



NEW ZEALAND
GOVERNMENT GAZETTE
PROVINCE OF CANTERBURY.

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MONDAY, JULY 11, 1870.

BYE-LAWS OF THE COUNCIL
OF
THE CITY OF CHRISTCHURCH.

BYE-LAW NO. 5.

*Buildings—Regulation, &c., of Buildings—
Ruinous or Dangerous Buildings, &c.—
New Buildings.*

I N D E X.

1. Regulations for Buildings.
2. Constructing, &c., Buildings contrary hereto.
3. Buildings, &c., heretofore unlawfully constructed.
4. Buildings, &c., heretofore improperly constructed, but without violation of law.
5. Notice to Owner, &c., of ruinous Building.
6. Justices may limit time for removal, repair, &c., and in default, &c., Council may do act.
7. Materials may be sold.
8. Land may be taken and sold in certain cases.

BUILDINGS.

A Bye-Law of the Council of the City of Christchurch, made under "The Municipal Corporations Act, 1867."

In pursuance of the 181st section of "The Municipal Corporations Act, 1867," the Council of the City of Christchurch ordain as follows:—

The provisions contained in part 5 of the 13th Schedule of the said Act, subsections 1 and 2 are hereby adopted for the said City as follows, namely—

REGULATION, ETC., OF BUILDINGS.

1. It shall be lawful for the Council from time to time to make Regulations for all or any of the purposes following, that is to say—

Regulations for Buildings.

For prohibiting or restraining the use of combustible materials in the construction, alteration, repair, or renewal of buildings, roofs, or chimneys, flues, smoke vents, or stove pipes hereinafter in this subdivision called in common "chimneys," or of parts thereof respectively to be specified in the Regulation.

For regulating the distance from any other building at which it shall be lawful to construct any building.

For regulating the height, thickness, construction, or materials of the party walls of buildings adjoining each other, and of the external walls of buildings and of chimneys, and the materials for and mode of enclosing the same.

For regulating the construction, materials, and enclosing by building or otherwise of fireplaces or furnaces to be used in the working of engines by steam, or in any mill, brewery, bakehouse, or gaswork, or in any manufactory whatsoever, although a steam engine be not used therein respectively.

For regulating the erection of tents.

For limiting a time, not in any case less than seven years from the coming into force of the limiting Regulation, after which it shall not be lawful, without the consent of the Council, to use, keep, continue, or suffer to remain any building, roof, fireplace, furnace, or chimney, or the enclosure of any fireplace, furnace, or chimney originally constructed or made without violation of law, and existing at the time of such coming into force, being of any such construction, height, thickness, materials, or description, or within any such distance of other buildings as respectively are contrary to any Regulation existing at the time of such coming into force.

For appointing fees not in any case exceeding the sum of two pounds which may be charged and received on account of the Borough fund by the proper officer of the Council, for any inspection, superintendence, or other service made or performed by him under any such Regulation as hereinbefore in this section provided for.

And every such Regulation may be made to apply to the whole or separately to a part or parts of the Borough described by boundaries in such Regulation, and may provide with respect to the several matters of prohibition, restraint, and regulation hereinbefore in this section mentioned, either absolutely or with relation to classes, rates, situations, distances, or other like data to be laid down or referred to in general terms therein, and with or without relation to a right of approval, disapproval, or inspection to be vested in the Council or some proper officer of the Council.

Constructing,
&c., Buildings,
contrary hereto.

2. If any person, after the coming into force of any such Regulations as in this sub-division aforesaid, and whilst the same is in force, shall construct, alter, repair, or renew within the Borough or within the limits prescribed in such Regulations, any building, roof, fireplace, furnace, or chimney, or put up any tent, or enclose any fireplace, furnace, or chimney contrary in any of the cases aforesaid to such Regulation, or shall after the expiration of the time (if any) limited in that behalf, and notice from the Council to remove or alter any building, roof, fireplace, furnace, chimney, or enclosure to which the limiting Regulation applies, use, keep, or continue the same, or suffer the same to remain, or if the case be so to

remain unaltered for more than twenty-eight days after the time when such notice has been given him, he shall forfeit a sum not exceeding ten pounds for every day while such building, roof, chimney, fireplace, furnace, or tent continue so constructed, or standing, or continues so as unlawfully altered, repaired, renewed, or enclosed, or while (if the case be so) the same shall after the expiration of the said twenty-eight days, be used, kept, continued, or suffered to remain as aforesaid.

3. If any building, roof, fireplace, furnace, or chimney shall before the coming into operation of this sub-division have been constructed, or any fireplace, furnace, or chimney enclosed or left unenclosed in violation of any law or bye-law theretofore in force in the Borough, it shall be lawful for the Council to give notice to the owner or occupier thereof respectively to remove or to alter or enclose, so as to conform to any Regulation in force in that behalf under this sub-division, such building, roof, fireplace, furnace, chimney, and such owner or occupier shall remove or in manner aforesaid alter or enclose the same, within twenty-eight days after the service of such notice upon him; and if such owner or occupier neglect or refuse within twenty-eight days after such notice so served to remove or in manner aforesaid to alter or enclose such building, roof, fireplace, furnace, or chimney, he shall forfeit a sum not exceeding ten pounds, and a further sum not exceeding forty shillings for every day during which the same continues, or if the case be so continues so unaltered or unenclosed after the expiration of fourteen days from the time when he may first be convicted of any such offence under this section.

