partly in print and partly in typewriting.

Words importing the singular number shall include the plural and *vice versa*, and words importing the masculine gender shall include females.

The notes at the commencement of the several clauses of these by-laws purporting to indicate the effect thereof respectively are intended merely to assist reference thereto respectively, and are to be deemed not to form any part of these by-laws, and are not to affect the construction thereof.

PART I.—TRAFFIC.

1. *Rule of the Road.*—Any person driving any vehicle whatsoever, or riding any animal, shall, when meeting any vehicle or animal, keep on the left, or near, side of the road or street, or when passing any vehicle or animal going in the same direction shall pass, when practicable, on the right, or off, side of such vehicle or animal, and such person shall, when practicable, allow any person driving a vehicle or riding an animal in the same direction to pass him on the right, or off, side.

2. *Pace round Corners and over Bridges.*—No person shall ride or drive any horse or other animal, either with or without a vehicle, or ride any bicycle or tricycle, or drive any motor-car, round an angle or corner of any public or private street, or public place, or over any bridge, at a speed exceeding five miles per hour.

3. *Charge of Two Vehicles.*—No person shall act as driver, or have the sole charge of more than one vehicle on any public or private street, or public place, save where two vehicles, and no more, shall be drawn each by one horse only, but in that case the horse of the hinder of such vehicles shall be attached by a sufficient rein to the back of the foremost of such vehicles.

4. *Lights.*—No person shall drive any carriage, cart, coach, buggy, or other vehicle, or ride any bicycle or tricycle, through or along any public or private street, or public place, between half an hour after sunset and half an hour before sunrise, unless such carriage, coach, cart, buggy, or vehicle shall be provided with proper and effective side lights, and unless such bicycle or tricycle shall be provided with a proper and effective front light, and unless the lamps or other means of producing the light shall in each case be kept lit.

5. *Bells on Bicycles.*—The rider of any bicycle or tricycle shall carry an alarm bell or horn, and shall ring such bell or sound such horn when meeting or approaching any vehicle, or person on horseback, or person on foot.

6. *Leaving Vehicles on Streets.*—No person shall leave upon any public or private street, or public place, any plough, harrow, cart, or other vehicle, without any horse or animal harnessed thereto, unless in consequence of some accident having occurred.

7. *Projections from Vehicles.*—(1.) No person shall have any iron, timber, or boards laid across any vehicle going along any public or private street, or public place, so that either end shall project more than 2 ft. beyond the wheels of such vehicle.

Flapping Awnings.—(2.) No person shall drive or permit to stand in any public or private street or public place any vehicle with the curtain, covering, or awnings thereof unfastened and liable to be flapped about by the wind so as to frighten or be calculated to frighten horses.

8. *Furious Driving.*—No person shall furiously or negligently ride or drive on any public or private street or public place.

9. *Vehicles, &c., on Footpath.*—No person shall lead, ride, or drive any horse or other animal, or draw, wheel, or drive any cart, carriage, sledge, truck, barrow, bicycle, tricycle, or other thing (except a perambulator) along any footpath.

10. *Reins, &c.*—No carter shall ride on any cart, drag, or wagon in any public or private street or public place without having and holding proper and sufficient reins, unless a competent person has charge of the animal or animals drawing the same.

11. *Driving Loose Animals.*—(1.) No person shall drive, assist to drive, or cause to be driven into, along, or upon any public or private street or public place any loose horses, cattle, sheep, pigs, or other animals unless with the sanction of the Resident Officer signified by a permit under his hand first obtained : Provided that nothing herein contained shall apply to the stock-roads hereinafter mentioned nor to any other street to be hereafter declared a stock-road by order in writing signed by the General Manager and advertised in some newspaper circulating in the town, nor shall anything herein contained apply to the driving of milch-cows. The said stock-roads are the following :—

(a.) Maketu Road from Puarenga Stream to Fenton Street ;

(b.) Fenton Street from junction with Maketu Road to Old Tauranga-Taupo Road ; and

(c.) Old Tauranga-Taupo Road from Hemo Gorge to Utuhina Stream.

(2.) No person shall unlawfully obstruct or prevent the driving of any such animals as aforesaid.

12. *Carrying Materials on Footpaths.*—No person shall carry along any footpath any implements, tools, or materials projecting in such a manner as to be a public obstruction.

13. *Obstruction of Streets.*—(1.) No person shall stand or loiter upon any footway, street, private street, bridge, or public place so as to obstruct the passenger traffic thereon, nor sit or remain or be upon any building, scaffolding, fence, or other structure, or any part thereof, abutting or facing any footway, street, private street, bridge, or public place, so as to obstruct the passenger traffic on any such footway, street, private street, bridge, or public place.

(2.) No person shall in any manner whatever wilfully or negligently encumber or obstruct a public or private street or public place.

14. *Protection of Kerbs and Channels.*—No person shall drive or stand any vehicle of any description on any concrete or other water-channel.

PART II.—WIDTH OF TIRES.

1. *Minimum Widths.*—All vehicles, whether plying for hire or not, shall have tires of the following minimum widths :—

For vehicles carried on springs,—

To carry up to 5 cwt. . . . .	..	..	1½ in.
" " 10 cwt. . . . .	..	..	1¾ in.
" " 1 ton . . . . .	..	..	2 in.
" " 1½ tons . . . . .	..	..	2½ in.
" " 2 tons . . . . .	..	..	3 in.
" over 2 tons . . . . .	..	..	4 in.

For vehicles without springs,—

To carry up to 10 cwt.	..	..	2 in.
" " 1 ton	..	..	3 in.
" " over 1 ton	..	..	4 in.

The above weights are exclusive of the weight of the vehicle, whether having springs or not.

2. *Owners to comply with By-law.*—No person, being the owner or one of the owners of any vehicle (whether plying for hire or not), shall allow or suffer the same to be driven in any street of the town unless the tires of the wheels thereof shall be in accordance with the foregoing by-law.

3. *Scale for measuring Load.*—For the purposes of this Part of these by-laws the several quantities of goods and materials mentioned below shall be deemed to be of the respective weights set opposite thereto respectively:—

Timber	..	..	4 cwt. per 100 super. feet.
Chaff	..	..	1 cwt. per bag.
Earth, sand, gravel, stone, lime, coal, or similar material	..	..	25 cwt. per cubic yard.

Other materials according to their actual weights.

4. *Name of Owner and Weight of Vehicle.*—The owner of every vehicle (whether or not for hire) used for the carriage of goods in the streets of the town shall cause his name and address and the correct weight of the vehicle to be at all times painted thereon in a permanent and legible manner in letters and figures of at least two inches in length and of proportionate breadth.

5. *Power to detain Vehicles.*—Any officer of the Department or any constable may stop and detain any vehicle, travelling or being in any street of the town, which in his opinion infringes any provision of this Part of these by-laws until the width of the tires or the weight of such vehicle and the load thereon or the weight or measurement of the contents of the vehicle can be ascertained.

6. *Driver to assist.*—The driver of such vehicle shall give to such officer or constable as aforesaid such information as to the load or contents of the vehicle, and the quantity, weight, size, or measurement of the load or contents, and shall do such acts for the purpose of enabling the same to be ascertained, as the said officer or constable requests.

7. *Offence.*—Any driver refusing to stop or give information or do any act as aforesaid or wilfully or carelessly giving wrong information, and any person obstructing any such officer or constable in weighing or measuring the vehicle or load, shall be deemed to commit a breach of these by-laws.

PART III.—LICENSED VEHICLES.

1. *Vehicles to be licensed.*—No owner or driver of any vehicle plying for hire for the carriage of passengers (whether at separate fares or otherwise) or goods within the town, or between places within and beyond the town, shall permit the same to stand or ply, or be used or (as regards the owner only) to be kept for hire unless such vehicle shall be licensed by the Department.

2. *Drivers to be licensed.*—No person shall act as the driver or conductor of a vehicle plying for the carriage of or carrying passengers for hire unless such person be licensed in that behalf by the Department. Every driver and conductor shall at all times when so acting have his license with him, and shall produce the same on demand to any officer of the Department or to any constable, and shall not lend his license to any person.

3. *Application for Driver's License.*—No license shall be granted to any driver unless the applicant shall produce a certificate, signed by two responsible persons, of his sobriety and general good conduct, and that he is of the age of sixteen years or upwards and of sufficient experience and capacity: Provided that such certificate may be dispensed with when the applicant has been previously licensed.

4. *Numbers to be painted on Vehicles.*—(1.) All vehicles used or kept for the carriage of passengers or goods for hire shall be numbered, registered, and licensed at the Resident Officer's office in the town, and the owner of any vehicle shall not permit the same to stand or ply for hire, or be used or kept for hire, until he shall have painted the number of such vehicle on the right, or off, side of the vehicle, in a conspicuous place, and in figures not less than 1½ in. in size, and of proportionate breadth, and shall also (in the case of vehicles used for the carriage of passengers) paint thereon the number of passengers which the vehicle is licensed to carry.

(2.) The owner shall see that all such numbers are maintained on such vehicles so as to be distinctly legible whenever the vehicle stands or plies or is used for hire.

5. *Number of Passengers to be carried.*—The driver of any licensed vehicle or, if there be one, then the conductor, shall not carry any greater number of persons at one and the same time than such vehicle is licensed to carry. The space to be allotted to each passenger shall be not less than 14 clear inches.

6. *Inspection of Vehicles.*—The owner of all vehicles to be licensed shall bring the same to the office of the Resident Officer, to be there inspected by the Resident Officer (or some person appointed by him) at the time of issuing the license; and no vehicle shall be licensed unless it has tires as required by these by-laws, nor unless the vehicle is, in the opinion of the Resident Officer or such appointed person as aforesaid, in a safe and proper condition for the carriage of passengers or goods (as the case may be).

7. *Brake.*—The owner of a licensed four-wheeled vehicle shall cause the same to be provided with a sufficient brake whenever it is used in plying or carrying passengers or goods for hire.

8. *Harness.*—The owner of a licensed vehicle drawn by an animal or animals shall see that, at all times when the same is used in plying or carrying passengers or goods for hire, proper and sufficient harness is provided, and the driver shall see that such harness is duly fastened and adjusted so that such animal or animals shall be properly and securely attached to the vehicle and be under the due control of such driver.

9. *Refusal to accept Hire.*—A driver or (where there is a conductor) the conductor of a licensed vehicle shall not refuse or omit to carry any person or (as the case may be) any goods for hire without reasonable excuse, the proof of which shall be upon such driver or conductor (as the case may be).

10. *Driving Dangerous Horses.*—(1.) A driver of a licensed vehicle shall not drive it with any horse or other animal whilst in such a condition as to expose any person conveyed or being in such carriage or any person traversing or being in any street, private street, or public place to risk of injury.

(2.) The owner of a licensed vehicle shall not permit or suffer it to be driven contrary to paragraph (1) of this by-law.

11. *Misconduct of Drivers and Conductors of Licensed Vehicles.*—No driver or conductor of any licensed vehicle for the conveyance of passengers shall wilfully delay on the road, use any abusive or insulting language to any person, or, by reason of any intoxication, negligence, or other misconduct, cause injury to or endanger the safety of the person or property of any passenger.

12. *Left Property.*—Whenever any property shall be inadvertently left in a licensed vehicle, the driver thereof, or, if there be one, then the conductor, shall within twenty-four hours after finding the same deliver the same at the nearest police-station if not previously claimed by the owner.

13. *Disinfecting Vehicles.*—It shall not be compulsory upon the driver or conductor of a licensed vehicle to permit to enter or to carry therein any person suffering from any infectious disease; but, if he does so, then the conductor (in the case of a stage vehicle) or the driver (in the case of any other vehicle) shall forthwith after it has come to his knowledge that the vehicle has been entered by a person so suffering cause the vehicle to be effectually disinfected and in default of so doing shall be liable to a penalty not exceeding £10 for each offence.

14. *Dead Bodies.*—No deceased human body shall be carried in any vehicle licensed for the carriage of passengers.

15. *Drivers to stop to permit Inspection.*—The driver of any licensed vehicle shall at the request of any officer of the Department or police constable stop his vehicle and permit any inspection to be made by such officer or constable for any of the purposes of this Part of these by-laws.

16. *Revocation of Licenses.*—On conviction of any owner, driver, or conductor of a licensed vehicle of any offence against this Part of these by-laws, or of any clause under any other Part of these by-laws relating to vehicles in public or private streets or public places, or to the conduct of the owners, drivers, or conductors thereof (as the case may be), or on conviction of any owner, driver, or conductor of any offence whatever touching his character as such, it shall be lawful for the Resident Officer to cancel or suspend for such time as he shall think fit the license of the vehicle in respect of which the owner shall have committed the offence or (as the case may be) the license of the driver or conductor; and upon such cancellation, or during the time of such suspension, such vehicle, driver, or conductor shall be deemed unlicensed.

17. *Duration of Licenses.*—Every vehicle license and driver's and conductor's license shall expire on the 31st day of December following the date thereof.

18. *License Fees.*—There shall be paid at the time of applying for any license for a vehicle the following fees: namely, for all vehicles licensed to carry passengers, a fee of £1 each; for all vehicles to carry goods, a fee of 10s. each. For every driver's and conductor's license there shall be paid a fee of 2s. Fees shall be returned in the event of the licenses not being granted.

19. *Forms of Licenses.*—(1.) Every license of a vehicle shall contain the number of the license and the number of the vehicle, and (in the case of passenger-vehicles) the number of passengers that may be carried therein, and the date of the license, and the period covered by the license, and shall state the amount of the fee paid, and shall be signed by the Resident Officer.

(2.) Every driver's and conductor's license shall contain the number and date thereof, the period covered thereby, and shall state the amount of the fee paid, and shall be signed by the Resident Officer.

20. *Register.*—A register shall be kept by the Resident Officer of all licensed vehicles and licensed drivers and conductors, and such register shall be evidence of the correctness of its contents unless and until the contrary is proved, and shall also be evidence unless and until the contrary is proved that any vehicle, or driver, or conductor not appearing by such register to be licensed, and every vehicle, driver, or conductor whose license appears thereby to have been cancelled or to be suspended, is not licensed.

PART IV.—STREETS AND PUBLIC PLACES.

1. *Injuries to Streets.*—Every person who, not being authorised by the Department or by any Act,—

- (1.) Encroaches on a street by making or erecting any building, fence, ditch, or any other obstacle or work of any kind upon, over, or under the same or planting any tree or shrub thereon;
- (2.) Places or leaves on a street any timber, earth, stones, or other thing;
- (3.) Digs up, removes, or alters in any way the soil, or surface, or scrapings of a street;
- (4.) Allows any water, tailings, or sludge, or any filthy or noisome matter, to flow from any building or land in his occupation on to a street;
- (5.) Causes or permits any timber or other heavy material, not being wholly raised above the ground on wheels, to be dragged on a street;
- (6.) Causes or negligently allows any retaining-wall, foundation-wall, or fence erected on any land, or any batter or slope of earth, or any building, erection, material, or thing, to give way or fall, so as to injure or obstruct any street;
- (7.) Does or causes or permits to be done any act whatsoever by which any injury is done to any street or any work or thing in, on, or under the same,—

shall be liable to a penalty not exceeding £10 for every day upon which such offence is committed or suffered to continue and to a further sum equal to the cost incurred by the Department in removing any such encroachment, obstruction, or matter, or in repairing any injury done as aforesaid: Provided that no penalty shall be imposed unless the information or complaint is laid by authority of the Department or some officer thereof.

2. *Dangerous Holes, &c.*—No person shall leave any hole, excavation, or dangerous formation in or near any public or private street, or public place, without fencing or enclosing the same, or without keeping a sufficient light burning upon or near the same from sunset to sunrise.

3. *Cellar-doors, &c.*—No person shall make any cellar-door or other opening from the footway of any public or private street or public place without the consent, or otherwise than in accordance with the directions of the Department.

4. *Entrances, &c., to Areas, &c.*—The occupier of every area, cellar, or other place opening into or upon or near any public or private street, or public place, shall keep in good repair any rail, gate, fence, or cover over or about the same, and shall not keep open for more than a reasonable time for taking in or out any articles any entrance to any such area, cellar, or other place.

5. *Placing Obstructions on Streets.*—No person shall place or leave any obstruction or any timber, bricks, stones, building-materials, goods, or other things upon any public or private street or public place without the permission of the Department.

6. *Opening Streets.*—No person shall dig up or remove the soil or surface of any footway or roadway of any street, private street, or public place, without permission from the Department: Provided that this by-law shall not apply to the case of any works lawfully executed on any private street by any persons required by law to execute the same.

7. *Obstructing Drains.*—No person shall obstruct or damage any culvert, sewer, or drain belonging to or under the control of the Department.

8. *Drippings not to fall on Footways.*—The owner of every house, building, or verandah shall adopt all necessary means, by providing gutterings, pipes, and drains, or otherwise, for preventing the drippings from the eaves of any such house, building, or verandah from falling upon any footway.