Buildings, &c.,
heretofore un-
lawfully con-
structed.

4. If any chimney shall have been commenced or constructed before the coming into operation of this sub-division, and shall be of other height, thickness, construction, or materials, or enclosed otherwise than respectively required by or left unenclosed contrary to the tenor of any Regulation in force under this sub-division, but shall have been so constructed, enclosed, or left unenclosed without violation of law, and if the proper officer of the Council upon inspection had (which inspection any ratepayer may, upon payment of five shillings, demand and require), shall deem that such chimney by reason of want of proper height, thickness, or enclosure, or by reason of its being constructed of inflammable materials, causes reasonable danger of fire to any building, or causes a nuisance through not properly carrying up the smoke, it shall be lawful for such officer to give notice to the owner and occupier of the premises in which such chimney is forthwith to take down or alter or enclose such chimney as the case may require, for prevention of such danger or nuisance, and if such owner or occupier do not within seven days after such notice comply with the same, then any two justices if they are satisfied that for the reasons aforesaid such chimney causes such danger

Buildings, &c.,
heretofore im-
properly con-
structed, but
without viola-
tion of law.

or nuisance, may order the same to be removed, altered, or enclosed as they may see fit by the said officer, and reasonable compensation shall be paid out of the Borough fund to all persons who shall be put to expense or suffer damage in complying with any such notice, or through the execution of such order.

(2) RUINOUS OR DANGEROUS BUILDINGS, ETC.

Notice to Owners, &c., of ruinous Building.

5. If any building or wall or anything affixed thereon be deemed by the proper officer of the Council to be in a ruinous state and dangerous to passengers, or to the occupiers thereof, or of the neighbouring buildings, such officer shall immediately cause a proper hoard or fence, and if he shall deem it necessary props to be put up for the protection of passengers and of such occupiers, and shall also if he shall deem it necessary cause the neighbouring buildings to be properly shored up, and shall cause notice in writing to be given to the owner of building or wall if he be known and resident within the Borough, and shall also cause such notice to be put on the door or other conspicuous part of the said premises, or otherwise to be given to the occupier thereof (if any) requiring such owner or occupier forthwith to take down, secure, or repair such building, wall, or other thing, as the case may require.

Justices may limit time for removal, repair, &c.

6. If such owner or occupier do not begin to take down, repair, or secure such building, wall, or other thing within the space of three days after such notice shall have been given, or put up as aforesaid and complete such taking down repairs or securing as speedily as the nature of the case will admit, such officer may make complaint thereof to two justices, and it shall be lawful for such justices to order the owner, or in his default the occupier (if any) of such building, wall, or other thing, to take down, rebuild, repair, or otherwise secure to the satisfaction of such officer the same or such part thereof as appears to them to be in a dangerous state within a time to be fixed by such justices, and in case the same be not taken down, rebuilt, repaired or otherwise secured within the time so limited, or if no owner or occupier can be found on whom to serve such order, the Council shall, with all convenient speed, cause all or so much of such building, wall, or other thing as shall be in a ruinous condition and dangerous as aforesaid, to be taken down, rebuilt, repaired, or otherwise secured in such manner as shall be requisite, and all the expenses of putting up every such hoard, fence, and props, and of shoring up such buildings, and of taking down, rebuilding, repairing, or securing such building, wall, or other thing shall be paid by the owner thereof, and any two justices may order such payment.

And in default, &c., Council may do act.

Materials may be sold.

7. If any such building or wall as aforesaid or any part of the same be pulled down by virtue of the powers aforesaid, the Council may sell the materials thereof, or so much of the same as shall be pulled down and apply the proceeds of such sale in pay-

ment of the expenses incurred in respect of such building or wall, and the Council shall restore any overplus arising from such sale to the owner of the building or wall on demand.

8. If such owner cannot be found within the Borough, or sufficient distress of his goods and chattels within the Borough cannot be made, and the said expenses or any part thereof remain unpaid, the Council after giving twenty-eight days' notice of their intention to do so, by posting a notice in a conspicuous place on such building or wall, or on the land whereon such building or wall stood, may take such building or land, provided that such expenses or so much as remains due be not paid or tendered to them within the said twenty-eight days, making compensation to the owner of such building or land in the manner provided by the "Lands Clauses Consolidation Act, 1863," in the case of lands taken otherwise than with the consent of the owners and occupiers thereof and the Council shall be entitled to deduct out of such compensation the amount of the expenses so unpaid as aforesaid and may sell or otherwise dispose of the said building or land for the purposes hereof.

Land may be taken and sold in certain cases.

Passed by the Council this the Eleventh day of April, 1870.

ANDREW DUNCAN,
Mayor.

[L.S.]

GEORGE GORDON,
Town Clerk.

I hereby certify that the above Bye-law is in compliance with the 184th section of "The Municipal Corporations Act, 1867."

GEORGE GORDON,
Town Clerk.

REGULATION NO. 1.—NEW BUILDINGS.

A Regulation of the Council of the City of Christchurch, under part V. of the 13th Schedule of "The Municipal Corporations Act, 1867."

In pursuance of the said Schedule of the said Act the Council of the City of Christchurch make the following Regulation, that is to say:—

1. This Regulation shall come into force within the district, and at the times herein mentioned, that is to say, as to the portion of the City of Christchurch described in Schedule A to this Regulation, on the Eleventh day of July, 1870. And as to any other portion of the City which may from time to time be added thereto by resolution of the Council on such day as shall be appointed in that behalf by such resolution.

2. For the purpose of this Regulation the words "new buildings" shall be deemed to mean any buildings (whether to be erected in place of any buildings burnt down or damaged by fire, or not to be so erected)

which at the time of this Regulation coming into force as to the portion of the City within which the same shall be situated, shall not have been commenced to be erected or of which at such time the foundation shall not be fixed on the site thereof, complete, to receive the external walls, or of which at such time such external walls, if of brick or stone, shall not be carried higher than the footings, or of which the materials intended for such external walls, if of timber, shall not at such time be prepared and delivered on the premises containing the site of such buildings, ready to be erected. The words "external walls" shall include party walls; the word "chimney" shall mean and include chimney flue, smoke vent, and stove pipe.

3. It shall not be lawful to lay any foundation, or proceed in any manner in the erection of any new building until after the expiration of three (3) clear days' notice in writing, signed by the person intending to erect such new building, shall have been delivered at the office of the Surveyor of the Council, stating such intention, and describing the site on which it is intended to lay such foundation, or erect such buildings.

4. The party walls (or main side walls, as the case may be,) of every new building to be erected within the district aforesaid, shall be constructed of brick or stone, and shall be of the thickness hereinafter mentioned, that is to say: if constructed of brick, and to a height not exceeding 15 feet from the foundations thereof, and comprising one story only, then of a thickness of not less than 9 inches; if of brick, and to a height not exceeding 25 feet from the foundation, and comprising not more than two stories, then of a thickness throughout, or throughout the lower story, if more than one, of not less than 13 inches and a half, and from the lower story upwards of not less than 9 inches; and so on in proportion throughout the story or stories, as the case may be, for any greater height than 25 feet from the foundation. But if the wall shall be constructed of stone, the above thickness to be read as 15 inches in place of 9 inches, and 25 inches in place of 13 inches and a half. Provided that it shall not be necessary to erect two party walls in the case of two adjoining buildings erected at the same time, but that it shall be lawful to erect one common wall for both such buildings—but so that the ends of the bearing timber shall in no case approach nearer to each other or to the opposite side of the wall than four inches and a half.

5. Every party wall shall be carried up to a height of not less than two feet above the gutter, or not less than one foot above the roof, and shall be surmounted at the top thereof with a coping.

6. The foundation of every new building shall rest on the solid ground, or on concrete, asphalt, stone piles, or other solid and incombustible material.

7. The flat gutter and roof of every new building, and every turret, dormer, lantern light, skylight, or other erection placed on

the flat or roof thereof, shall be externally covered with slates, tiles, metal, or other incombustible material.

8. The chimneys, furnaces, and fireplaces of every new building shall be constructed of brick or stone, and the chimneys shall be carried up to such height as the Surveyor of the Council shall certify in writing to be sufficient to protect adjoining or neighbouring buildings from any danger from fire arising therefrom.

9. No part of any external or internal wall or partition not constructed as a party wall, shall be nearer to any stove, grate, or other apparatus for containing fire, than at a distance of two feet therefrom, nor to any stove, pipe, or flue passing through such wall or partition than at a distance of 18 inches therefrom; and any wall or partition which in the opinion of the Surveyor of the Council shall require protection from fire in consequence of such apparatus, stove pipe, or flue, shall be protected in such manner to such extent and with such material as he shall in writing require.

10. The external walls of every new building erected for the purpose of containing or containing any fireplace or furnace to be used in the working of any engine by steam (although such engine may not be used therein), or in any mill, brewery, bakehouse, or gas works, or in any manufactory whatsoever, shall be constructed of brick or stone, of the thickness specified in clause 4 of this Regulation, and the roof covered in with iron or other incombustible material.

11. For the purpose of this Regulation doors, door frames, windows, window frames, shop fronts, and mouldings and projections of walls shall not be deemed to be parts of the external walls, or of the flat gutter or roof thereof.

12. Any person using or building, or keeping for use any furnace, and receiving from any other person notice of any building being or being about to be erected within 20 feet of such furnace shall forthwith erect a party wall of brick or stone between such furnace and the site of such intended building.

13. The party wall to be erected in pursuance of clause 12 shall be of such length and height respectively as the Surveyor of the Council shall certify (in writing) to be sufficient to protect the buildings from any danger by fire arising from the furnace.

14. For the purposes of this Regulation every roof and every new building within the said district shall be subject to the inspection, superintendence, and services of the Surveyor of the Council; and there shall be charged and received beforehand by such Surveyor on account of the Boro' Fund in respect of such inspection, superintendence, or other services such fees as are set forth in Schedule B to this Regulation, or as shall from time to time be appointed by the Council by resolution in that behalf in lieu thereof, or in addition thereto.