9. *Leaving Inflammable Matter.*—No person shall leave any inflammable materials or matter in any public shed or place, or on any open space near any building, without permission from the Resident Officer.

10. *Annoyances in Public Places.*—No person shall roll any cask, beat any carpet, fly any kite, use any bow and arrows, or play at any game to the annoyance of any person in any public or private street or place.

11. *Carts, &c., placed across Streets.*—No person shall unnecessarily place or permit to remain any vehicle or animal across any public or private street or footway or public place so as to obstruct the same.

12. *Against discharging Missiles.*—No person shall throw or discharge any stone or other missile to the damage or danger of any person or property being in any public or private street or public place.

13. *Firearms and Fireworks.*—(1.) No person shall carry any loaded firearms or any other dangerous weapons in any public or private street or public place nor shall any person discharge any firearms within the town without lawful excuse the proof of which shall be upon him: Provided that this by-law shall not apply to any person in His Majesty's military or naval service, nor to any constable, peace officer, Militiaman, or Volunteer on duty.

(2.) No person shall set off any fireworks or explosive material in or on any public or private street or public place, or so near thereto as to endanger, annoy, or frighten the passers-by.

14. *Against advertising on Public Buildings or in Public Places.*—No person shall post, paint, affix, carve, inscribe, exhibit, or display any placard, bill, inscription, advertisement, or notice—

- (1.) Upon or over any public building, public structure, or bridge; or
- (2.) Upon or over any telegraph or telephone pole, railway post, or lamp-post in or adjacent to any public or private street or public place; or
- (3.) On any public or private street, or footway, or public place; or
- (4.) Upon or over any privately owned house, building, wall, fence, gate, or tree adjoining or adjacent to any public or private street or public place unless with the consent of the occupier of such house or building or of the person occupying the premises on which such wall, fence, gate, or tree shall be, where such consent can, having regard to Part XII of these by-laws, be lawfully given.

15. *Exposing Articles.*—No person shall expose for sale any article whatsoever on any footway.

16. *Exposing Animals.*—No person shall expose in any public or private street or public place any horse or other animal for show, hire, or sale.

17. *Bathing.*—No person shall bathe near to or within view of any public or private street or public place without being properly clad from the shoulders to the knees.

18. *Depasturing Animals on Streets.*—(1.) No person shall tether or otherwise put or place any horse, ass, mule, ox, or other cattle, for the purpose of depasturing or grazing the same, in or upon any street, whether public or private, or any public place.

(2.) No person shall allow any such animal as aforesaid belonging to him or under his control or charge to be at large, or without proper guidance, or to wander in any public or private street or public place.

19. *Leaving Vehicles unattended.*—No driver of any vehicle, whether licensed or not, shall leave the same unattended in any public or private street or public place, or shall go for a distance of more than 2 yards from the side of such vehicle being in any such street, private street, or public place, without passing through the near wheel or wheels thereof a suitable chain or chains, so as to effectually prevent the rotation of such wheel or wheels.

20. *Against breaking in and testing Horses in Streets.*—It shall not be lawful to break in any horse or other animal in any street, whether public or private, or in any public place, save such public places as may from time to time be appointed and advertised by the Department in that behalf; nor shall it be lawful, by locking the wheels of any cart or other vehicle, or otherwise, to test or try any horse or other animal so as to obstruct or injure any public or private street or public place.

21. *Entire Animals.*—No person having the charge of any bull, stallion, or other entire animal shall permit it to cover within view of a public or private street, public place, or of any building in or adjacent to a public or private street or public place.

22. *Blasting.*—No person shall blast any rock, stone, or timber in or near any public or private street or public place

without the permission of the Resident Officer, or otherwise than in accordance with any directions given by him.

23. *Interference with Trees.*—No person shall without the authority of the Resident Officer cut, break, bark, root up, or otherwise destroy or damage the whole or any part of any tree, sapling, shrub, or underwood growing in or upon any public or private street or public place, or other place under the management or control of the Department, nor tie, tether, or fasten any horse or other animal to any such tree, sapling, or shrub to its detriment.

24. *Removal of Overhanging Trees, and Gorse, &c., from Streets.*—(1.) The Department may, by order in writing under the hand of the Resident Officer, require the occupier, or, in case there is no occupier, then the owner, of any land abutting upon any street within the town to do any of the following acts:—

(a.) To remove, lower, or trim to the satisfaction of the Department any tree or hedge overhanging or overshadowing such street in cases where, in the opinion of the Department, such removal, lowering, or trimming is necessary in order to prevent injury to the street, or obstruction to the traffic thereon, or to any channel, ditch, or drain appertaining thereto; and

(b.) To cut down or grub up, as the Department directs, and remove all obstructions to traffic or drainage arising from the growth of plants, or the spreading of roots upon or under such street, up to the middle line thereof, along the whole frontage of the land occupied or owned by him.

(2.) Within ten days after service of the order such occupier or owner may, by complaint under "The Justices of the Peace Act, 1908" (the provisions whereof shall, the necessary consequential alterations being deemed made therein, apply), require the Department to appear before a Stipendiary Magistrate to show cause why the order should not be set aside, and thereupon all such proceedings shall be had and taken and consequences ensue as are provided by section 196 of "The Municipal Corporations Act, 1908," the "Department" being deemed substituted for the "Council."

(3.) For the purposes of this by-law,—

"Cut down" means cutting down and keeping cut down the stem and roots of any plants, so as to prevent their throwing out any leaf, offshoot, or flower; and

"Plants" means and includes gorse, sweetbriar, blackberry, acacia, broom, and fennel.

25. *Half Cost of Footways and Channels.*—(1.) One-half of the cost of laying out and constructing footways and channels, which shall from time to time be laid out or made by the Department, and constructed by it of any material, shall be a charge upon the owners of the lands and buildings fronting on such footway in the proportion to the length of the footway or channel adjoining such lands or buildings.

(2.) All sums payable to the Department under this by-law may be recovered in any Court of competent jurisdiction.

26. *Specification for New Streets.*—(1.) Where the owner of any land makes a new street under section 116 of "The Public Works Act, 1908," such owner shall submit a plan of the proposed street and of any proposed subdivision of the land to the General Manager, and shall grade the street to its permanent level, and shall construct in connection with such street such drains and footpaths as may be agreed upon between the owner and the Department, and shall form the street to its standard contour, and shall metal the same with pumice gravel 6 in. deep and 30 ft. wide for the roadway and 3 in. deep and 10 ft. wide for each footway, and shall, before the plan is approved of for registration purposes, obtain from the Resident Officer a certificate under his hand that all such works have been carried out to his satisfaction.

(2.) Nothing in this by-law shall limit the powers of the Department concerning private streets set out in section 169 of "The Municipal Corporations Act, 1908."

PART V.—MOTORS.

This Part of these by-laws is made under "The Motor Regulation Act, 1908."

1. *Interpretation.*—In this Part of these by-laws, if not inconsistent with the context,—

"Motor" means any vehicle propelled by mechanical power if it does not exceed 3 tons in weight unladen and is not used for the purpose of drawing more than one vehicle (such vehicle with its locomotive not to exceed in weight 4 tons unladen). In calculating for the purpose of this Act the weight of a vehicle unladen) the weight of any water, fuel, or accumulators used for the purpose of propulsion shall not be included.

2. *Speed round Corners and over Bridges.*—No person shall drive a motor round an angle or corner of any public or private street or public place, or over any bridge in the town, at a speed exceeding five miles an hour.

3. *Motor to exhibit a Light.*—During the period between sunset and one hour before sunrise the person in charge of a motor shall carry attached thereto a lamp so constructed and placed as to exhibit a white light in the direction in which the motor is proceeding, such light being sufficiently clear and strong to afford adequate means of signalling the approach and position of the motor.

4. *Bell to be carried.*—The person in charge of a motor shall carry attached thereto, and shall use when necessary, a bell or other instrument capable of giving audible and sufficient warning of the approach or position of the motor.

5. *Reckless Driving.*—(1.) Every person commits an offence who drives a motor-car on a public highway recklessly or negligently, or at a speed or in a manner which is dangerous to the public, having regard to all the circumstances of the case, including the nature, condition, and use of the highway, and to the amount of the traffic which actually is at the time, or which might reasonably be expected to be, on the highway.

(2.) Any constable may apprehend without warrant the driver of any car who commits an offence against this by-law within the view of the constable if he refuses to give his name and address on demand, and the motor-car does not bear the mark or marks of identification.

(3.) If the driver of any car who commits an offence against this by-law refuses to give his name or address, or gives a false name or address, he commits a further offence; and it shall be the duty of the owner of the car, if required, to give any information in his power which may lead to the identification and apprehension of the driver, and if the owner fails so to do he also commits an offence.

6. *Duty to stop in Case of Accident.*—Where, owing to the presence of a motor-car on any public highway, an accident occurs to any person, or to any horse or vehicle in charge of any person, the driver of the car shall stop, and, if required, give his name and address, and also the name and address of the owner, and the registration mark or number of the car.

7. *Fine for Offences.*—Every person who commits any offence against this Part of these by-laws is liable to a fine not exceeding £10, and the amount of any such fine may be recovered in a summary manner under "The Justices of the Peace Act, 1908."

8. Provisions in other parts of these by-laws that relate to vehicles shall extend to motors so far as applicable.

PART VI.—PREVENTION OF FIRES.

1. *Storing Agricultural Produce.*—It shall not be lawful to make, store, or keep stored any stack of hay, corn, straw, or other agricultural produce belonging to the class of cereal in the open air at a distance less than 30 ft. from any building, or public or private street, or public place, or any land of any adjoining owner or occupier.

2. *Wood-shavings.*—It shall not be lawful to deposit any wood-shavings in any wooden building situated at a less distance than 20 ft. from any adjoining land, or from any public or private street or public place, or from any building.

3. *Fires in Buildings.*—It shall not be lawful to make or light any fire in any building, save in some properly constructed fireplace.

4. *Fires in the Open Air.*—It shall not be lawful to make or light any fire in the open air without special permission from the Resident Officer: Provided that such permission shall not authorise any person to light any fire in the open air within 40 ft. from any building, or except between the hours of 5 o'clock a.m. and 5 o'clock p.m.

5. *Live Ashes.*—No occupier of any dwellinghouse or other building shall deposit or suffer to be deposited any live ashes outside such dwellinghouse or other building.

6. *Dangerous Fireplaces and Chimneys.*—The Resident Officer may give notice in writing to the owner or occupier of any building, the fireplace or chimney belonging to which shall have been proved to the satisfaction of the Resident Officer to be in a dangerous condition, to alter the fireplace or chimney; and the said owner or occupier shall thereupon forthwith alter the same in accordance with such notice.

7. *Chimneys to be swept.*—The occupier of every building that is now or may hereafter be erected shall at all times keep all chimney-flues, funnels, smoke-pipes, and stove-pipes in such building thoroughly swept, cleaned, and free from all danger of fire.

PART VII.—PUBLIC HEALTH.

1. *Spilling Nightsoil, &c., on Streets.*—No person shall spill or cast, or allow to be spilt or cast, any nightsoil or other offensive matter into or upon any street or public place.

2. *Against burying Animals and Offensive Matter.*—No person shall bury any horse, cattle, sheep, pig, dog, or other animal, or any nightsoil or other offensive matter, within 3 chains of any public or private street, or public place, or of any dwelling.

3. *Against Slaughtering, &c., on Streets.*—No person shall slaughter or skin any beast or other animal upon any public or private street, or public place, or permit any slaughtered beast or other animal, or any of the skin thereof, to remain there, or leave any dead beast or other animal on such public or private street or public place.

4. *Against throwing Things on the Streets.*—No person shall throw or cause to be placed any glass, filth, dirt, rubbish, orange or banana peel, or other matter of a similar nature upon any public or private street or public place whatsoever.

5. *Waste and Impure Water, &c.*—The occupier of any building or premises shall not suffer or allow any waste or impure water or other matter to remain in any cellar or place within such building or premises, or to run or flow from such building or premises upon or over, or to be on any public or private street or public place, or suffer or allow the contents of any water-closet, privy, or cesspool to overflow or to soak therefrom.

6. *Throwing Offensive Matter into Watercourses, &c.*—No person shall throw any offensive matter or dead animal, or any live animal with the intention of drowning it, into any river, watercourse, water-dam, or other place whence the supply of water for the use of the inhabitants of the town is obtained, or into any place in the town or under the control of the Department.

7. *Yards, Premises, &c., to be kept Clean.*—The occupier of every private yard, way, or passage, building, premises, or avenue shall keep the same clean, so that no nuisance, by offensive smell or otherwise, shall be caused.

8. *Against emptying Nightsoil.*—No person shall empty any privy or earth-closet, cesspit or cesspool, or cart away any nightsoil, without a license so to do from the Department.

9. *Cesspits.*—No cesspit shall be used to contain nightsoil, kitchen refuse, or other putrid or decaying matter whatsoever.

10. *Swine.*—The occupier of any premises shall not keep any swine or deposit any swine's dung within the distance of 100 ft. from any dwellinghouse, or in such a situation or in such a manner as to pollute any water supplied for use, or used, or likely to be used by man for drinking or domestic purposes or for manufacturing drinks for the use of man, or any water used or likely to be used in any dairy.

11. *Poultry.*—No poultry shall be kept in the inner area of the town as defined in the Building By-laws hereinafter contained, except in proper poultry-runs, which shall be so enclosed as to confine the poultry within the premises of the owner thereof, and no part of which shall be within 20 ft. of any dwelling-house. No such run shall contain a less area of clear yard-space than 20 square feet for each bird.

12. *Keeping Animals.*—No person shall keep any live or dead animal whatever so as to be or to be likely to become a nuisance or injurious to health.

13. *Nuisances.*—(1.) The term "nuisance" includes for the purposes of this clause any of the following things which are, or are in such a state as to be or become, a nuisance or injurious to health, that is to say,—

- (a.) Any land, building, or erection;
- (b.) Any water-closet, earth-closet, privy, cesspool, or urinal;
- (c.) Any ashpit, dust-bin, or receptacle for dust, rubbish, or refuse;
- (d.) Any natural stream;
- (e.) Any pool, ditch, gutter, or watercourse;
- (f.) Any sewer, culvert, or drain;
- (g.) Any accumulation or deposit;
- (h.) Any offensive matter used as manure and placed on any land.

(2.) Every person by whose act, default, or sufferance any nuisance as above defined arises or continues shall be deemed guilty of an offence against these by-laws.

14. *Nuisances.—General Clause.*—No person shall commit any nuisance whatever or permit or suffer anything to arise, remain, or be in or upon any building or land or premises of which he is the occupier which may be or become a nuisance.

PART VIII.—LICENSED HAWKERS.

1. *Unlicensed Persons not to hawk.*—No person shall hawk or peddle in any part of the town any goods or articles whatever unless such person shall be the holder of a license from the Resident Officer.

2. *Application and Certificate.*—Every person desirous of obtaining a hawker's or pedlar's license shall make application in writing to the Resident Officer, and shall with such application furnish a certificate from two respectable persons that he is of good character.

3. *License and Fee.*—The license shall be issued to any person furnishing the particulars mentioned in the preceding section to the satisfaction of the Resident Officer on payment of a license fee as hereinafter mentioned. Every such license shall expire on the 31st December next ensuing the date of the issue thereof. The license fee shall be £1 per annum, or a proportionate part thereof if the license shall cover a period less than a year, with a minimum of 5s.

4. *Production of License.*—Every licensed hawker or pedlar shall at all times when hawking or peddling carry his license with him, and shall show the same to any police constable or officer of the Department who shall demand the same. No such hawker or pedlar shall lend his license to any person.

5. *Exemptions.*—Nothing in this Part of these by-laws shall render it necessary for a license to be obtained for the following persons, as such:—

- (a.) Commercial travellers or other persons selling or seeking orders for goods, wares, or merchandise to or from any person or persons who are dealers therein, and who buy to sell again;
- (b.) Persons selling or exposing for sale goods, wares, or merchandise in any public mart or market;
- (c.) Persons selling or offering for sale meat, bread, fish, fruit; garden, farm, or dairy produce; or other perishable articles of human food.

6. *Maori Curios not to be accepted.*—(1) It shall be an offence under this Part of these by-laws for any hawker or pedlar to accept from any Native any Maori relic or curio in exchange for goods supplied.

(2.) For the purposes of this by-law "Native" includes half-castes and also includes persons having Native blood and living with Natives.

7. *Against Misconduct.*—No licensed hawker or pedlar shall importune any person to purchase to any such person's annoyance, or refuse or delay to leave any premises when requested so to do by the occupier thereof, or misconduct himself in any way while exercising his calling.

8. *Revocation of License.*—On conviction of any licensed hawker or pedlar of any offence against this Part of these by-laws or of any offence against the criminal law punishable by imprisonment for one year or upwards, the Resident Officer may cancel or suspend for such time as he thinks fit the license of such hawker or pedlar.