15. The Surveyor of the Council may at any time give notice (in writing) to any person building, or about to build, or causing to be built any building situate within the said district that such building, or part thereof as may be specified in such notice, is, or will be contrary to this Regulation; or by reason of the construction, workmanship, or material thereof dangerous to life or property.

16. No person shall renew any roof of any building situate within the said district otherwise than with slates, tiles, metal, or other incombustible material, notwithstanding such roof may have been upon such building at the time of the making of this Regulation.

17. A Privy shall not be deemed to be a new building within the meaning of this Regulation, nor shall any other building be so deemed provided that the same shall be erected at a distance at the front thereof of not less than 40 feet from the street frontage or frontages, and provided the same shall have the whole of the roof and external walls covered with galvanized iron, or other incombustible material.

Passed by the Council this Sixteenth day of May, 1870.

ANDREW DUNCAN,
Mayor.

[L.S.]

GEORGE GORDON,
Town Clerk.

SCHEDULE A.

1. All that block of land within the said City bounded on the south by that portion of Lichfield street which commences on the west bank of the river Avon, and terminates at the west side of Manchester street; on the east by that portion of Manchester street aforesaid which commences at its said junction with Lichfield street, and terminates northward thereof at the river Avon; and on the north and west by the east and south banks of the said river from its intersection with Manchester street aforesaid to its intersection with Lichfield street aforesaid.
2. All those blocks of land situated within the N.W. quarter of the said City, and numbered respectively 6, 7, 11, 12, and 15 on the Map of the City Surveyor, and bounded respectively as follows, that is to say:—*As to Block 6*: bounded on the north by Peterborough street, on the west by Montreal street, on the south by Kilmore street, and on the east by the Whately road. *As to Block 7*: bounded on the north by Peterborough street, on the east by Durham street, on the south, south-west, and west by Kilmore street and the Whately road. *As to Block 11*:

bounded on the north-east by the Whately road, on the east by Market place, on the south by Chester street, and on the west by Durham street. *As to Block 12*: bounded on the north by Kilmore street, on the east by Colombo street, on the south by Market place, and on the west by the Whately road. *As to Block 15*: bounded on the north by Chester street, on the east by the Market place, on the south by Armagh street, and on the west by Durham street.

3. All those blocks of land situated within the S.E. quarter of the said City, and numbered respectively 13, and 17, and 18 on the Map of the City Surveyor, and also part of block No. 14 on the said map, and bounded respectively as follows, that is to say:—*As to Block 13*: bounded on the north, north-east, and east by High street, on the south by Tuam street, and on the west by Manchester street. *As to Block 17*: bounded on the north by Tuam street, on the east by High street, on the south by St. Asaph street, and on the west by Manchester street. *As to Block 18*: bounded on the north by Tuam street, on the east by Madras street, and on the west by High street. *As to Block 14*: so much thereof as is bounded on the north by Lichfield street, on the south by Tuam street, on the west by High street, and on the east by a line drawn within the said block from Lichfield street to Tuam street, parallel to and 100 feet distant from Tuam street.

SCHEDULE B.

SCALE OF FEES FOR EXAMINATION OF BUILDING.

For the examination of stoves, chimneys, flues, and other new fireplaces	...	5s.
New buildings under the value of £100	...	10s.
Over £100 and under £200	...	15s.
„ £200 „ £300	...	20s.
„ £300 „ £400	...	25s.
„ £400 „ £500	...	30s.
„ £500 „ £600	...	35s.
„ £600	...	40s.
For the examination of any new building built contrary to the provisions of these Regulations, or without due notice	...	40s.

Passed by the Council this the Sixteenth day of May, 1870.

ANDREW DUNCAN,
Mayor.

[L.S.]

GEORGE GORDON,
Town Clerk.

BYE - LAW NO. 6.

Buildings, &c., for Public Meetings, &c.

I N D E X.

1. Public Buildings, &c., to be Registered.
2. Certificate of Registration, &c.
3. Inspection.
4. Regulations.

A Bye-Law of the Council of the City of Christchurch, made under "The Municipal Corporations Act, 1867."

In pursuance of the 181st section of "The Municipal Corporations Act, 1867," the Council of the City of Christchurch ordain as follows :

The provisions contained in part VI. of the 13th Schedule of the said Act are hereby adopted for the said City as follows, namely—

BUILDINGS, ETC., FOR PUBLIC MEETINGS, ETC.

Public Buildings, &c., to be Registered.

1. Every occupier of any hall or other building used for public meetings, or of any such building, or any ground in which public amusements are conducted, shall in each year register at the office of the Council such building or ground, together with the situation and description thereof, and the purpose being such as aforesaid for which the same is to be kept, and the name of such occupier, and every person who causes, and every occupier of any such premises who permits any public meeting to be held, or any public amusement to be conducted in or on any such premises not being registered for the purpose, or without such certificate of registration as hereinafter mentioned having been obtained for the same, shall forfeit for every such offence a sum not exceeding twenty pounds.

Certificate of Registration, &c.

2 The Council, upon the written application of any such occupier as aforesaid stating the particulars aforesaid, may, if upon inspection by the proper officer the premises shall have been found to be secure and proper for the purpose stated, and if the Council shall see fit, cause the premises to be registered in a registry book to be kept for that purpose, and shall thereupon grant to the applicant a certificate of such registration of such premises in the appointed form, and the Council may at any time suspend for a stated period the effect of, or cancel, any such registration, and shall forthwith give notice of such suspension or cancellation to the occupier of the registered premises; and during such suspension, or after such cancellation, such premises shall be deemed to be unregistered in respect of the purpose mentioned in the certificate of registration, and such certificate shall be of no force or virtue.

3. The proper officer of the Council may ^{Inspection.} at all reasonable times enter and inspect any such registered premises as aforesaid.

4. It shall be lawful for the Council from ^{Regulations.} time to time to make regulations for appointing the time and hours during or at which respectively any such registered building or ground shall be used for the purpose for which it is registered, or shall be closed, and every occupier of any such premises who permits the same to be used for such purpose during or at or any other time, or after any such hour respectively, shall for every such offence forfeit a sum not exceeding ten pounds.

Passed by the Council this the Eleventh day of April 1870.

ANDREW DUNCAN,
Mayor.

[L.S.]

GEORGE GORDON,
Town Clerk.

I hereby Certify that the above Bye-Law is in compliance with the 184th section of "The Municipal Corporations Act, 1867."

GEORGE GORDON,
Town Clerk.

BYE-LAW NO. 7.

Registration of Public Buildings for Meetings and Amusements.

A Bye-Law of the Council of the City of Christchurch, made under "The Municipal Corporations Act, 1867."

In pursuance of the 186th section of "The Municipal Corporations Act, 1867," the Council of the City of Christchurch ordain as follows :—

1. The Registration of any hall or other building required to be registered under part VI. of the 13th Schedule of the said Act, shall be in force from the date thereof until the 31st day of December next ensuing, and may be renewed, on application at the Town Clerk's office, not later than the 15th day of December previous to its expiry.

2. There shall be payable on every such registration and renewal a fee of one pound.

3. Notice of the suspension or cancellation of any registration shall be given by delivering to the occupier of the registered premises, or leaving for him at or upon such premises, a notice (in writing) of the fact of such suspension or cancellation, and of the time from which the same has taken or is to take effect, signed by the Town Clerk.

4. All Bye-Laws or Regulations, or parts of Bye-Laws or Regulations (if any) heretofore in force in and for the said City of Christchurch which are inconsistent with or repugnant to the said provisions, or in any respect deal or purport to deal with the said provisions, are hereby repealed.

Passed by the said Council this Sixteenth day of May, 1870.

ANDREW DUNCAN,
Mayor.

[L.S.]

GEORGE GORDON,
Town Clerk.

I hereby certify that the above Bye-Law is in compliance, as regards the City of Christchurch, with the 184th section of "The Municipal Corporations Act, 1867."

GEORGE GORDON,
Town Clerk.

BYE-LAW NO. 8.

Fire Prevention.

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7. Brush Fences.

A Bye-Law of the Council of the City of Christchurch, made under "The Municipal Corporations Act, 1867."

In pursuance of the 181st section of "The Municipal Corporations Act, 1867," the Council of the City of Christchurch ordain as follows:—

The provisions contained in part VII. of the 13th Schedule of the said Act, sub-sections 1 and 2 are hereby adopted for the said City as follows, namely—

FIRE PREVENTION.

(1.) FOUL CHIMNEYS.

Wilfully Settling Fire to Chimneys.

1. Every person who wilfully sets or causes to be set on fire any chimney, flue, smoke vent, or stove pipe, herein called in common "chimney," shall forfeit a sum not exceeding five pounds. Provided always that nothing herein contained shall exempt the person so setting, or causing to be set, on fire any

chimney from liability to be informed against or prosecuted before any criminal court for such act as for an indictable offence.

2. If any chimney accidentally catch or be on fire, the person occupying or using the premises in which such chimney is situated shall forfeit a sum not exceeding forty shillings. Provided always that such forfeiture shall not be incurred if such person prove to the satisfaction of the justice before whom the case is heard, that such fire was in no wise owing to the omission, neglect, or carelessness, whether with respect to cleansing such chimney or otherwise, of himself or his servant.

Negligently suffering Chimney to be on Fire.

(2.) DEPOSIT, ETC., OF INFLAMMABLE MATERIALS, ETC.

3. It shall be lawful for the Council Regulations, from time to time to make Regulations for all or any of the purposes following, that is to say—

For prescribing the distance from any adjoining land or from any building within which it shall not be lawful to make or keep any stack of hay, corn straw, or other produce if not placed under roof or cover, and the like where placed under roof or cover, and for prohibiting or restraining the use for such covering of such inflammable materials as shall be described in such Regulations.

For prescribing the distance from any adjoining land, or from any street or public place, or from any building within which it shall not be lawful to deposit such combustible materials as shall be specified in the Regulations, or save in some properly constructed fireplace within some building to make or light any fire.