PART IX.—STORAGE OF EXPLOSIVES.

1. *For Private Use.*—No explosive or dangerous material shall be stored for private use in any building within the town in quantities exceeding the following:—

Kerosene	.. .. .	10 gallons.
Benzine or any light mineral oil, turpentine, or spirits	.. .. .	8 gallons.
Cartridges	.. .. .	500
Explosives	.. .. .	Nil.

2. *For Retail Trade.*—For the purpose of retail trade the following quantities (but no more) may be stored in buildings licensed for the purpose by the Department under "The Explosive and Dangerous Goods Act, 1908":—

Kerosene	.. .. .	100 gallons.
Benzine or any light mineral oil, turpentine, or spirits	.. .. .	10 gallons.
Cartridges	.. .. .	5,000
Gunpowder	.. .. .	30 lb.
Fireworks	.. .. .	50 lb.

3. *Magazines.*—Any quantities of these materials in excess of the above, or any high explosive such as dynamite, gelignite, or any compound containing nitro-glycerine or nitro-cellulose shall be stored only in a special storage magazine to be licensed for the purpose by the Department, and which shall be separated by a distance of at least 60 ft. from any other building whatsoever.

4. *Licenses.*—Every building for which a license is required as aforesaid shall be inspected by the Resident Officer, and if it shall be found suitable and free from any serious risk of fire he shall issue a license on receipt of the following fees:—

For a retail license	.. .. .	5s. per annum.
For a storage-magazine	.. .. .	10s. per annum.

Every such license shall determine on the 31st December following the issue thereof.

5. *Inspection.*—The Resident Officer or his representative may at any reasonable hour enter and inspect any building licensed under the preceding clause or any unlicensed building suspected of containing more than the maximum quantity of explosive or dangerous material allowed in an unlicensed building.

PART X.—PUBLIC BUILDINGS.

1. *Public Buildings to be licensed.*—No building or enclosure shall be used for public meetings, or as assembly-rooms, or as a theatre or music-hall or dancing-hall, or for any

public performances or public amusements whatever, whether a charge is made for admission thereto or not, unless the same shall have been licensed as hereinafter appears.

2. *Application for License.*—The owner or occupier of any such building shall apply in writing to the Department for a license, stating the situation and description of the building, the names of the owner and occupier, and the purpose for which it is to be used.

3. *Conditions of Issue of License.*—Such building shall be inspected by the Resident Officer or some competent person appointed by the Department in that behalf, and if satisfied upon his report that such building is secure and suitable for the purpose proposed, that it has sufficient means of ventilation and of ingress and egress, and sufficient provision against fire, and, in case the neighbourhood of such building is supplied with water by means of waterworks, that a sufficient supply of water is laid on and proper appliances provided for promptly using the same in case of fire, the Department shall issue to the applicant a license, under the hand of the Resident Officer, for a period not exceeding one year, to use the said building for the purpose stated in the application; and such building may be used accordingly.

4. *License Fee to be first paid.*—The Department may refuse to issue any licenses until the fee thereon fixed as mentioned below is duly paid.

5. *Appeal against Refusal of License.*—(1.) If the applicant for the license feels aggrieved at not obtaining the same, he may appeal to the Supreme Court for redress, and the Court shall have power to make such order as it thinks fit.

(2.) The appeal shall be made in such manner and subject to such conditions as are prescribed by regulations made under "The Municipal Corporations Act, 1908," or any amendment thereof.

6. *Sunday Entertainments.*—No concert or entertainment of any kind which is open to the public, whether by the purchase of tickets or otherwise, shall be held or given on any Sunday without the written consent of the Department, and then only subject to such conditions in every respect as the Department may impose. The Department may exercise this power either generally or in any particular case or class of cases.

7. *Resident Officer may enter Buildings.*—The Resident Officer or other officer appointed by the Department in that behalf may at all reasonable times enter and inspect any such licensed building or enclosure.

8. *Penalty for not having a License.*—If any owner or occupier, or person having the control of any such building, uses it, or allows it to be used, for any of the purposes above mentioned, not having a license for the same, or during the time when such license is cancelled or suspended by the Department under its statutory power in that behalf, he shall be liable to a penalty of not more than £20 for every such offence.

9. *Outer Doors.*—No outer door of any licensed building shall under any circumstances be locked whilst the building is occupied by the public; but any such door may be closed with a heavy tower bolt on the inside when not required to be open.

10. *Hydrants, &c.*—(1.) The owner of every licensed building having a seating accommodation as hereinafter defined for more than 200 persons shall cause the same to be at all times provided with a 2½ in. hydrant placed in a conspicuous position inside the building, and having properly and securely attached to it (such hydrant) a hose of sufficient length to reach all parts of the interior of the building.

(2.) Such owner shall see that hydrant and hose are at all times kept in good condition, and so as to be immediately available for use for fire-extinguishing purposes.

11. *Churches.*—By-laws 1 to 10 (inclusive) under this Part of these by-laws shall extend and apply to all buildings used for the purposes of public worship as well as all other buildings purported to be affected thereby.

12. *Seating-accommodation.*—The seating-accommodation of a licensed building shall be on the basis of 5 square feet of floor-space (exclusive of platform) for each person, and the maximum number of persons allowed in any licensed building shall not under any circumstances exceed such seating accommodation by more than 20 per cent.

13. *Sanitary Conveniences.*—The owner of every licensed building shall provide and maintain sufficient water-closet and urinal accommodation in connection with every licensed building for men and women separately.

14. *License Fees.*—For every license there shall be paid to the Resident Officer the appropriate license fee as follows:—

For every theatre, £5 per annum;

For every assembly or concert hall, £3 per annum;

For every circus, merry-go-round, or any temporary enclosure used for any public performance or public amusement, for a period of one calendar month or any less period, £5.

For every bowling or skittle alley or shooting-gallery £3 per annum.

For every church hall, £1 per annum.

No license fee shall be payable in respect of any building exclusively used for purposes of public worship.

15. *Expiry of License.*—Every license, at whatever time of the year such may be issued, shall terminate on the 31st day of December.

16. *Interpretation.*—In all the preceding provisions under this Part of these by-laws the word "building" includes any part of a building, or any ground or premises whatsoever.

PART XI.—LICENSED BILLIARD-ROOMS.

1. *Definition.*—For the purposes of this Part of these by-laws "billiard-room" means any building or part of a building or enclosure used for the purpose of playing billiards, bagatelle, or any similar games, whether for payment or otherwise.

2. *Billiard-rooms to be licensed.*—No person being the occupier or person in charge of any billiard-room shall keep or allow the same to be used as such unless the billiard-room is licensed by the Department.

3. *Applications and Fees.*—Every application for a license shall be accompanied by a fee of £4 unless it be made between the 1st July and the 31st December, when it shall be accompanied by a fee of £2.

4. *Licenses.*—Every license shall be in writing under the hand of the Resident Officer, and shall expire on the 31st day of December following the date of issue thereof.

5. *Hours.*—Every billiard-room shall be closed from 10 o'clock at night until 8 o'clock on the following morning, except on Saturdays, when it shall be closed from 10 o'clock at night until 8 o'clock on the following Monday morning.

6. *Licenses to observe Hours.*—The licensee shall not allow any person to be in the billiard-room during the hours it is required to be closed by these by-laws: Provided that this by-law shall not apply where the licensee satisfies the Court that the person was lawfully in the billiard-room.

7. *No Intoxicating Liquor.*—The licensee shall not allow or suffer any intoxicating liquor whatever to be taken into or consumed in a licensed billiard-room.

8. *Conduct of Rooms.*—The licensee shall at all times cause the licensed billiard-room to be kept in an orderly manner, and shall not allow or suffer any gambling or wagering to be carried on therein.

9. *Young Persons.*—The licensee shall not allow or suffer any member of the public apparently under the age of eighteen to enter or remain in the billiard-room.

10. *Cancellation of License.*—On the conviction of the licensee for any offence against this Part of these by-laws, or against any of the provisions of sections 54, 55, and 56 of "The Police Offences Act, 1908," or for any offence whatever touching his character as keeper of the billiard-room, the license may forthwith be cancelled by the General Manager.

PART XII.—ADVERTISING SIGNS AND HOARDINGS.

1. *Signs.*—No advertising-sign of any description visible from any street or public place shall be exhibited in the town except on buildings in which the business or article advertised is regularly carried on, manufactured, stored, or sold, or on hoardings licensed under this Part of these by-laws.

2. *Hoardings.*—(1.) The plans of any proposed hoarding showing site and details of construction shall be submitted to the General Manager and approved before erection, and the hoarding shall only be licensed after erection in accordance with those plans and to the approval of the General Manager.

(2.) A license fee of 1s. per square yard per annum shall be paid to the Department for all licensed hoardings.

(3.) Such licenses shall be in writing under the hand of the General Manager, and shall expire on the 31st December of each year.

(4.) Every such license may be renewed if in the opinion of the General Manager the hoarding is safe and in good condition, unless the General Manager shall give the licensee at least three calendar months' notice that he will not renew the license, in which case the licensee shall remove the hoarding within such three months.

(5.) Any hoarding erected after the coming into operation of these by-laws without a license as aforesaid shall be removed by the occupier of the premises within one calendar month after notice so to do shall have been given to him by the General Manager.

3. *Projection over Streets, &c.*—No advertising sign or hoarding whatever shall project over the street, footway, or any public place unless such sign or hoarding is attached to a portico or verandah built in accordance with these by-laws, and is in accordance with this Part of these by-laws.

PART XIII.—ELECTRIC LIGHT.

1. *Application for Supply.*—A supply of electric energy will be granted to owners or occupiers on making written

application, such application to state the maximum number of lamps, motors, fans, or other apparatus to be supplied and the capacity of each, subject to the necessary power being available.

2. *Cost of Supply-line.*—The applicant shall pay the whole cost of erecting the necessary supply-line from the nearest public supply-main for any distance in excess of 100 ft. The Department may require the estimated cost to be deposited with it before commencing the work.

3. *Connection of Services.*—No service shall be connected up unless the wiring is completed in accordance with the Wiring Rules of the Fire Underwriters' Association in force in the district, and is in a first-class condition to the satisfaction of the Resident Officer. For this purpose the intending consumer shall notify the Resident Officer before the wiring contractor commences work, and shall give the Resident Officer or his representative access to the premises at any reasonable hour during the installation, and at any time after completion, for the purpose of inspection or testing.

4. *Interference with the Installation.*—No alteration shall be made in such installation or in the capacity of the lamps or apparatus supplied without the sanction in writing of the Resident Officer. In the case of any breach of this by-law, the supply may be cut off.

5. *Deterioration of Installation.*—If the insulation of any installation deteriorate from any cause whatsoever below the standard specified in the Wiring Rules of the Institution of Electrical Engineers, the service shall be disconnected until the insulation is made good again.

6. *Payments.*—Consumers shall pay to the Department for energy supplied at the rate of 8d. per unit, with a minimum charge as for ten units per month. Accounts will be rendered for every calendar month, and payment shall be made on or before the 15th of the following month, subject to a discount of 25 per cent. No discount shall be allowed on accounts unpaid by the 15th of the month, and if unpaid by the 20th the service shall be liable to disconnection without notice. If the 15th fall on a Sunday or public holiday, the amounts shall be payable on the following day without loss of discount.

7. *Special Discount.*—Services which consume no energy between the hours of 6 p.m. and 10 p.m. shall be subject to a discount of 50 per cent. instead of 25 per cent. But, if at any time such service is found to be consuming energy between these hours without the written authority of the Resident Officer, such service shall not be entitled to more than 25 per cent. discount thereafter.

8. *Disconnection.*—In the event of a disconnection having been made for non-payment of charges, connection will not again be made till all arrears have been paid.

9. *Changes of Occupancy.*—Where changes of occupancy occur, the owners shall notify the Resident Officer in writing, and, where possible, at least four clear days before such change takes place, giving the name of the incoming tenant.

PART XIV.—WATER-SUPPLY.

1. *Water-supply must be obtained in certain Cases.*—

(1.) Where the Resident Officer shall certify in writing under his hand that any dwellinghouse is without a proper supply of water, he may give notice in writing under his hand to the owner for the time being of the dwellinghouse requiring him within a time stated in the notice to obtain a supply from the waterworks under the control of the Department, and to do all works necessary for that purpose.

(2.) Such notice shall be accompanied by a copy of the said certificate, and the original may be inspected by such owner at the office of the Resident Officer.

(3.) Any such notice may be renewed from time to time.

(4.) Such owner shall, within the time limited in the notice or renewed notice, comply with the requirements, and shall provide and affix in connection with the service all appliances and fittings required by this Part of these by-laws, and shall generally in relation to such service comply with the provisions of such Part of these by-laws.

(5.) If the dwellinghouse is situate more than 100 yards from a water-main of such waterworks, the cost of laying the service for the distance over and above the 100 yards shall be borne by the Department.

2. *Ordinary and Extraordinary Supplies.*—The purposes for which water shall be supplied by the Department are as follows:—

(1.) The ordinary supply: This supply shall be used for ordinary household and domestic purposes, and not otherwise.

(2.) The extraordinary supply: This supply shall include water for—
Laundries,
Dairies,
Boardinghouses,
Hotels,

Aerated-water manufacturers,
Water-motors,
Steam-boilers or oil-engines,
Manufacturing process of any description,
Garden-fountains,
Gardens (other than domestic),

and for any water in excess of the ordinary supply.

Water for extraordinary supplies shall be supplied only at the discretion of the Resident Officer.

Every extraordinary service shall be supplied by meter or at an agreed charge.

3. *Application for Supply.*—All applications for any water-supply shall be made in the form prescribed by the Resident Officer, and if for an ordinary supply shall be accompanied with a half-year's fee payable in advance. All applications shall state the name of the licensed plumber engaged to make the connection.

4. *Charges.*—The charges for water-supply shall be as follows:—

(1.) In respect of the ordinary supply,—

For each $\frac{1}{2}$ in. service, £1 10s. per annum;

For each water-closet, 20s. per annum extra;

For each urinal or other sanitary convenience, 20s. per annum extra.

(2.) In respect of every extraordinary supply, 1s. per 1,000 gallons; but the minimum charge for any year shall be £3.

(3.) In respect of halls, churches, and similar buildings where no boilers are used, 10s. per year.

Where boilers are used the supply shall rank as an extraordinary supply, and be served by meter accordingly.

Wherever an annual sum is fixed by any part of this clause a proportionate sum only shall be payable for any half-year. The year under any part of this clause shall expire on the 31st December.

5. *Connections and Meters.*—In making connections, the Department will in all cases tap the main and put in the disconnecting-valve, and will supply the meter in case of an extraordinary supply. The owner or applicant for the service shall run the service from this disconnecting-valve on the main to his premises, and shall provide and fix all necessary taps and other apparatus, and complete the service at his own expense.

6. *Number of Services.*—No premises shall be supplied by means of more than one service-pipe, and, except by special arrangement with the Department, only one premises shall be supplied off each service connection.

7. *Materials and Fittings.*—All pipes and pipe-fittings shall be of the best galvanised wrought iron. All taps or cocks shall be of the screw-down type.

8. *Diameter of Pipes.—Stopcocks.*—(1.) No domestic service pipe shall be of a greater diameter than $\frac{1}{2}$ in., and a suitable stopcock shall be provided by the applicant for the service within 3 ft. of the boundary of the premises, which shall cut off the whole supply from the main.

(2.) The stopcock shall be in an accessible position, and if underground shall be provided with a wooden, iron, or concrete cover, and in no case shall it be buried.

9. *Pressure and Testing.*—It is contemplated that the water-supply will be at a pressure not exceeding 80 lb. per square inch, but every system shall be liable to be tested by the Department before the connection, and at any time thereafter at a pressure of 120 lb. Any pipes, valves, or fittings showing any leakage whatever under the ordinary working-pressure or under this test-pressure shall be immediately replaced by the owner at his cost. If such defective fittings are not replaced within forty-eight hours of notice being given to the owner to that effect, the water shall be cut off until such fittings are replaced.

10. *Appliances to be kept in Repair.*—(1.) Every person supplied with water from the waterworks shall keep all the taps, stopcocks, and other apparatus in good repair so as to prevent the water running to waste.

(2.) In default thereof the Department may stop the supply of water to such person in any manner it thinks fit.

11. *Improper Use or Waste of Water.*—No person in charge of any premises shall permit or suffer the supply of water thereto to be used in excessive quantities, or in a wasteful manner, or for purposes other than the supply was granted, without receiving permission from the Resident Officer.

12. *Gardens.*—(1.) Water shall be used for private domestic gardens only by means of a hose, and only to such reasonable extent as may be required for the purpose of such garden. No such hose shall be allowed to run continuously.

(2.) If water is used in any such garden contrary to this by-law, the Department shall have the power to install a meter, and charge according to the consumption as an extraordinary supply.