And every such Regulation may be made to apply to the whole or separately to any part or parts of the Borough described by boundaries in such Bye-Law, and may provide as to the subject-matter thereof, either absolutely or with relation to the consent of the Council, or of the proper officer of the Council, to be given or withheld in any case to be in question under such Regulation.

4. Every person who shall make or place any stack of hay, corn straw or other produce, or place as or for the covering of any such stack any inflammable material, or deposit any combustible material, or light any fire contrary in any such case to any Regulation under this sub-division, and every occupier of any premises whereon any stack or any such covering of a stack shall be, or any combustible materials have been deposited, if the same, though lawfully made, placed, or deposited before the coming into force of any such Regulation, shall be there contrary to the tenor of such Regulation, who shall not within seven days after notice from the Council so to do remove such stack, covering, or materials, or who shall suffer to re-

Stacks or coverings, &c., in violation of, or otherwise than required by Regulation.

main any such stack, covering, or materials unlawfully made, placed, or deposited before the coming into force of such Regulation, shall forfeit on conviction of such offence a sum not exceeding five pounds, and in every such case a further sum not exceeding forty shillings for every day after any such conviction during which such stack, covering, or materials, shall so continue.

Setting Fire to Matter without notice.

5. Every person who wilfully sets fire to any inflammable matter whatsoever in the open air without having given notice in writing to the occupiers of the land adjoining to the land upon which such matter shall be, and also to the Town Clerk, of his intention so to do, or within twenty-four hours after giving the last given of such notices, or between the hours of four in the afternoon of any day and eight in the morning of the following day, shall forfeit a sum not exceeding five pounds.

Fireworks.

6. Every person who shall light any bonfire, tar-barrel, or firework upon or within sixty yards of any public or private street, or any public place, shall forfeit a sum not exceeding five pounds.

Brush Fences.

7. It shall not be lawful for any person to make, or place, or keep, or continue any fence of brushwood bushes or other like material within the Borough; and every person who shall make or place any such fence, and every owner or occupier of any premises who for seven days after notice from the Council to remove any such fence thereto appertaining, if lawfully made or placed before the coming into operation of this sub-division, shall suffer any such fence or any part thereof to remain, or who shall suffer to remain any such fence unlawfully made before such coming into operation, shall forfeit on conviction for such offence a sum not exceeding five pounds, and in every such case a further sum not exceeding forty shillings for every day after any such conviction during which such fence shall continue.

Passed by the Council this the Eleventh day of April, 1870.

ANDREW DUNCAN,

Mayor.

[L.S.]

GEORGE GORDON,
Town Clerk.

I hereby certify that the above Bye-Law is in compliance with the 184th section of "The Municipal Corporations Act, 1867."

GEORGE GORDON,
Town Clerk.

REGULATION NO. 1.—INFLAMMABLE MATERIALS.

A Regulation of the Council of the City of Christchurch, under part VII. of the 13th Schedule of "The Municipal Corporations Act, 1867."

In pursuance of the said Schedule of the said Act the Council of the City of Christchurch make the following Regulation, that is to say:—

1. Excepting in the case hereinafter specified, it shall not be lawful within any part of the City of Christchurch, to make or keep any stack of hay, straw, flax, or other produce of a like inflammable nature within a distance from any building of less than sixty feet, nor within a distance from any public or private street, within the meaning of "The Municipal Corporations Act, 1867," or from any adjoining land of less than twenty feet.

2. This Regulation shall not apply to any stack made or kept within any building completely covered in by a roof, and enclosed as to all the sides thereof by walls of wood, stone, or brick.

Passed by the Council this the Sixteenth day of May, 1870.

ANDREW DUNCAN,

Mayor.

[L.S.]

GEORGE GORDON,
Town Clerk.

BYE-LAW NO. 9.

Swine.

I N D E X.

1. Regulation as to keeping Swine.

A Bye-Law of the Council of the City of Christchurch, made under "The Municipal Corporations Act, 1867."

In pursuance of the 181st section of "The Municipal Corporations Act, 1867," the Council of the City of Christchurch ordain as follows:—

The provisions contained in clause 1 of the first sub-division of part VIII. of the 13th Schedule of the said Act are hereby adopted in and for the said City as follows, namely—

1. It shall be lawful for the Council from time to time to make Regulations for ap-^{Regulation as} pointing, by limits to be set forth therein, ^{to keeping} portions of the Borough in which it shall not be lawful to keep any Swine, and if any person shall keep any Swine within any such prescribed limits he shall forfeit for every day during which he shall so offend a sum not exceeding five pounds.

Passed by the Council this the Eleventh day of April, 1870.

ANDREW DUNCAN,

Mayor.

[L.S.]

GEORGE GORDON,
Town Clerk.

I hereby certify that the above Bye-Law is in compliance with the 184th section of "The Municipal Corporations Act, 1867."

GEORGE GORDON,
Town Clerk.

REGULATION NO. 1.—SWINE.

Regulation of the Council of the City of Christchurch, under part VIII. of the 13th Schedule of "The Municipal Corporations Act, 1867."

In pursuance of the said Schedule of the said Act the Council of the City of Christchurch make the following Regulations, that is to say:—

The portion of the City of Christchurch in which it shall not be lawful to keep any Swine shall be the following, that is to say—

1. All that part of the said City which is bounded on the south by St. Asaph street, on the east by Barbadoes street, on the north by Salisbury street, and on the west by Antigua street.

2. All other parts of the said City which now are, or at the time of the keeping of any Swine therein, shall be within 50 feet of any private dwelling, or of any public or private street within the meaning of the said Act.

3. All such other parts of the said City as the Council may from time to time hereafter by resolution in that behalf prescribe.

4. For the purposes of this Regulation the streets mentioned in sub-section (1) of this Regulation, and any street which may be or may come within sub-section (2) of this Regulation shall be construed as meaning the centre of the said streets, or of any such street respectively.

Passed by the Council this the Sixteenth day of May, 1870.

ANDREW DUNCAN,
Mayor.

GEORGE GORDON,
Town Clerk.

BYE-LAW NO. 10.

Privies and Cesspools.

I N D E X.

1. All Privies, &c., under control of Council.
2. Notice to alter Privy, expense to be recovered.
3. Periodical removal.
4. Inspection.
5. Obstructing any Officer of Council, &c.

A Bye-Law of the Council of the City of Christchurch, made under "The Municipal Corporations Act, 1867."

In pursuance of the 186th section of "The Municipal Corporations Act, 1867," the Council of the City of Christchurch ordain as follows:—

1. All Privies, Cesspools, and House Drains within the City, and as well within as without the premises to which the same may belong, and the cleansing, keeping in order and repair of all such Privies, Cesspools, and House Drains shall be under the superintendence, government, and control of the Council. All Privies, &c., under control of Council.

2. The owner or occupier of any dwelling-house or other tenement within the City reasonably requiring the use of a Privy shall, within fourteen days after notice in writing given to such owner or occupier in that behalf by the Council, construct or alter in such manner as shall be specified in such notice, a Privy or Privies for the use of such dwelling-house or tenement, and shall at all times thereafter keep and use in such Privy or Privies such closet pan or pans as shall from time to time be required by the Council; and in default thereof the Council shall cause such Privy or Privies to be provided, and the expense incurred thereby shall be recovered by the Council from such owner or occupier. Notice to Alter Privy, expense to be recovered.

3. The Council shall make such provision as it shall think fit for the periodical removal from every dwelling-house or other tenement as aforesaid within the City, at the expense of the owner or occupier thereof, of any night soil, dung, ashes, slops, filth, refuse, or rubbish of any kind. Periodical removal.

4. The Inspector of Nuisances for the time being appointed by the Council, or any other person who may be employed by the Council for the purposes of this Bye-Law, shall have power at all reasonable hours in the day or night to enter into or upon any building or land within the City for the purpose of effecting any such removal, as in the last preceding section specified, or of examining the condition of any Privy, Cesspool, Drain, or Closet Pan, or of cleansing, constructing, altering, or repairing the same. Inspection.

5. Any person who shall obstruct any officer or other person employed by the Council in the performance of any thing which such officer or other person is or may be required or authorised to do by or under this Bye-Law, or who shall commit any other breach of this Bye-Law, shall be liable for every such offence to a penalty not exceeding five pounds. Obstructing any Officer of Council, &c.

The Bye-Laws, or parts of Bye-Laws or Regulations herein specified, being all the Bye-Laws or parts of Bye-Laws or Regulations heretofore in force in and for the said City of Christchurch, which are inconsistent with or repugnant to the provisions hereof, or in any respect deal or purport to deal with the subject matter of this Bye-Law, are hereby repealed, namely:—“A Bye-Law made by the Council, in pursuance of ‘The Christchurch City Council Ordinance,

1862, section 47, at a meeting of the said Council, held on the 7th day of December, 1863."

Passed by the said Council this the Sixteenth day of May, 1870.

ANDREW DUNCAN,
Mayor. [L.S.]

GEORGE GORDON,
Town Clerk.

I hereby certify that the above Bye-Law is in compliance, as regards the City of Christchurch, with the 184th section of "The Municipal Corporations Act, 1867."

GEORGE GORDON,
Town Clerk.

BYE-LAW NO. 11.

Petroleum.

I N D E X .

1. Petroleum defined.
2. Licenses.
3. Application for License.
4. Inspection of Premises, &c.
5. Form, and Renewal of License.
6. Licenses to be Numbered.
7. Licensing Fee.
8. Conditions.
9. Distance from Buildings, &c.
10. Prohibition of Sale of Petroleum, unless bottle or vessel containing it marked.
11. Repair of Leaky Vessels.
12. Special Licenses.
13. Limits of Bye-Law.
14. Penalty.

A Bye-Law of the Council of the City of Christchurch, made under "The Municipal Corporations Act, 1867," and "The Dangerous Goods Act, 1869."

In pursuance of the 186th section of "The Municipal Corporations Act, 1867," the Council of the City of Christchurch ordain as follows:—

Petroleum defined. 1. For the purposes of this Bye-Law "Petroleum" shall include all such rock oil, Rangoon oil, Burmah oil, any product of them, and any oil made from Petroleum, coal schist, shale, peat, or other bituminous substance, and any such product of them as gives off an inflammable vapour at a temperature of less than one hundred and ten degrees of Fahrenheit's thermometer; but this Bye-Law shall not apply to any quantity of Petroleum consisting of not more than ten gallons in the whole, kept for private use, and not for sale.