13. *Fire Hydrants.*—Special fire-hydrant connections may be taken off the mains direct to any private premises and

water shall not be charged for, provided it is used exclusively for the purpose of fire-extinguishing or fire practice.

14. *Payments.*—Fixed charges shall be paid half-yearly in advance. Premises for which such charges are not paid on the expiry of the first quarter of the half-year for which the payments are due shall be liable to disconnection without notice.

15. *Vacant Buildings.*—In every case where a dwelling-house remains actually vacant and unoccupied for a period not less than six months in any year (whether continuously or not) and the person liable to pay for the ordinary supply thereto gives to the Department notice in writing within fourteen days after the expiration of such period, with the dates on which the house became vacant or unoccupied, and on which it again became occupied, then such person shall be liable to pay only half the amount which would otherwise be payable for the year's water charges in respect of the ordinary supply to such dwellinghouse, and shall be entitled to a refund of any sum which he shall have paid in excess of such half.

16. *Meter Charges.*—(1.) The accounts for meter charges shall be rendered half-yearly as on the 30th June and the 31st December, and must be paid within one calendar month after the account shall have been rendered.

(2.) Where at the end of the half-year of supply any minimum charge shall not have been reached by the meter-reading, the excess shall be paid within one calendar month after the end of such half-year.

(3.) On failure to pay any money as by this by-law provided, the premises shall be liable to disconnection without further notice. When any premises are so cut off, a charge of 5s. shall be made before the service is restored.

17. *Interfering with Meters.*—No person other than an authorised officer of the Department shall remove or interfere with any meter or break any seal thereof.

18. *Testing Meters.*—If any consumer desires to have a meter tested, the Department will do so, provided that if such meter be found to register within 5 per cent. of the quantity passing through it the consumer shall pay a testing-fee of 10s.

19. *Work to be done by Licensed Plumbers.*—(1.) No person other than a plumber duly licensed under Part XV of these by-laws, relating to sanitation, shall connect any pipe with the waterworks or make any alteration or addition or repairs to any pipe, tap, or other water-fitting.

(2.) Two days' notice in writing shall be given by the licensed plumber of the day and hour he proposes to make any such connection, alteration or addition, or repairs, to the office of the Resident Officer, and permission be obtained therefrom before any such connection, additions, alterations, or repairs are put in hand.

(3.) Licensed plumbers shall be responsible to the Department for all injury done by them or their works to the mains or streets, or to any property of the Department.

20. *Plumbers' Reports.*—All licensed plumbers shall furnish monthly reports for each calendar month to the office of the Resident Officer of all new services, and all such alterations, and additions and repairs carried out by them during the month.

21. *Uninterrupted Supply not guaranteed.*—*Cisterns.*—The Department does not guarantee an uninterrupted supply of water nor a minimum pressure, and in particular no allowance or compensation will be made on account of the water being shut off for any cause. Consumers to whom a constant supply is of importance should therefore provide cisterns in case of such emergency.

22. *Cutting off Supplies on Emergency.*—In cases of emergency necessitating the reduction of the supply of water, the Resident Officer, on giving such public or other notice as may be possible, may cut off as many services as he may deem necessary for such period as is required, and no allowance or compensation shall be made on account of water thus being cut off.

23. *Inspection.*—(1.) Any person acting under the authority of the Department may, between the hours of 8 o'clock in the forenoon and 6 o'clock in the afternoon of any day except Sunday, enter into any land or building supplied with water from the waterworks to see if such water is being wasted or misused.

(2.) If such person is refused admittance or obstructed in such examination, the Department may stop the supply of water in any manner it thinks fit.

24. *Notice of Removal of Pipe to be given.*—(1.) Any person may remove any pipe or other apparatus belonging to him connected with the waterworks, after giving to the Department fourteen days' notice in writing of such his intention, and of the time of such removal, but shall be liable for all damage done to any part of the waterworks thereby.

(2.) If any person removes any such pipe or apparatus without giving such notice, he shall be liable to a penalty of

not more than £20, and to pay for all damage done to the waterworks by such removal.

25. *Penalties for Offences against Waterworks.*—If any person—

- (1.) Wilfully or negligently allows any pipe or apparatus on his premises to be out of repair so that water is wasted, or alters any meter, or does or suffers any act whereby his supply of water is improperly increased;
- (2.) Not having agreed to be supplied with water from the waterworks, takes any such water from the supply furnished to another person;
- (3.) Being supplied with water from the waterworks, supplies another person who has not agreed to be so supplied with, or permits him to take, any such water;
- (4.) Connects any pipe with a pipe of the waterworks, except in the presence of, or contrary to the direction of, the officer appointed by the Department to superintend the same, unless such officer fails to attend at the time named in the notice given as above mentioned (see By-law 19);
- (5.) Connects with a pipe of the waterworks any pipe of a strength, size, or material not in accordance with this Part of these by-laws (see By-laws 7 and 8),

he shall be liable to a penalty of not more than £20 for each such offence, and to a further sum equal to the cost incurred by the Department in repairing the injury done to any part of the waterworks by any such act.

26. *Agreement to pay Water Charges.*—(1.) Every sum of money expressed in this Part of these by-laws to be payable for ordinary and extraordinary supplies shall be recoverable by the Department in any Court of competent jurisdiction as a debt.

(2.) Every person who, after the coming into operation of these by-laws, shall be supplied with water from the waterworks (whether such supply was originally granted before such coming into operation or shall thereafter be granted, and whether originally granted to such person or to some previous owner or occupier of the premises) shall sign an agreement in the form subjoined to this Part of these by-laws.

(3.) No new service (ordinary or extraordinary) shall be laid on until such agreement has been signed by the applicant for the same.

(4.) Where any ordinary or extraordinary service shall be actually laid on (whether it was laid on before or shall have been laid on since the commencement of these by-laws) and no such agreement shall have been signed in respect thereof, the person supplied shall sign such an agreement within three days after being required so to do by the Resident Officer, and in default thereof the service may be cut off.

(5.) The person supplied with the water shall pay the stamp duty (1s.) on the agreement.

[Stamp. 1s.] *Form of Agreement.*

AN agreement made between _____ (hereinafter called "the consumer"), of _____, of the one part, and the Department of Tourist and Health Resorts incorporated under "The Rotorua Town Act, 1907," of the other part. In consideration of the said Department supplying [or continuing to supply] the premises situate and known as _____, and of which the consumer is the owner [occupier], with an ordinary supply of water [or an extraordinary supply of water for the purpose of (Here state kind of extraordinary supply or otherwise describe the supply in question)] under Part XIV of "The Rotorua Town By-laws, 1909," the consumer hereby agrees to pay to the said Department all moneys expressed to be payable under the said Part of such by-law for the said service at the times and in manner thereby provided [or, where the charge is an agreed one, state the agreed charge, and the times and mode of payment thereof].

2. The consumer further agrees that all such moneys shall be recoverable from him by the Department in any Court of competent jurisdiction as a debt due by him to the Department.

3. The consumer further agrees to remain liable to the Department under this agreement after he shall have ceased to be the owner [occupier] of the said premises until he shall have procured the succeeding owner [occupier] of the said premises to sign a similar agreement with the Department or to sign this agreement in token of his being bound thereby, but so that such signing shall not release the consumer from any arrears.

4. The said Department, for the consideration aforesaid, hereby agrees with the consumer, and also with every other person who shall sign this agreement as aforesaid, to continue to supply the said premises with the said water-service in accordance with the said Part of the said by-laws. Subject,

nevertheless, to all the powers and discretions thereby or by "The Rotorua Town Act, 1907," or any regulations made thereunder, or by any other Act or regulations given to the Department or to its officers.

5. [Insert any special provisions desired.]

Dated the _____ day of _____, 19 ____ .
 Witness to the signature of }
 the consumer,— }
 Witness to the signature of }
 the Minister,— }

Minister in Charge of the
 Department.

I, _____, of _____, hereby agree to be bound by the above agreement.

Witness to the signature of }
 the said _____ }

Dated this _____ day of _____, 19 ____ .
 [Repeat for each new owner or occupier.]

PART XV.—SANITATION.

Definitions.—In this Part of these by-laws, if not inconsistent with the context,—

"Sewer" shall mean any sewer or drain vested in, under the control of, or maintained by the Department;

"Drain" shall mean any sewer or drain not so vested in, controlled by, or maintained by the Department.

Drains.

1. *Drains to be provided.*—Every person on whose behalf a new building shall be erected within 100 ft. of a sewer to which the premises can be drained shall provide a suitable drain or suitable drains in accordance with this Part of these by-laws for carrying the whole of the sewage and waste liquids from such building, and from every water-closet and other sanitary work and appliances thereon to the sewer.

2. *Special Drains for Clean Water.*—No rain-water or clean water shall be drained into the sewer, except by permission in writing of the Resident Officer, but special drains shall be provided for such clean water leading to a storm-water sewer, side channel, or approved sump.

3. *Drainage of several Houses by one Drain.*—Two or more houses or premises shall not be connected to one drain leading to a sewer without the previous consent of the Resident Officer given under his hand.

4. *Connections may be made by the Department.*—(1.) Where the owner or occupier of any premises is entitled under these by-laws or any Act or regulation to cause any drain from such premises to communicate with a sewer, the Resident Officer may at the request of such owner or occupier, and upon the cost of the work, as estimated by the Resident Officer, being paid in advance to him, make the connection and execute all works necessary for that purpose.

(2.) If the cost of the work shall be less than the estimated cost paid as aforesaid, the surplus shall be repaid to such owner or occupier.

(3.) If the cost of the work shall exceed such estimated cost, the overplus shall be recoverable by the Department from such owner or occupier as a debt.

5. *Liquids, &c., from Factories.*—(1.) No person shall allow, suffer, or permit any waste liquids or refuse products of any manufacturing process to flow into any sewer without the express sanction of the Resident Officer having first been obtained in writing under his hand, and subject to the observance of any conditions he may specify in such written sanction.

(2.) Such waste liquids or refuse products shall, if so required by the Resident Officer, be first passed through strainers or receptacles of approved construction to prevent the passage of any solid or deleterious matters into the sewers.

(3.) No person shall allow, suffer, or permit any hot liquids to flow directly into any sewer, but shall retain the same in properly constructed and approved cooling-tanks until the temperature is reduced to below 100° Fahr.

(4.) The Resident Officer may at any time revoke any sanction as aforesaid by at least one calendar month's notice in writing under his hand delivered at the premises where the manufacturing process is carried on.

6. *Grease-traps.*—Grease-traps shall be provided and fixed by the owner of the premises in connection with all drains from kitchen-sinks and (if so directed by the Resident Officer) in connection with any other drains.

7. *Sanitary Conveniences, &c., in Cellars and Basements.*—No water-closet, urinal, bath, sink, lavatory, wash-house, or other appliance for domestic, trade, or manufacturing purposes, necessitating drainage therefrom shall be constructed or erected in any cellar or basement, except at such a level

as shall enable the waste, refuse, or overflow from such appliances to be carried off to a sewer into which the same can be drained.

8. *Removal of Disused Sanitary Conveniences.*—When, for any reason any sanitary convenience, or any drain or portion of a drain, or any fittings in connection therewith, are no longer required for use, the owner of the premises shall disconnect and remove the same, and shall in connection with such work properly close and make good any openings and connections with existing drains or sewers.

Persons liable to comply with By-laws.

9. *Building-owner to comply with By-laws.*—(1.) Every person on whose behalf any building shall be erected, added to, altered, or renewed, or on whose behalf any drain, water-closet, urinal, bath, sink, lavatory, or other sanitary fitting or appliance shall be laid, established, or altered, shall cause all the provisions of this Part of these by-laws to be complied with in all details so far as they are required to be complied with in connection with such work.

(2.) Every failure in this respect shall be deemed an offence on the part of such person, notwithstanding that any drain-layer, plumber, or any other person shall also be liable in respect of the same matter.

Licensed Drain-layers and Plumbers.

10. *Licensed Plumbers and Drain-layers.*—All plumbers and drain-layers who carry out any work in connection with the drains, sanitary works, or fittings or sewers of the Town of Rotorua shall be licensed annually by the Resident Officer, who shall on the occasion of the first application by any such plumber or drain-layer for a license satisfy himself by personal examination of the fitness and capacity of the applicant for such license.

11. *License Fees.*—For every such license issued there shall be paid to the Resident Officer a fee of 5s. per year ending the 31st December of each year.

12. *Only licensed Drain-layers to do certain Works.*—It shall not be lawful for any person other than a drain-layer duly licensed under this regulation, and whose license remains in force, to execute any of the work herein specified, namely:—

- (a.) To lay any private drain;
- (b.) To alter, reconstruct, extend, repair, open up, or remove any private drain;
- (c.) To connect any private drain with any other drain or sewer;
- (d.) To disconnect any private drain from another private drain or sewer;
- (e.) To affix, repair, or remove any disconnecting-trap or gully-trap, or other trap in connection with a private drain.

13. *Only licensed Plumbers to do certain Works.*—It shall not be lawful for any person other than a plumber duly licensed under this regulation, and whose license remains in force, to execute any of the works hereinafter specified, namely,—

- (a.) To affix or repair any cistern in connection with a water-closet;
- (b.) To connect any cistern to, or disconnect any cistern from, any water-closet;
- (c.) To affix, or repair, or remove any basin or pan of or belonging to any water-closet;
- (d.) To fix, repair, or remove any ventilation-pipe in connection with a water-closet, or do any work relating to the ventilation of traps in connection with water-closets;
- (e.) To connect a water-closet with, or disconnect a water-closet from, the soilpipe thereof.
- (f.) To lay, or set up, or repair, or remove the soilpipe of or belonging to any water-closet;
- (g.) To perform any work in connection with the trapping of water-closets;
- (h.) To do any work in connection with the laying-on of the water to, or the trapping, and ventilation of the traps of, urinals;
- (i.) To affix, repair, or remove lead and other safes under water-closets or other sanitary conveniences;
- (j.) To affix, repair, or remove overflow or waste pipes connected with baths, sinks, or sanitary conveniences or appliances of any description;
- (k.) To affix, set up, repair, or remove the ventilation-shafts required under this Part of these by-laws or the wire guards of cowls thereof, or to connect the said shafts with their drains;
- (l.) To erect, fix, alter, repair, or remove any sewage-tank.

14. *Licensed Persons to do Work personally.*—(1.) Licensed drain-layers and plumbers shall do all work required or authorised to be done by them under this or any other part

of these by-laws either personally or by an employee who must also be a licensed drain-layer or licensed plumber, as the case may be.

(2.) In the latter case the master drain-layer or plumber shall be under the liabilities to the Department imposed by this or any other Part of these by-laws on licensed drain-layers or licensed plumbers.

15. *Register of Licenses.*—(1.) The Resident Officer shall keep a register of all licenses of drain-layers and plumbers issued under this Part of these by-laws, and of all convictions of the several licensees for breaches of such Part of these by-laws.

(2.) In case any licensed drain-layer or licensed plumber shall be convicted of any breach or non-observance of any provision of this Part of these by-laws, or of any other of these by-laws affecting his duties, the Resident Officer may by writing under his hand communicated to such drain-layer or plumber cancel or suspend for such time as he shall think fit the license of such person.

16. *Licenses to produce Licenses.*—All licensed plumbers or drain-layers employed on any works shall carry their licenses with them, and shall produce the same when required to do so by the person for whom the work is being performed, or by any officer of the Department. On failure so to produce a license, the plumber or drain-layer shall be deemed to be unlicensed, and may be prosecuted accordingly.

17. *Lost Licenses.*—In the event of any license being lost, destroyed, defaced, or rendered illegible, the licensee may, on giving evidence thereof satisfactory to the Resident Officer, obtain a fresh license from the Resident Officer on payment of a fee of 2s. 6d.

18. *Licenses not Transferable.*—Licenses of drain-layers or plumbers are not transferable. No person shall make use of any such license which does not belong to him, or allow his license to be used by any one else; and, in addition to the liability to a penalty in either case for so doing, the license thus improperly used may be cancelled by the Resident Officer by writing under his hand communicated to the person named in such license.

19. *Permits.*—(1.) No licensed drain-layer or licensed plumber shall commence any work required or authorised by this Part of these by-laws to be done by a licensed drain-layer or plumber until he shall have applied to the Resident Officer for and have obtained from him a permit under his hand to do the work.

(2.) The Resident Officer shall, if satisfied that the proposed work is in accordance with these by-laws, issue such permit.

20. *Deposits.*—(1.) Every person to whom the permit is issued will be held responsible for the work specified in the permit, and shall deposit with the Resident Officer the sum of £2, to be held as a security for any damage that may be caused by him or his work to the Department's sewers or streets or other property.

(2.) On the completion of the work, such sum, or so much thereof as shall have not been applied as aforesaid, shall be returnable.

(3.) *Licenses responsible for Damage.*—The licensed drain-layer or plumber to whom the permit is issued shall be responsible to the Department for all damage that may be done or caused by him or his work to any sewer, road, or pathway, or any property of the Department, including any breakage, letting in of sand, earth, or subsoil water, loosening of joints or disturbing foundations, and in particular he shall pay to the Department the cost of repairing such damage.

Details of Drains.

21. *Specifications and Conditions.*—No person shall construct, add to, or alter, repair, or renew any drain unless all works in connection therewith be done in accordance with the following specifications and conditions:—

(a.) *Materials to be used:—*

(1.) All drainpipes are to be of adequate size, but must be at least 4 in. in diameter (internal measurement) unless otherwise permitted by the Resident Officer.

(2.) All glazed-earthenware pipes shall be of double-glazed earthenware, truly cylindrical, and of uniform bore and thickness. They shall be thoroughly sound, well burned and glazed, perfectly straight, and free from blisters, cracks, and other imperfections.

(3.) All cast-iron pipes must be of the best quality of grey, tough iron, straight and true, and be sound, free from holes or cracks; all cast-iron pipes and fittings must be coated inside and outside with coal-tar, pitch, and boiled linseed-oil, or other protective lining approved of by the Resident Officer. Cast-iron pipes shall not in any case be less than $\frac{5}{8}$ in. in thickness.

(4.) Concrete shall be composed of not less than one part of cement to four parts of pumice and one part of sand. The materials must be clean and free from impurities, and shall be thoroughly mixed while dry, and then turned over three times while being wetted from the rose of a watering-can or hose. The proper quantity of water must be used in mixing.

(5.) Cement mortar shall consist of one part of Portland cement and two parts of sand. It shall be thoroughly mixed with as much clean water as necessary to form a thick paste, and none but freshly made mortar shall be used.

(b.) *Course of Drains.*—All drains shall, as far as is practicable, be laid in straight lines, but where it may be necessary to deviate from this rule the change of direction shall be made by means of a man-hole or by a curve, and such curve shall be uniform, and shall be nowhere of less radius than 6 ft.

(c.) *Gradients.*—All drains must be laid with a proper fall. The flattest gradients at which pipes having internal diameters of 4 in. and 6 in. respectively may be laid are—

For 4 in. pipes	..	..	1 in 50
For 6 in. pipes	..	..	1 in 60

but in any case in which the minimum grade cannot be obtained a flush-tank shall be provided, or such other means adopted as the Resident Officer shall approve.

(d.) *Trenches* shall be cut true to line, and shall be evenly graded before the pipes are laid.

(e.) *Pipes.*—The pipes shall be laid straight and true to line and grade. The spigot shall in every case be fitted concentrically with and close home in the socket, and the space between the spigot and socket shall be well filled with cement mortar. After each pipe is joined the interior shall be thoroughly well cleaned out before another length is laid, by means of an approved pipe-badger.

(f.) *Support for Cast-iron Pipes.*—Cast-iron pipes shall be supported so as to be free from risk of settlement, and their joints must be so filled with gasket and lead caulking as to render them gastight.

(g.) *Earthenware Pipes to be imbedded in certain Cases.*—*Tree-roots.*—When a tree exists within 15 ft. of the line of pipes, or when the trench is cut in wet or soft ground, earthenware pipes shall be so imbedded in concrete as to insure there being a thickness of concrete all round the pipes in no part less than half the diameter of such pipe. Cast-iron pipes may be substituted for earthenware pipes, and in such case a firm foundation must be provided on which the pipes must rest evenly.

22. *Drains under Buildings.*—No person shall construct a drain so as to pass under any building or portion thereof, except where any other mode of construction may be impracticable, in which case the following provisions shall be observed by the person on whose behalf the drain is being laid, namely—

(a.) Such drain shall be laid in a direct line for the whole distance beneath such building.

(b.) Such drain shall be so imbedded in concrete as to insure there being in all cases a thickness of concrete all round the pipes in no case less than half the diameter of such pipes.

(c.) The opening in a wall through which a pipe passes shall be of ample size, leaving a space of not less than 2 in. clear all round.

(d.) Adequate means of ventilation shall be provided in connection with the drain at each end of the building.

(e.) Cast-iron pipes of not less than $\frac{5}{8}$ in. in thickness may be substituted for earthenware pipes. The pipes shall be jointed so as to be watertight and airtight, and shall be supported so as to be free from risk of settlement. Where cast-iron pipes are used, a concrete bedding and covering shall not be required.

23. *Earth Covering.*—(1.) Every drain shall have at least 12 in. covering of earth, or, where this is not attainable, provision must be made for protecting the pipe by a covering of concrete or by other suitable method, to the satisfaction of the Resident Officer.

(2.) In yards, rights-of-way, or any place liable to heavy traffic, the covering must be not less than 2 ft. from the ground's surface to the centre of the pipe, unless cast-iron pipes are used.

24. *Inlets to Drains in or under Buildings.*—(1.) No inlet to a drain shall be made within or underneath a building,

except such inlet as may be necessary for any water-closet or for a slop-sink or for a urinal, and in any such case the fittings of any such sink or urinal shall be ventilated, trapped, and connected after the manner hereinafter provided for a water-closet.

(2.) *Gully-traps inside Buildings.*—Where it is impossible to fix a gully-trap outside any building owing to the whole area of the property being built over, the Resident Officer may, by writing under his hand, allow the gully to be placed inside the building in such position as he may approve of, or he may require the gully-trap to be dispensed with, and in such case all sanitary fittings shall be ventilated and connected after the manner hereinafter provided for a water-closet.

25. *Junctions of Drains.*—No right-angled junction shall be permitted in any drain. All junctions of pipe drains shall be effected by means of Y-junction pipes with a curved branch of the same diameter as the respective drains so connected. Every branch drain shall join a main drain, and every main drain the sewer, obliquely in the direction of its flow.

26. *Disconnecting-traps.*—(1.) A disconnecting-trap shall be placed in the line of the drain at a point on the sewer side of the first branch-drain connection, in a position to be approved of by the Engineer according to requirements of ventilation and the position of the adjacent doors and windows.

(2.) Such trap shall be of stoneware, and furnished with an inspection eye and cap.

(3.) The trap shall have not less than 3 in. or more than 5 in. of water seal, and shall also be provided with fresh-air inlet carried above the surface of the ground in an approved position, and fitted with an iron grating or suitable cowl.

(4.) Such fresh-air inlet shall be situated on that side of the trap furthest from the sewer.

27. *Openings into Drains.*—No opening into a drain shall be made, or allowed to remain, other than such as is provided for the purpose of ventilation or inspection, or for a water-closet connection or slop-sink or urinal connection, unless by means of an approved gully-trap.

28. *Inspection-eyes, &c.*—(1.) In every drain there shall be fixed immediately within the boundary of the premises being drained an inspection eye, or pipe, or chamber.

(2.) An inspection eye, pipe, or chamber shall also be fixed immediately on the sewer side of every gully-trap or water-closet connection, at every bend in the drain, and at every junction.

(3.) If any portion of any drain exceed 60 ft. in length, an inspection eye, pipe, or chamber shall be provided at an approved position in the course of such length.

Details of Iron and other Pipes.

29. (1.) *Cast-iron Pipes.*—All cast-iron pipes shall be used in as long lengths as reasonably procurable, and shall be of adequate weight. The following shall be the minimum weights for pipes of the internal diameters specified below:—

2 in. diameter	5½ lb. per lineal foot.
3 in. „	9½ lb. „
4 in. „	13 lb. „
6 in. „	20 lb. „

(2.) *Wrought-iron Pipes.*—Wrought-iron pipes shall be protected from rusting by being either galvanised, or coated in the manner specified above for cast-iron pipes.

(3.) *Lead Pipes and Traps.*—All lead pipes and traps shall be drawn pipes of pure soft lead of the best quality, and of the following sizes (internal diameter) and weights:—

1½ in. to be 2½ lb. per lineal foot.
1½ in. „ 3 lb. „
2 in. „ 4 lb. „
3 in. „ 5 lb. „
4 in. „ 6 lb. „

(4.) *Sheet Lead and Iron.*—All sheet lead shall be not less than 6 lb. per square foot. Galvanised sheet iron for vents, waste-pipes, and cisterns shall be 22 B.W.G.

(5.) *Galvanised Sheet Iron.*—Galvanised sheet-iron piping shall be made with double-lapped, grooved, and soldered longitudinal joints in long lengths, and the transverse joints shall not be less than 2 in. in length, soldered.

(6.) *Galvanised-iron Pipes.*—No galvanised-iron pipe shall be used if the galvanising shall be in any way damaged, or stripped, either previous to or during manufacture.

Traps under Fixtures.

(7.) *Traps.*—All traps under fixtures must be set perfectly true as regards their water-level.

(8.) *Bending of Traps prohibited.*—All bending or tipping of traps between floor-joists must be avoided.

(9.) *Position of Traps.*—In all cases traps are to be placed as close to fixtures as possible, and unless the trap is open to view a ready means of access thereto shall be provided.

Plumbing.

(10.) *Workmanship.*—All plumbing to be done in a thorough manner.

(11.) *Angles in Ventilating-shafts.*—Angles in any ventilating-shaft of sheet-iron piping are to be avoided where possible, and no sharp angles are to be used in any case.

(12.) *Pipes through Roofs.*—Where pipes pass through the roof, an absolutely watertight joint shall be made around the pipe. A flashing-piece of ordinary flat galvanised iron or sheet lead shall be used for the purpose, and this shall be soldered to the roof and to the piping, if of galvanised iron. Where the piping is of cast or wrought iron, or where the roof is covered with tiles or slates, such flashing-piece shall be fixed to the approval of the Resident Officer.

(13.) *Pipes through Floors or Walls.*—Wherever pipes pass through floors or walls the holes shall be neatly cut and perfectly closed round the pipes.

(14.) *Clips for Vertical Pipes.*—All vertical pipes shall be properly supported by hard-metal clips placed at short and equal distances, and securely fastened by screws to finished boards or wall-cleats.

(15.) *Support for Horizontal or Graded Pipes.*—Horizontal or graded lead pipes shall be properly supported throughout their whole length to prevent sagging, and shall be properly fastened and kept in place by lead clips bent to the shape of the pipes, placed at frequent intervals, and fastened to the boards by screws.

(16.) *Testing.*—Upon the completion of the work the tightness of the joints and soundness of the work shall be tested by the plumber in the presence of the Resident Officer or his representative. All openings in such pipes shall be securely stopped, and the whole system of pipes tested by hydraulic or other approved test. If any of these tests shall reveal a leakage, the same shall be made good, and the pipes again tested until proved satisfactory.

30. *Ventilating-shafts.*—(1.) On the sewer side of every disconnecting-trap a ventilation-shaft shall be fixed, having an internal diameter of 4 in. The connection shall be made on the top of the drain by means of a Y branch. No part of such shaft shall be placed inside any building. Such shaft shall be carried up vertically to such a height as to effectually prevent any escape of foul air from such shaft into any building, and in no case to a less height than 3 ft. above the ridge of the roof of the building to which it is attached. The minimum height of such shaft shall be 20 ft. above the level of the ground adjacent to the same.

(2.) A cap or cowl of an approved pattern shall be fixed on the top of the shaft.

(3.) The outlet of the ventilation-shaft shall be not less than 6 ft. measured in any direction from any window, or chimney-top, or door, and not less than 30 ft. from any window or other opening at or above the level of such outlet.

(4.) No connection other than with the drain shall be made in any such ventilation-shaft.

(5.) The underground portion of every such ventilation-shaft shall be of earthenware drainpipes, or of cast-iron pipes with lead-caulked joints.

(6.) To a height of 6 ft. above the surface of the ground such shaft shall be of cast iron, not less than ¼ in. in thickness, similarly jointed, or of screwed wrought-iron piping, and from there to the outlet the shaft shall be of galvanised iron. The connection between the earthenware and the metal pipes shall be made with cement, and shall, together with all other joints, be perfectly tight.

(7.) No bend or angle shall (except where unavoidable) be formed in the shaft.

31. *Terminal Ventilation-shaft.*—(1.) At the highest point in the drainage-system of any premises, and, when required by the Resident Officer, at the end of any and all branch drains in such system, a terminal ventilation-shaft of not less than 3 in. internal diameter shall be erected.

(2.) All the provisions of the last preceding clause of these by-laws shall extend and apply to every such terminal ventilation-shaft.

(3.) Where any water-closet is ventilated, or where there is a continuation upwards of the soilpipe, the ventilation-shaft so provided shall take the place of the terminal ventilation-shaft although such water-closet may not be at the highest point of the drainage-system: Provided that the distance between the junction of the soilpipe with the drain, and the highest point of the drain, is not more than 30 ft. And provided further that the ventilation-shaft so provided shall comply with the foregoing requirements concerning terminal ventilation-shafts (so far as they are applicable).

Waste-pipes, Ventilators, &c.

32. *Specifications and Conditions for Sanitary Appliances.*—No person shall construct, alter, or repair any sanitary fitting or appliance mentioned in this clause, unless all works in con-

nection therewith be done in accordance with the following specifications and conditions:—

(a.) *Waste-pipes from Detached Buildings.*—Wash-tubs, lavatory-basins, and baths in detached buildings not permanently occupied by human beings shall be provided with waste-pipes. Such pipes, if less than 6 ft. in length, need not be trapped, and may discharge over a gully-trap outside the building or on to a channel of concrete or other impervious material leading to such gully-trap.

(b.) *Waste-pipes from other Buildings.*—Every sink, wash-tub, lavatory-basin, and bath not in such detached building as aforesaid shall be provided with a waste-pipe. Such pipe shall be trapped immediately adjacent to its intake, and shall not be connected directly with any drain, but shall discharge in the open air, either directly over a gully-trap at a height of not less than 3 in. above the level of the water seal thereof, or over and at a height of not less than 3 in. above a watertight concrete channel led to a gully-trap, and not being more than 6 ft. distant therefrom. The trap to such waste-pipe shall be an approved self-cleansing siphon trap having a seal not less than 2 in. An access plug must be provided for each trap.

(c.) *Waste and Ventilating Pipes against External Walls.*—All waste and ventilating pipes shall be placed wherever possible against external walls, and shall be carried to the outside of the building by the shortest route practicable and then carried down or up (as the case may be) outside the building.

(d.) *Said Pipes not to be connected with Rain-water Pipes.*—No waste or ventilating pipe shall be connected with a rain-water pipe.

(e.) *Waste Pipes and Traps to be readily Inspected.*—All waste pipes and traps shall, wherever practicable, be exposed to view for ready inspection and for convenience in repairing, and whenever placed within walls of buildings or otherwise not exposed to view shall be covered with woodwork fastened with screws so that such woodwork can be readily removed.

Water-closets.

33. *Water-closets to be provided.*—(1.) Where a building is hereafter erected or renewed and is within 100 ft. from a sewer to which it is or can be drained, and water is supplied to such building from the waterworks, or the premises have otherwise a sufficient water-supply, it shall be the duty of the person on whose behalf such building is being or has been erected to provide a water-closet for such building within one calendar month from the laying-on of the water to the building.

(2.) Where a building has been erected before the coming into operation of these by-laws and is within 100 ft. from a sewer to which it is or can be drained, and water is supplied to such building from the waterworks, or the premises have otherwise a sufficient water-supply, and such building is without a water-closet, the owner for the time being of such building shall, within three calendar months, after notice under the hand of the Resident Officer shall have been given to him requiring him so to do, provide a water-closet for such building. Every such notice may be renewed from time to time.

(3.) Where in any such building as aforesaid already or to be hereafter erected more than twenty persons usually reside, or are employed, the owner of such building shall provide the same with an additional water-closet for every twenty persons so residing or employed over and above the first-mentioned persons.

(4.) Every person liable under this Part of these by-laws to provide any water-closet, or who shall (without being so liable) provide any water-closet, shall cause the same to be erected in accordance with this Part of these by-laws, and shall cause all works, appliances, and things to be executed, provided, and affixed in connection therewith as required by and in accordance with the provisions of this Part of these by-laws, and in particular shall comply with the following specifications and conditions:—

(a.) *Condition of Building.*—Every detached building used for the purposes of a water-closet shall be either a new building or shall be in a perfectly clean and sound condition, and must, if wood-floored, be raised so as to allow at least 6 in. of air-space between the ground and such floor, and the studs must be at least 6 ft. 6 in. high.

(b.) *External Wall.*—Every water-closet erected in a building shall be constructed in such a position that at least one of its sides shall be an external wall.

(c.) *Window and Ventilation.*—Every water-closet shall be provided with a window having an area, exclusive of frame of not less than 2 square feet, and also with an air-brick or an inlet covered with perforated zinc or galvanised-wire netting having an area of not less than 40 square inches, and such window shall be made to open directly on to or to com-

municate directly with the open air throughout at least one-third of its area.