2. From and after the first day of August, 1870, Petroleum shall not be kept within fifty yards of any dwelling house, or of any building in which goods are stored, except in pursuance of a License granted under this Bye-Law, nor shall any greater quantity than four hundred gallons be kept on the same premises at one and the same time, except in pursuance of a Special License, to be granted as hereinafter mentioned.

3. Before any License shall be granted an application shall be delivered at the office of the Town Clerk, stating the name, residence, and occupation of the applicant, and particularly describing so as to distinguish the same from any other place; the premises in or upon which it is intended to keep Petroleum thereunder, and such application shall be signed by the applicant, and shall be pursuant to the form contained in Schedule A to this Bye-Law.

4. So soon as conveniently may be thereafter, the Inspector for the time being, appointed by the Council, shall examine the premises described in such application, and shall report, in writing, to the Council at their next ordinary meeting, his opinion whether the License applied for may or may not safely be granted, together with all such particulars as may be necessary to enable the Council to judge of the expediency or otherwise of granting the License applied for.

5. Licenses shall be in the form or to the effect as near as may be contained in Schedule B to this Bye-Law, and shall continue in force until the 31st day of December next ensuing. Licenses may be renewed on application at the Town Clerk's office, not later than the 15th day of December previous to their expiry, the applicant leaving the same with the Town Clerk, who shall give a receipt for the same.

6. Licenses shall be signed by the Town Clerk, and numbered in such order as shall be determined by the Council.

7. For the grant or renewal of an ordinary License there shall be paid a fee of One Pound, and for the grant of or renewal of any Special License, there shall be paid a fee of Two Pounds.

8. Subject to any addition, modification or repeal thereof from time to time by the Council, Licenses shall be granted subject to the following conditions:—

9. The nearest distance of such Petroleum from any wall of any building, or from any other goods which may for the time being be stored or kept on the same or on any other premises, shall be not less than two feet; and the nearest distance thereof from any heat or flame, or from any inflammable combustible or explosive material, shall not be less than twelve feet.

10. The Licensee shall not sell or expose for sale for use within the Colony of New Zealand any Petroleum as herein defined, unless the bottle or vessel containing Petroleum have attached thereto a label in legible

characters stating as follows:—"Dangerous. No light to be brought near."

Repair of leaky vessels.

11. The Licensee shall cause to be forthwith removed from the premises comprised in his License any vessel containing Petroleum leaking therefrom, and shall not allow such vessel to be used for the purpose of containing Petroleum until the same shall have been completely repaired.

Special Licenses.

12. Special Licenses shall be granted on such application after such inspection, subject to such conditions for such period with or without power of renewal, and liable to such revocation as the Council shall in each case determine.

Limits of Bye-Law.

13. This Bye-Law shall apply to the whole of the City of Christchurch as defined by "The Municipal Corporations Act, 1867."

Penalty.

14. Any person committing any breach of this Bye-Law shall be liable for each offence to a penalty not exceeding five pounds, nor less than ten shillings, to be recovered in a summary way before any two Justices of the Peace in the manner provided by "The Municipal Corporations Act, 1867."

15. All Bye-Laws or Regulations, or parts of Bye-Laws or Regulations heretofore in force for the said City, and being inconsistent with repugnant to or in any respect dealing or purporting to deal with the subject matter of the provisions of this Bye-Law, are hereby repealed.

Passed by the said Council this the Sixteenth day of May, 1870.

ANDREW DUNCAN,
Mayor.

[L.S.]

GEORGE GORDON,
Town Clerk.

I hereby certify that the above Bye-Law is in compliance, as regards the City of Christchurch, with the 184th section of "The Municipal Corporations Act, 1867."

GEORGE GORDON,
Town Clerk.

SCHEDULE A.

CITY OF CHRISTCHURCH

BYE-LAW No. 11, CLAUSE 3.

Application for a License to keep
"PETROLEUM."

To the Mayor and Councillors of the City of Christchurch.

I, _____ residing in _____ do hereby request that a License may be

granted me to keep for sale on my premises in _____ "Petroleum," not exceeding 400 gallons, the same will be kept in _____

Signed.

Date.

INSPECTOR'S REPORT.

I have examined the premises mentioned in the above application, and beg to report as follows:—

Signed,

Inspector.

Date.

License authorised by the Council of the City of Christchurch this _____ day of _____ 187 .

Mayor.

License No.

SCHEDULE B.

CITY OF CHRISTCHURCH

BYE-LAW No. 11. — "PETROLEUM."

"Dangerous Goods Act, 1869."

License is hereby granted to _____ to keep for sale Petroleum, in any quantity not exceeding (400) four hundred gallons, on the premises and in the place particularly described in the application for this License, that is to say:—

By order,

Town Clerk.

Day of _____

License No. _____

N. B. This License is granted subject to the provisions contained in the Bye-Law, and in "The Dangerous Goods Act, 1869."

CHRISTCHURCH:

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