(d.) (i.) *Cistern.*—No water-closet shall be connected with the town water-supply, or any other water-supply directly, but shall be provided with a separate cistern of a pattern and materials corresponding with a model cistern kept for the purposes of these by-laws at the office of the Resident Officer, which cistern shall contain and deliver at each flush 3 gallons, and shall be fitted with an efficient ball cock, and such closet shall be connected with a drain leading to a sewer.

(ii.) There shall be provided a high-pressure stopcock to regulate the flow of water into every such cistern.

(iii.) The service-pipe from the cistern to the closet shall be not less than 1½ in. in internal diameter, and shall be made of drawn lead or galvanised screwed iron or brass piping.

(e.) *Basin.*—(i.) In no case shall the form of basin known as a "wash-out basin" be used, nor shall any closet having its outlet underneath, or in such a position as to prevent the joint with the soilpipe being readily inspected, be used.

(ii.) Closet-basins shall not be enclosed, but shall be left open so that every joint in connection therewith can be readily inspected.

(f.) *Basin-trap Ventilating-pipe.*—Every closet-basin trap shall be ventilated by a tight pipe of not less than 2 in. in diameter made of 6 lb. lead or galvanised screwed iron piping for such length as is within the building, and external thereto of similar material or of No. 24 gauge galvanised iron. This ventilating-pipe shall be carried either up to a point 2 ft. above the eaves or be connected to the extension of the soilpipe at a point not less than 3 ft. above the highest closet-connection.

(g.) *Soilpipe.*—The soilpipe of every water-closet, and every portion of the drain thereof, not bedded on solid ground shall not be less than 3½ in. internal diameter made of 6 lb. lead or cast iron. It shall be fixed on the outside of the building, be properly supported, and have airtight joints. The soilpipe shall in all cases be without traps, and the drains shall be perfectly free from obstructions between the disconnection-trap and the ventilating-outlets. The soilpipe shall be extended from the highest branch closet-connection to a point at least 3 ft. above the eaves, with an internal diameter of not less than 3 in.

Earth-closets.

34. *Earth-closets to be discontinued.*—(1.) So soon as a water-closet ought under this Part of these by-laws to be provided for any premises or has been actually provided for the same (whichever shall first happen) the following consequences shall ensue:—

(a.) The owner of the premises shall forthwith remove from such premises the pan or other contrivance of any earth-closet or privy on the premises, and shall render clean the site thereof.

(b.) No person shall bring back such pan or contrivance on to the premises or place any other pan or similar contrivance thereon.

(2.) The Resident Officer may, nevertheless, by writing under his hand communicated to such owner, extend the time for the removal of any earth-closet or privy for such period or periods not exceeding one calendar month at a time as he shall think fit.

35. *Earth-closets to be properly kept.*—The occupier of any premises on which there is any earth-closet or privy shall at all times keep such closet or privy in good repair, and clean and in proper condition, and the pan in a watertight condition, and shall keep all faecal matter therein properly and sufficiently covered with sawdust, ashes, dry earth, or other deodorising substance.

36. *Sufficient Number of Earth-closets to be kept.*—Where earth-closets or privies may lawfully be kept and used, the owner of the premises shall cause the same to be supplied with a sufficient number thereof having regard to the number of persons usually resident or employed at the premises.

37. *Sanitation Fee.*—(1.) The Department may charge a uniform annual sanitation fee, recoverable as a separate rate, for the cleansing by it of closets and privies, and such fee may be charged in respect of each pan in such closets or privies: Provided that the total proceeds of such fee shall not exceed a sum equal to the proceeds of the sanitation rate authorised to be levied by section 89 of "The Municipal Corporations Act, 1908."

(2.) The amount of such fee and the period for which it is to be payable and the instalments (if any) in which it may be paid shall be fixed from time to time by the order in writing signed by the General Manager. The said order shall be advertised in some newspaper in general circulation in the town.

(3.) The inhabitant occupier of the premises served or intended to be served shall be primarily liable to pay the said fee. If it shall be payable in instalments, the inhabitant

occupier at the time any instalment becomes payable shall be primarily liable therefor.

(4.) Failing payment of the fee or any instalment thereof by the inhabitant occupier primarily liable therefor on demand, the fee or instalment shall be recoverable by the Department as a separate rate from every or any person who would for the time being be liable to pay the same if the same were levied as a separate rate in respect of the premises in question.

Urinals.

38. *Urinals.*—Every urinal shall be placed, constructed, and fitted as follows:—

(a.) No urinal or slop-sink shall be erected in any room or closet used for any other purpose than as a lavatory or water-closet.

(b.) Any urinal erected or placed within any building used or partly used as a dwellinghouse, shop, factory, or workshop, and any urinal erected or placed within 15 ft. of any such building and not being unroofed and open to the air shall have a basin or divisions of earthenware or enamelled iron with a flushing-rim properly supplied with water, and shall be fitted with a waste-pipe of lead trapped by a lead trap and caused to discharge over a gully-trap placed outside the building or structure.

(c.) Any urinal erected or placed otherwise than as before mentioned may either be constructed and fitted as before mentioned or, in lieu thereof, be so constructed as to conduct the urine over impervious channels to a proper gully-trap suitably placed.

(d.) Where a urinal or slop-sink is contiguous to a water-closet, the soil and ventilating-pipes of the latter may be used for the former.

(e.) Every slop-sink and every urinal placed within a building so as to require the connection with the drain to be made within or underneath the building shall be ventilated and connected after the manner hereinbefore provided for a water-closet.

General Provisions.

39. *Application of By-laws to Existing Buildings.*—(1.) Where any building shall have been erected before the coming into operation of these by-laws, and such building or any premises belonging thereto—

(a.) Shall be without any drain or other sanitary work or appliance of any description which would be required by this Part of these by-laws if such building were a new building; or

(b.) Shall have any drain, water-closet, or other sanitary work or appliance which does not comply with the provisions of such Part of these by-laws,—

it shall be lawful for the Resident Officer, at any time after such coming into operation, by notice in writing under his hand given to the owner for the time being of such building and premises, to require such owner, within a time stated in the notice, to execute and provide in connection with such building or premises any works and appliances whatever necessary to cause such building or premises to comply with such Part of these by-laws in like manner as if such building had been erected after the coming into operation of these by-laws.

(2.) Every such notice shall specify the works and appliances required to be executed and provided, and may be renewed from time to time.

(3.) Such owner shall comply with such notice within the time aforesaid.

(4.) The Resident Officer may, nevertheless, by writing under his hand, exempt the owner of any such building or premises from compliance with any provision of this Part of these by-laws for such time as shall be stated in such writing if the Resident Officer shall be of opinion and shall certify that such exemption may safely be made in the interests of public health.

40. *Maintenance of Sanitary Works.*—The owner and occupier respectively for the time being of every building, land, or premises shall, in respect of all drains, water-closets, and other sanitary works and appliances therein or thereon, or connected therewith, do the following things:—

(1.) The owner shall cause the same to be kept in good substantial repair and perfect working-order.

(2.) The occupier shall keep the same clean and free from obstructions.

41. *Case of Premises having no Drainage or Water-supply.*—Where any premises are not situate within 100 ft. of any sewer to which they are or can be drained, or are not connected with the waterworks, or have not otherwise a sufficient water-supply, and in consequence thereof it is impossible or impracticable to comply with any provision of this Part of these by-laws, it shall be unlawful to construct or maintain or use any work or appliance affected by this Part of these by-laws in a manner or under conditions to be or likely to become injurious to health or a nuisance.

42. *Power to examine and test Sanitary Works.*—(1.) The Resident Officer, or any officer or servant of the Department authorised by him (either generally or in the particular case) may, with or without assistants, at any reasonable time or times, examine or test any drain or sanitary work, appliance, or fitting whatever, and for or in connection with such purpose may open the ground of any premises and remove any part of any building or work that can be removed and replaced without occasioning structural injury.

(2.) If the drain, or sanitary work, appliance, or fitting, is found to be in compliance with these by-laws and in good repair, order, and condition, the Department shall cause the ground to be properly filled up and made good, and the parts of the building or work to be properly replaced.

43. *Saving of Statutory Powers.*—Nothing in this or any other Part of these by-laws shall be deemed to take away or prejudice any of the powers in relation to drainage or sanitation given to the Department or to any officer thereof by "The Municipal Corporations Act, 1908," or "The Public Health Act, 1908," or any other Act, or by the said regulations made by the Governor in Council under "The Rotorua Town Act, 1907," and in particular the Department shall have the powers given by sections 216, 217, and 218 of the first-named Act.

PART XVI.—STABLES.

1. *Stables to be used only if complying with these By-laws.*—No occupier of any premises shall place any horse or cattle, or suffer any horse or cattle to be placed, in any stable on his premises unless such stable is built, constructed, repaired, placed, and fitted, and kept, as required by this Part of these by-laws.

2. *Construction.*—Every stable hereafter erected shall be well and substantially built.

3. *Distance from Dwellings, &c.*—No stable shall be hereafter erected or established within 15 ft. of any dwellinghouse, shop, office, factory, or workshop, whether on the same premises as the stable or not. But nothing in this clause contained shall be deemed to forbid any persons in charge of horses or cattle sleeping or residing in any room forming part of any stable, notwithstanding that such room may be within 15 ft. of such stable.

4. *Dwellings, &c., not to be erected within 15 ft. of Stables on same Premises.*—(1.) It shall not be lawful to erect after the commencement of these by-laws a dwellinghouse, shop, office, factory, or workshop on any premises so as to be within 15 ft. from any then-existing stable on the same premises if the stable is intended to be used as such.

(2.) After the erection of such dwellinghouse or other building as aforesaid it shall not be lawful for the occupier for the time being of such stable as aforesaid to place or suffer to be placed any horse or cattle therein so long as it remains within such 15 ft.

5. *Repairs.*—Every stable, and all appurtenances thereto, shall be kept in good and substantial repair and condition.

6. *Deposit of Dung.*—No occupier shall deposit any dung, manure, filth, or other noxious matter from any stable (or suffer the same to be deposited on his premises) within 15 ft. of any dwellinghouse, shop, office, factory, workshop, or street.

7. *Watertight Floor.*—All stables situated within 30 ft. of any house, shop, office, factory, workshop, or street shall have an impervious watertight floor so constructed and maintained that all liquid matter falling thereon shall be conducted to a drain properly connected either with a public sewer or with a sewage-tank. Such drain shall be provided with a trap of a form specially constructed to retain silt.

8. *Removal of Dung.*—The occupier of any premises whereon there is a stable shall cause all dung, manure, filth, or other noxious matter produced or being in such stable to be removed from the stable once at least in every twenty-four hours, and shall keep such stable clean and free from smell.

9. *Receptacle for Dung.*—(1.) The occupier of any premises on which there is a stable situated within 30 ft. of any house, shop, office, or factory, workshop, or street, shall provide and place a suitable receptacle for all dung, manure, filth, or other noxious matter which may from time to time be produced in the keeping of any horse or cattle in such stable. The bottom of the floor of such receptacle shall not in any case be lower than the surface of the adjoining ground. The receptacle shall be constructed in such a manner and of such material, and shall at all times be maintained by such occupier in such a condition, as will prevent any escape of the contents thereof or any soakage therefrom.

(2.) Such occupier shall cause the contents of such receptacle to be removed from the premises, and the receptacle to be properly cleansed once at least in each week, and in default thereof respectively shall be liable to a fine not exceeding £1 for every day on which the default is made or continues.

10. *Case of Existing Stables within 15 ft. of Dwellinghouses, &c.*—(1.) In any case where—

- (a.) A stable has been erected before the commencement of these by-laws; and
- (b.) Such stable was erected within 15 ft. of some dwelling-house, shop, office, factory, or workshop erected before the erection of the stable, and whether or not on the same premises; and
- (c.) The use of such stable constitutes, whether by reason of its mode of construction or its situation, a nuisance or a condition injurious to health,—

it shall be lawful for the Resident Officer to give to the occupier of the premises on which the stable is erected either of the following notices: *i.e.*,—

- (i.) If the cause of the nuisance or injury to health can be removed by the execution of any alterations or repairs to the stables, then a notice specifying the necessary alterations and repairs, and intimating that, unless they are executed within a stated time, the structure must not thereafter be used as a stable.
- (ii.) If the cause of the nuisance or injury to health cannot be removed by any alterations or repairs, then a notice intimating that the structure must not be used as a stable after three calendar months from the service of the notice.

(2.) Either of the said notices may be renewed from time to time.

(3.) If the first-mentioned notice is not complied with within the time therein stated, it shall be unlawful for the occupier for the time being of the stable thereafter to place or suffer to be placed any horse or cattle therein.

(4.) After three calendar months from the service of the secondly mentioned notice it shall be unlawful for the occupier for the time being of the stable to place or suffer to be placed any horse or cattle therein.

(5.) The question whether a nuisance or injury to health is constituted as aforesaid shall be determined by the tribunal before which it is sought to enforce this by-law.

11. *Saving of Public Health Act.*—Nothing in this Part of these by-laws shall derogate from or restrict the operation of sections 73 and 74 of "The Public Health Act, 1908."

PART XVII.—REFUSE-REMOVAL.

1. *Covered Tin.*—Each premises within the inner area of the town as described in the Building By-laws requiring the services of the Municipal refuse-carts shall be provided with a covered refuse-tin similar to the sample which shall be kept at the office of the Resident Officer, and kept in good repair and condition.

2. *Charges.*—One such tinful will be removed once per week on the payment of 10s. per annum or twice a week for £1 per annum, payable in advance on the 1st January of each year. If the service be commenced after the 1st July in any year the fees for the current year shall be reduced to 5s. and 10s. respectively.

3. *Arrears.*—No removal shall be made after the 1st January of any year until all arrears have been paid.

4. *Placing Tins on Pavement.*—If the tins are not placed on the pavement at the hour of clearing, or if the refuse is placed in tins other than those of the specified form, the refuse shall not be collected for that week.

5. *Extra Charges.*—A charge payable in advance shall be made of 3d. per tinful or 4s. per load for all quantities in excess of the quantity covered by the annual payment.

6. *Persons liable for Nuisances.*—Nothing in this Part of these by-laws shall relieve any person from liability for any nuisance created on his premises save that he shall not be liable for any nuisance caused by failure of the Department to remove any refuse in respect of which he shall have complied in all respects with this Part of these by-laws.

7. *Trade Refuse.*—This Part of these by-laws shall not apply to trade refuse.

PART XVIII.—NATIVE GUIDES.

Whereas His Excellency the Governor, in exercise of the power in this behalf given to him by "The Rotorua Town Act, 1907," did by Proclamation dated the 6th day of March, 1908, and gazetted on the 19th day of March, 1908, delegate to the Department the powers and authorities vested in him under sections 5, 6, 7, and 8 of "The Thermal Springs Districts Act, 1881," except subsection (2) of section 5:

Now, in pursuance of the powers and authorities so delegated, and of all other powers and authorities enabling it in this behalf, the Department hereby ordains the provisions of this Part of these by-laws.

1. *Reserves.*—This Part of these by-laws shall apply to the Whakarewarewa Recreation Reserve, the Whakarewarewa Thermal-springs Reserve, the Arikikapakapa Reserve, and the Arikikapakapa Extension Reserve.

2. *Licenses.*—A license to act as guide may in the discretion of the General Manager be issued by him to any Maori woman not less than eighteen years of age, who has been resident at Rotorua for not less than one year and shows a satisfactory acquaintance with the sights in the reserves, and can speak English fluently, and produces credentials of her good character signed by two responsible persons.

3. *Duration.*—The license (unless sooner revoked) shall continue in force for one year from date of issue, but may be annually renewed by indorsement.

4. *License Fee.*—There shall be payable by the licensee on the issue of the license and on each annual renewal thereof a fee of 10s.

5. *Application.*—Application for the license must be made to the Resident Officer at Rotorua, and be accompanied by an unmounted and clear photograph of the applicant.

6. *Charges.*—A licensed guide may charge a fee not exceeding 1s. per day to every person who employs the licensee as a guide within the reserves, and shall not demand or ask for a greater fee.

7. *Form of License.*—The license shall be of the form following, *viz.* :—

Department of Tourist and Health Resorts.

THIS is to certify that _____, whose photograph is attached hereto, having paid the prescribed fee, is hereby licensed to act as an authorised guide within the Government reserves at Whakarewarewa, and to charge a fee not exceeding 1s. per day to each person guided by her. This license (unless sooner revoked) continues in force for one year from date thereof, but may be annually renewed by indorsement.

Dated and issued this _____ day of _____, 19 _____.

_____, General Manager.

Countersigned,

_____, Resident Officer.

8. *Renewal.*—The renewal by indorsement shall be made in the following form :—

"This license is hereby renewed for one year from the _____ day of _____, 19 _____"

"Dated this _____ day of _____"

_____, Resident Officer.

9. *Badge.*—A badge shall be supplied to every licensee, and shall be worn by her whenever guiding or seeking employment as a guide.

10. *Unlicensed Guides.*—No unlicensed person shall act as or seek employment as a guide in any of the reserves for reward.

11. *Revocation.*—The General Manager may at any time, by notice under his hand, revoke a license if, after giving the licensee and her witnesses (if any) an opportunity to be heard, he is satisfied that the licensee has, by reason of misconduct, rendered herself unfit to hold the same.

12. *Register.*—The Resident Officer shall keep a register of licenses showing the name of the licensee, the number of the license, and its date of expiry or revocation. Such register shall be *prima facie* evidence of the correctness of its contents.

13. *Penalty.*—Every person who shall commit a breach of any provision of this Part of these by-laws shall for each such offence be liable to a fine not exceeding £5.

PART XIX.—BUILDINGS.

Application of these By-laws.

1. *Buildings subject to these By-laws.*—Every building already erected or that may be hereafter erected within the town, either in the inner area, outer area, or in the Native villages, whether such building be built upon new or old foundations, or upon foundations partly old and partly new, and whether or not such building be an addition to any building already erected, or which may be hereafter erected, and every other work, matter, or thing in respect of which provision is made in this Part of these by-laws, shall be subject to the control and supervision of the Department for the purposes of this Part of these by-laws, and shall be erected, fixed, added to, altered, renewed, or repaired in accordance with, and shall generally be subject to, the provisions of this Part of these by-laws.

Plans, Specifications, Certificate, &c.

2. *Plans and Specifications and Notice to be deposited.*—Before beginning to erect any new building, or to add to, alter, renew, or repair any building or part of a building, or to construct any other work affected by this or any other Part of these by-laws, the person on whose behalf such proposed work is to be done shall deposit or cause to be deposited at the office of the Resident Officer—

- (1.) Full and detailed plans, drawn to a scale of not less than $\frac{1}{4}$ in. to 1 ft., and specifications of the proposed work, showing clearly how the same is to be con-

structed, so far as affects all matters coming within the scope of this or any other Part of these by-laws, with dimensions, materials to be used, and all other particulars necessary to enable the Resident Officer readily to judge whether the work is in accordance with these by-laws; and

- (2.) A notice stating the full name of the person on whose behalf the proposed work is to be done, the locality of such proposed work, the position of each building within 40 ft. of the proposed building, and an address within the town to which all notices to be given under these by-laws in respect of the proposed work can be sent.

3. *Fuller Plans and Specifications may be required.*—If any plan or specification so deposited shall insufficiently or inaccurately describe the work in any particular affected by these by-laws, the Resident Officer may within seven days after such deposit thereof, by notice in writing, to be sent to the person on whose behalf the proposed work is to be done, at the address so stated, require a fuller or more accurate plan or specification to be deposited in lieu thereof.

4. *Resident Officer to give Certificate.*—The Resident Officer shall inspect every such original and substituted plan and specification as aforesaid, and shall within seven days after all the documents and substituted documents mentioned in the last two preceding clauses shall have been deposited as aforesaid, send a certificate in writing under his hand to the person on whose behalf the proposed work is to be done, to the address aforesaid, stating that such proposed work as described in the said plan and specifications is in accordance with these by-laws, or a notice stating wherein such work departs therefrom.

5. *Amendment of Plans and Specifications.*—(1.) If the Resident Officer shall notify such person as aforesaid that the proposed work departs from these by-laws in any particular, such person shall forthwith amend the said deposited plans and specifications accordingly, so as to conform with these by-laws, and the Resident Officer shall, within three days after such amendments shall have been duly made and deposited at his office, send such certificate of the work being in accordance with these by-laws as aforesaid.

(2.) *Deviation after Certificate.*—No deviation affecting any matter coming within the scope of these by-laws shall be made by any person from any plan or specification that shall have been deposited as aforesaid, after the Resident Officer shall have given his certificate, unless a notice in writing clearly specifying the intended deviation shall have been deposited at his office, and he shall have notified in writing under his hand that such deviation is in accordance with these by-laws.

6. *Commencement of Work.*—In no case shall any person commence any work affected by these by-laws before the Resident Officer shall have certified in writing under his hand that the work is in accordance therewith.

7. *Plans and Specifications to be produced after Removal.*—

(1.) Plans and specifications deposited as aforesaid may be removed from the Engineer's office after he shall have certified as aforesaid that the work referred to therein is in accordance with these by-laws, but pending and within six calendar months after the completion of the work the person on whose behalf the work is being or has been done shall from time to time, upon twenty-four hours' notice in writing from the Resident Officer so to do, produce or cause to be produced to him at his office aforesaid any plan or specification so removed, for inspection for the purposes of these by-laws.

(2.) Without prejudice to the liability of such person as aforesaid under paragraph (1) of this by-law, every person having for the time being pending (or within six calendar months after) the completion of the work any such removal plan or specification in his custody or power (whether as architect, builder, mortgagee, or otherwise) shall, from time to time, upon reasonable notice in writing from the Resident Officer so to do, produce or cause such plan or specification to be produced to him at his said office for the purposes aforesaid.

Frontages.

8. *Frontage of Dwellinghouses.*—No person shall erect any building intended wholly or principally for residential purposes, or alter any building not erected therefor so as to make the same fit therefor, unless in each case such building shall have a frontage for its full width to some public or private street.

9. *Frontage not to be interfered with.*—No person shall erect any building whereby any dwellinghouse or other building used wholly or principally for residential purposes shall be deprived (for the whole or any part of its width) of its frontage to any public or private street.

Roofs.

10. *Roof-materials.*—No person shall cover or repair the whole or any part of the exterior of the roof or flat, or gutter of any building, or any erection on the roof or flat of any

building with boarding, shingles, or other combustible materials.

11. *Gutters and Pipes.*—(1.) No person shall construct any roof or flat of any building, or any projection therefrom, unless the same be so arranged and so supplied with gutters and pipes as to prevent the water from dropping on to or running over any public or private street.

(2.) All such gutters shall be made of metal or other incombustible material.

Chimneys, Stoves, Hearths, &c.

12. *Regulations as to Chimneys, &c.*—No person shall construct, erect, build, put up, or alter or renew any chimney, chimney-stack, smoke-pipe, or funnel, except in the following manner and in compliance with the following conditions, to wit:—

(a.) *Materials, no Corbelling-over.*—Every chimney and chimney-stack must be built wholly of brick or stone, with lime or cement-mortar, or of concrete, and every such chimney and chimney-stack must be built from the foundation (and from the corbels if corbelled out according to the provisions of these by-laws) to the top thereof without any corbelling-over whereby any upper part of such chimney or chimney-stack shall overhang any lower part thereof.

(b.) *Angle Chimneys.*—The breast of any angle chimney built in the internal angle of any building above the ceiling of any lower story shall not exceed 8 ft. in width, and the jambs, breast, and flue must be properly supported on iron girders or brick arches, or on strong stone landings at least 7 in. thick, and tailed at least 9 in. into each of the two walls forming such angle.

(c.) *Single or Double Chimneys.*—The jambs, breast, and flue of any single or double chimney may be built upon stone or iron corbels above the ceiling of any lower story, but the projection both of such jambs and breast must not in any case exceed 14 in. before the face of the wall or stack to which the same shall join, and the brickwork must be arched or corbelled over the whole width of the chimney-opening up to the line of the face of the jambs, in order to provide a solid bed for the back hearth.

(d.) *Jambs, Breasts, &c.*—The jambs of every chimney must not be less than 8½ in. wide on each side of such opening. The breast of every chimney and the front, back, or withe of every flue must be at least 4 in. in thickness, and the joints of the work must be filled in with hydraulic lime or cement mortar, and all the inside thereof must be rendered or pargetted: Provided that the back of any chimney against the internal wall of another apartment shall be at least 8 in. thick.

(e.) *Support of Breast.—Prohibition of Timber.*—No timber must be placed over any opening for supporting the breast of any chimney, but there must be an arch of brick, stone, or concrete over the opening of every such chimney to support the breast thereof, with an iron bar or bars built into the jambs at least 9 in. on each side to tie to the abutments. And no timber or woodwork must be placed or laid under, or in any wall under, any chimney-opening within 10 in. at the least of the surface of the hearth of the fireplace of such chimney-opening, and no timber or woodwork must be nearer than 1 in. to the opening of any chimney, and no trimmer must be placed nearer than 15 in. to the front face of any chimney; neither shall it be lawful to build or insert the end of any joists, rafters, beams, or other timber whatever in any part of any chimney or flue.

(f.) *Height of Chimneys.*—Every chimney, or shaft, or flue hereafter built, raised, or renewed must be carried up in brick or stone with lime or cement mortar, or concrete all round, at least 4½ in. thick to a height not less than 36 in. above the roof, flat, or gutter adjoining thereto, measured at the highest point in the line of junction with such roof, flat, or gutter, but not more than 8 ft. (irrespective of the chimney-pot) above the highest point in the line of such junction; unless such chimney, or shaft, or flue shall be built of increased thickness to the satisfaction of the Resident Officer or be built with or bonded to another chimney-shaft, or be otherwise rendered secure to the like satisfaction: Provided always that the chimney-shaft for the boiler-furnace or manufactory may be erected of any height so that it is built in such manner and of such strength and dimensions as shall be approved by the Resident Officer upon special application in each case.

(g.) *Stoves.*—Every detached stove or fixed stove in any building shall be provided with a brick, stone, or concrete bed at least 4 in. thick and extending 18 in. on either side of the stove, and with a substantial metal flue at least 6 in. in diameter, which shall be so placed, supported, and fixed that no timber or inflammable material shall be within a distance of 18 in. of such flue for the first 6 ft. of its length (measured from the furnace or stove) or within 9 in. for the remainder of its length. The portion of such flue outside the building

shall be of No. 20 gauge iron, well stayed with three wires and delivering at a height of at least 6 ft. above the highest point of the junction of the flue with the roof.

(h.) *Against cutting into Chimneys.*—No chimney, or shaft, jamb, breast, or flue already built or erected, or hereafter to be built or erected, shall be cut into for any purpose whatever without the written consent of the Resident Officer.

(i.) *Hearths.*—Front hearths composed of brick, tile, slates, stone, marble, or other proper and sufficient incombustible substance, at the least 9 in. longer than the opening of every chimney when finished, and at the least 15 in. in the front of the arch over the same, must be laid before the opening of every chimney; hearths must be at least 4 in. thick, and laid upon brick trimmer arches or upon a solid bed of cement concrete laid in uniform thickness, and without a joint, to form a bed for the hearth and front hearth of hobs.

(j.) *Coverings of Smithy and other Chimneys.*—Any chimney used for the purpose of or in connection with any smithy, furnace, foundry, or manufactory shall be properly covered in on the top thereof with iron gauze or network, capable of preventing, to the satisfaction of the Resident Officer, the escape of dangerous sparks.

(k.) *Existing Fireplaces and Chimneys.*—Any fireplace or chimney already in existence which does not comply with this Part of these by-laws (and in particular any chimney built of corrugated iron and wood) shall be rebuilt or re-erected or altered (as the case may require) by the owner, so as to comply therewith, within one calendar month of the receipt by him of notice in writing to this effect from the Resident Officer, or (in the alternative and at the option of the owner) shall be removed by the owner within the like time.

Various Provisions.

13. *Damp-course.*—No person shall hereafter construct, erect, or put up any wall of brick, stone, or concrete unless the same shall have a proper damp-course of either sheet lead of not less weight than 4 lb. per superficial foot, asphalt $\frac{1}{2}$ in. thick, malthead, ruberoid, slates laid in cement, or other material approved of by the Resident Officer, beneath the level of the lowest timbers and above the level of the surface of the ground adjoining such wall.

14. *Timber and other Materials.*—(1.) All timber and other materials of every kind (whether or not mentioned in this Part of these by-laws) used in the construction, erection, repair, alteration, or renewal of any building or work coming within this Part of these by-laws shall be of good quality, and be sound and fit for the use to which they are proposed to be put.

(2.) The person for the time being in charge of any work shall remove from the site thereof all unfit material within twenty-four hours after notice in writing so to do under the hand of the Resident Officer shall have been served upon him or left for him at the said site.

(3.) White-pine or kahikatea timber shall in no case be used as above.

(4.) Old materials shall not be used as above unless they shall be sound and have been well cleaned, and shall have been certified by the Resident Officer by writing under his hand to be fit for such use.

15. *Contractors' Temporary Sheds.*—With the consent of the Resident Officer any contractor or builder may erect on any site on which a building is in the course of erection any temporary shed, workshop, or office, constructed of wood or galvanised iron, required in connection with the erection of such building. Such contractor or builder shall remove such shed, workshop, or office from the said site upon the completion of the building operations or within seven days after receipt of a written notice to do so given to him at any time thereafter by the Resident Officer.

16. *Scaffolding and Building-materials on Streets.*—(1.) The Resident Officer may grant to any person upon payment by him of a fee of 5s. per calendar month or portion thereof, a license under the hand of the Resident Officer, authorising such person to construct such stage, scaffolding, hoarding, fence, or enclosure as the Resident Officer shall permit, and to deposit building and other materials and building-rubbish upon or across so much of the footway adjoining or in front of the site of the intended work, and so much of the street adjoining such footway, as the Resident Officer shall think fit, and shall specify in the license.

(2.) The Resident Officer may renew such license or grant a fresh license to such person from time to time upon payment of a further sum not exceeding 5s. per calendar month or portion thereof in respect of each such further license or renewal.

(3.) The person so licensed may do the said acts according to the tenor of such license.

(4.) The licensee shall keep such hoarding or enclosure sufficiently lighted at each corner from sunset to sunrise.

(5.) The licensee shall make good any damage done to the footway or street by reason of the operations.

(6.) Under the license no building operations shall be carried on, or building or other materials or building-rubbish deposited or stored in any public or private street, except in enclosures licensed under this by-law.

17. *Tents, &c.*—No tents, pavilions, portable enclosures, or temporary structures of any description shall be erected or maintained without the express sanction, in writing, of the Resident Officer.

18. *Windows.*—(1.) Every building erected or used for residential purposes shall have a sufficient number of suitable windows to afford effectual means of ventilation by direct communication with the external air.

(2.) Every habitable room in any building shall have a window or windows equal in size (clear of sash-frames) to at least one-tenth of the area of the floor of such a room; half of each such window shall open, and the opening must extend to the top of the window.

(3.) In every public building there shall be adequate means of ventilation.

19. *Insanitary Sites.*—No building shall be erected upon a site filled up with any material impregnated with faecal matter or with any animal or vegetable matter; and the ground below every building shall be properly drained, and the same shall, before being covered by any floor, be properly cleared of all shavings or other combustible materials.

20. *Projections.*—Projections from buildings, such as base-course piers, columns, pilasters, door and window dressings, dressing-strings, fascias, copings, parapets, blocking-courses, plinths, or other architectural decorations forming part of an external wall, shall not project beyond the street-line, except cornices, entablatures, or pediments, which may project any distance approved by the Resident Officer, provided that the crown mould of any such cornice be not less than 8 ft. above the footway.

21. *Inspection.*—It shall be lawful for the Resident Officer or any officer or servant of the Department authorised by him (either generally or in the particular case), and with or without assistants, at any time or times between the hours of 8 o'clock in the morning and 6 o'clock in the evening of any day except Sunday, to enter into and upon any land on which any recently completed building shall have been erected, or on which any building is being erected, added to, altered, repaired, or renewed, and also into and upon any such building as aforesaid, and to inspect and examine every such building, and all works executed or being carried on with respect thereto, for the purpose of ascertaining whether any such building has been or is being erected, or whether any work with respect thereto has been or is being executed contrary to any provision of this or any other Part of these by-laws, or for any other purpose in connection with these by-laws; and the person on whose behalf any such building has been or is being erected, or any such work has been or is being done, shall afford all reasonable assistance in every such inspection and examination.

22. *Removal of Building from another District or Allotment.*—(1.) It shall not be lawful to remove from the district under the jurisdiction of any other local authority any building or part of a building or any materials of which any building was composed, and re-erect the same, or use the same in the erection of any building within the town without the consent of the Department.

(2.) On breach of clause (1) of this by-law the provisions of subsection (2) of section 92 of "The Public Health Act, 1908," shall apply.

(3.) No building or part of a building shall be removed from one allotment or parcel of land and erected on any other allotment or parcel of land without the permission of the Resident Officer first had and obtained.

(4.) Every person acting in contravention of clause (3) of this by-law shall be deemed guilty of an offence against these by-laws.

23. *Certificate of Occupation.*—The person on whose behalf any new building is erected shall not himself occupy the same or allow any other person so to do until he shall have procured from the Resident Officer a certificate under his hand that all the provisions of this Part of these by-laws applicable to such building, and all the provisions of these by-laws relating to drainage and sanitation applicable thereto, have been complied with.

24. *Fees.*—For every inspection of plans and specifications made by the Resident Officer under this Part of these by-laws, there shall be paid to him by the person on whose behalf the work therein described is to be done, at the time of the deposit of plans and other documents under this Part of these by-laws, the following fees, namely:—

If the value of the proposed work is—

	£	s.	d.
Under £50	0	5	0
Not more than £100	0	10	0
Over £100 and not more than £200	0	15	0
Over £200 and not more than £300	1	0	0
Over £300 and not more than £400	1	5	0
Over £400 and not more than £500	1	10	0
Over £500 and not more than £600	1	15	0
Over £600	2	0	0

The value of the proposed work shall in case of difference of opinion be fixed by the Resident Officer.

Inner Area.

25. *Description.*—The inner area shall comprise the area bounded on the north by the Parade, on the east by Hinemaru Street, on the south by Amohau Street, and on the west by Ranolf Street, Arawa Street, and Rangiuru Street, and shall also include Blocks XLII and XLVII.

26. *Walls and Party Walls.*—(1.) No person shall hereafter construct, erect, or put up any wall in the inner area within 6 ft. from the boundary of any adjoining land or from any other building, or construct, erect, or put up any party wall unless such wall or party wall be built wholly of stone or brick laid in lime or cement mortar or of concrete or ferro-concrete, extending to a height of 18 in. above the gutter or gable of the roof.

(2.) The width of footing for the foundation of such wall or party wall shall be at least one-twelfth the height of the wall and not less than 18 in.

(3.) The thickness of the wall, if in stone, brick, or concrete, shall be not less than one-twentieth part of the height of the wall, with a minimum thickness of 9 in. or, if in ferro-concrete, not less than one twenty-fourth part of the height of the wall, with a minimum of 7 in.; provided that, whichever mode of construction is adopted, the upper 12 ft. need not be more than 9 in. thick.

(4.) Such party walls shall only be pierced for doors, windows, or other purposes with the written approval of the Resident Officer.

(5.) No timber shall be carried into a brick, stone, or concrete wall or party wall more than half-way through the thickness of such wall.

27. *Lining or Piers to Walls.*—No person shall line or thicken out any external wall or party wall which shall have been previously built, or add piers to any part thereof, unless the new work be thoroughly bonded into the old work to the satisfaction of the Resident Officer.

28. *Hollow Walls.*—No person shall build any hollow external or party wall, having an interior space between the inner and outer thickness of the brick, stone, or concrete work, unless such thickness shall be thoroughly tied with metal or other suitable ties placed at such distances apart as shall be approved by the Resident Officer; but the width of the cavity in the wall shall not be reckoned as part of the thickness hereinbefore required.

29. *Definition of "Party Wall."*—For the purposes of the by-laws headed "Inner Area," the expression "party wall" means,—

- (1.) A wall forming part of a building and used or constructed to be used for separation of adjoining buildings belonging to different owners, or occupied, or constructed or adapted to be occupied, by different persons; or
- (2.) A wall forming part of a building, and standing to a greater extent than the projection of the footings on lands of different owners.

PART XX.—PORTICOES AND VERANDAHS.

1. *Model Plans.*—(1.) No person shall erect any portico or verandah over any footway or public or private street except in accordance with the model plans and specifications prepared for the purposes of this Part of these by-laws.

(2.) No advertising-signs exceeding the dimensions shown in this behalf in the model plans and specifications shall be attached or suspended from any portico or verandah.

(3.) The said model plans and specifications shall be kept in the office of the Resident Officer and shall be open to inspection by the public free of charge during office-hours.

2. *Permit.*—No person shall commence to erect any such portico or verandah without the written permit of the Resident Officer first obtained.

3. *Existing Structures.*—Any verandah or portico now erected over any footway or public or private street which does not conform to these plans and specifications must be altered by the owner so as to conform therewith as required by the Resident Officer by written notice to such owner and within a time specified in such notice.

PART XXI.—NATIVE VILLAGES.

1. *Definition.*—The Native villages shall be defined as follows:—

Ohinemutu shall include that portion of the town lying between the Rotorua, Ohinemutu, Tauranga Road, the Utuhina Stream, and Lake Rotorua.

Whakarewarewa shall include that portion of the town lying to the north and east of the Puarenga Stream.

Tawera shall include the Native blocks of Tawera and Tawera East.

2. *Native Houses.*—All buildings erected in the Native villages shall be built in accordance with the Building By-laws. In the case of a Native house for which no special plan or specification is prepared, such house shall be built in accordance with standard plans and specifications, copies of which shall be supplied on application to the office of the Resident Officer at a charge of 5s. each.

3. *Closets.*—(1.) An earth or water closet, in accordance with these by-laws, shall be erected within 100 yards of every Native house: Provided that, where several houses are situated within a radius 100 yards from any such earth or water closet, the one closet may serve for several houses.

(2.) In the latter case the occupiers of the houses situated within the 100-yards radius and not provided with a separate closet shall be jointly and severally liable to see that the closet is kept clean.

(3.) On breach of the last preceding paragraph the Department may either proceed to recover penalties or may itself cleanse the closet, and may recover from the said occupiers a charge of 5s. for each such cleansing.

(4.) The said occupiers shall be jointly and severally liable to make the said payment.

4. *By-laws to apply generally to Native Villages.*—Save as provided in this Part of these by-laws the provisions of these by-laws generally shall apply to Native villages in like manner as to other premises.

PART XXII.—MISCELLANEOUS.

1. *General Inspection Clause.*—The Resident Officer, or any officer or servant of the Department authorised by him so to do, may at all reasonable times enter into and upon any land, building, or place for the purpose of inspecting any work, matter, or thing affected by any provision of any Part of these by-laws, or for any other purpose in connection with any of these by-laws.

2. *Obstructing Department or Officer.*—Every person who wilfully does any of the following things,—

- (1.) Prevents the Department, or any officer or servant thereof, or other person duly authorised or employed for the purpose of carrying out any provision of "The Rotorua Town Act, 1907," "The Municipal Corporations Act, 1908," or of any Act whatever relating to local government or of any regulation made under any such Act as aforesaid, or any provision of these by-laws, from carrying out such provision;
- (2.) Obstructs or impedes the Department or any such officer or person in carrying out any such provision; or
- (3.) Incites any other person so to do,—

is liable to a penalty not exceeding £10 for every such offence.

3. *Destroying or Interfering with Notices.*—Every person who wilfully—

- (1.) Destroys, removes, pulls down, injures, or defaces any board, placard, or notice set up, or made, or published by the Department, or any officer thereof, under any such Act, regulation, or by-law as last aforesaid; or
- (2.) Incites any other person so to do,—

is liable to a penalty not exceeding £5 for every such offence.

4. *Injuring Department's Property.*—No person shall wilfully destroy or injure any property, building, structure, appliance, or thing belonging to the Department or under its control.

5. *Occupiers refusing to disclose Owners.*—(1.) If the occupier of any premises, when requested by any officer of the Department to state the name and address of the owner of such premises, refuses or wilfully omits to disclose or wilfully misstates the same, he shall be liable to a fine not exceeding £5.

(2.) *Obstructing Work by Owner.*—If the occupier of any premises refuses or neglects to allow the owner thereof to carry into effect with respect to such premises any provisions of any of these by-laws, he shall be liable to a fine not exceeding £5 for every day during the continuance of such refusal or neglect; and the owner shall not be liable to any fine to which he might otherwise have become liable by reason of his default during the period proved by such owner of such refusal or neglect by the occupier.

6. *Workmanship and Materials.*—All work affected by any Part of these by-laws must be executed in a good, substantial, workmanlike manner, and the materials (where they are not particularly specified) must be good and sound and fit for the purpose for which they are to be used.

7. *Dispensing Clause.*—(1.) If in any particular case the Resident Officer shall be of opinion that a strict compliance with any provision of these by-laws relating to buildings, structures, drainage, or sanitation would be impossible or impracticable, it shall be lawful for him at the request of the person on whose behalf any work affected thereby is to be done or is being done to issue to such person a written order under the hand of him (the Resident Officer) dispensing with such strict compliance upon such conditions as shall be specified in such writing.

(2.) Compliance with all the provisions of such written order shall be deemed a sufficient compliance with such provision of these by-laws so far as relates to the matters specified in such order.

8. *Notices.*—(1.) A notice required by any of these by-laws to be sent to any person may be delivered to him personally, or may be sent to the last known place of abode or business of such person by messenger or by post.

(2.) If such person is absent from New Zealand, the notice may be delivered or sent to his agent in manner aforesaid.

(3.) If such person is not known or is absent from New Zealand and has no known agent in New Zealand, and the notice relates to any land or building, the notice addressed to the owner or occupier of such building or land, as the case may require, may be served on the occupier thereof, or left with some inmate of his abode; or, if there is no occupier, may be put up on some conspicuous part of such building or land. And it shall not be necessary in any such notice to name the occupier or owner of such building or land.

(4.) Where the owner of any such building or land and his residence are known to the Department, it shall be the duty of the Department, or of the proper officer thereof, if such owner be residing within the town, to cause every notice required to be given to the owner to be served on such owner, or left with some inmate of his abode; and, if such owner is not resident within the town, the Department, or the proper officer thereof, shall send every such notice by post addressed to the residence of such owner.

(5.) A notice required by any of these by-laws to be served on the Department, or any officer thereof, may be served by being left at the office of the Resident Officer.

(6.) A notice required by any of these by-laws to be sent by the Department shall, unless it is otherwise provided, be under the hand of the Resident Officer.

(7.) Where a notice is sent by post, it must be sent so as to arrive in the due course of post on or before the latest time on which such notice is required to be served.

PART XXIII.—PENALTIES.

1. *Acts constituting Breaches of By-laws.*—Every person who shall—

- (a.) Do, or cause to be done, or be concerned in doing anything whatsoever contrary to or otherwise than as provided by any of these by-laws;
- (b.) Omit to do anything which according to the true intent and meaning of any of these by-laws ought to be done by him at the time and in the manner therein provided;
- (c.) Refuse or neglect to comply with any notice duly given to him under any of these by-laws,—

shall be guilty of a breach of such by-law.

2. *Non-compliance with By-laws after Notice to constitute further Breach.*—Every person who shall—

- (a.) Construct, affix, or provide, or cause to be constructed, affixed, or provided, any building or any part of a building, or any work, appliance, or material of any description whatever, contrary to or otherwise than is provided by any of these by-laws, and who shall not within a reasonable stated time after notice in writing or any renewal notice in writing shall have been given to him by the Resident Officer so to do, open up, lay bare, pull down, take away, or remove such building, part of a building, or work, appliance, or material, or cause the same to be opened up, laid bare, pulled down, taken away, or removed, or alter or cause to be altered the same, so as to comply with such by-law and notice;

- (b.) Omit to construct, affix, or provide any work, appliance, or material required by any of these by-laws to be constructed, affixed, or provided by him, and who shall not within a reasonable stated time after notice in writing or any renewal notice in writing shall have been given to him

by the Resident Officer so to do, construct, affix, or provide such omitted work, appliance, or material, so as to comply with such by-law and notice,—

shall be guilty of a further offence against such by-law.

3. *Application of Preceding Clause to Works under Previous By-laws.*—The provisions of the last preceding by-law shall extend and apply to the case of any building, part of a building, work, appliance, or material that shall, before the coming into force of these by-laws, have been constructed, affixed, or provided, or omitted contrary to or otherwise than as provided by any provision of any by-law hereby repealed, but re-enacted, or re-enacted in substance, by any of these by-laws, and accordingly notice as aforesaid may be given and renewed in respect of any such building, or part of building, work, appliance, or material, and non-compliance with any such notice shall constitute a breach of the by-law hereby re-enacted or re-enacted in substance.

4. *Case of Purchase of Premises where By-law broken.*—

(1.) In every case where—

- (a.) A breach of any of these by-laws shall be made with respect to the construction of any building or work by the owner thereof, or any work, appliance, or material required by any of these by-laws to be provided in respect of any land, building, or premises by the owner thereof shall not have been provided; and

- (b.) Any person shall thereafter become by purchase or otherwise the owner of such land, building, work, or premises,—

it shall be lawful for the Resident Officer by notice in writing (which notice may be renewed from time to time) to require such person to rectify the matter of such breach or to provide such omitted work, appliance, or material (as the case may be) within a stated time.

(2.) If the person served with any such notice shall fail to comply with the same, he shall be deemed guilty of an offence against such by-law, but without relieving any other person from any liability in respect of the breach by him of such by-law.

5. *Penalties.*—(1.) Every person guilty of a breach of any of these by-laws for which no other penalty is provided is liable to a penalty not exceeding £20; or, where the breach is a continuing one, then to a penalty not exceeding £5 for every day or part of a day during which such breach continues.

(2.) But the Department may, after conviction for the continuing breach of any by-law, apply to the Supreme Court for an injunction to restrain the further continuance of such breach by the person or persons so convicted.

(3.) The continued existence in a state contrary to any of these by-laws of any work or thing shall be deemed a continuing offence within the meaning of this by-law.

(4.) Where by "The Public Health Act, 1908," or by any other Act smaller maximum penalties than those mentioned in this clause are authorised to be imposed for the breach or continued breach of any of these by-laws, then a person guilty of any breach or continued breach of any such by-law shall (if such by-law is not authorised to be made under "The Municipal Corporations Act, 1908") be liable only to such smaller penalty.

6. *Removal of Works executed contrary to By-laws.*—

(1.) Whenever any work, material, drain, sanitary or other construction or appliance, or anything whatever shall have been executed, erected, placed, laid, constructed, or affixed in contravention of any of these by-laws, or shall exist in a form or manner otherwise than as directed or authorised by any of these by-laws, it shall be lawful for the Resident Officer by notice in writing under his hand to require the person by whom, or by whose authority or on whose behalf, the work shall have been done, or if he shall not at the time of the giving of the notice be either the owner or the occupier of the premises affected, then the person who shall at such time be the owner of such premises, to pull down, take up, or remove such work, material, drain, construction, appliance, or thing as aforesaid, or alter the same so as to comply with the by-law or by-laws affecting the same within (in each case) a stated time.

(2.) If such work, material, drain, construction, appliance, or thing shall not be pulled down, taken up, or removed, or altered as aforesaid within such stated time, it shall be lawful for the Resident Officer or any person authorised by him in that behalf to pull down, take up, and remove, or (as the case may be) alter as aforesaid the same work, drain, construction, appliance, material, or thing, and to enter into and upon any land or building for that purpose and to do anything thereon or thereto necessary to effect such pulling-down, taking-up, removal, or alteration.

(3.) The Department may recover in any Court of competent jurisdiction from the person who shall have committed the breach of any of these by-laws in respect of the execution, erection, placing, laying, constructing, or affixing, or existence of the said work, material, drain, construction, appliance, or thing, or (as the case may be) from the person who was at the time of the giving of the notice the owner of the premises, all expenses incurred by the Department in connection with such pulling-down, taking-up, removal, or alteration.

(4.) The exercise of the powers given by this by-law shall not relieve any person from liability to any penalty incurred under these by-laws.

7. *Limitation of Liability of Succeeding Owner.*—A person who has become, by purchase or otherwise, the owner of any premises shall not be liable under By-law No. 4 or by By-law No. 6 in respect of any breach of any of these by-laws which shall have been made before he became such owner if he shall prove that at the time of his becoming such owner the matter of such breach was not patent, and that he had no notice of the fact of such breach.

PART XXIV.—REPEALS AND SAVINGS.

1. *Former By-laws repealed.*—All by-laws in force in the town or any part thereof immediately before the coming into force of these by-laws, and made under "The Rotorua Town Council Act, 1900," "The Municipal Corporations Act, 1900," or any other Act relating to local government are hereby repealed.

2. *Saving Clause.*—Notwithstanding the repeal above made, every such by-law as aforesaid shall remain in force so far as relates to any offence committed, penalty or liability incurred, sum of money become payable, prosecution or other legal proceeding commenced, license issued, right acquired, notice given, or proof of anything done under the by-laws herein-

before expressed to be repealed or any of them before the coming into force of these by-laws.

Given under the common seal of the Department,
this 2nd day of December, 1909.

[Seal.] THOS. MACKENZIE.

The common seal of the Department of Tourist and Health Resorts (as the Corporation constituted by "The Rotorua Town Act, 1907") was affixed to the above-written by-laws in the presence of—

F. S. POPE,
General Manager.

The above-written by-laws were signed by the Hon. Thomas Mackenzie, the Minister in Charge of the Department of Tourist and Health Resorts, in the presence of—

LEOD. E. JOHNSON,
Wellington,
Private Secretary.

APPROVAL BY DISTRICT HEALTH OFFICER.

The above by-laws, so far as they are made under or are affected by the provisions of "The Public Health Act, 1908," are hereby approved of by me, and were so approved of by me before they were made by the Department of Tourist and Health Resorts.

Given under my hand, this 6th day of December,
1909.

J. S. PURDY,
District Health Officer for the
District of Auckland.

Witness to the signature of the District Health Officer—

J. W. TAYLOR,
Department of Public Health, Auckland,
Clerk.