



THE
Hawke's Bay Government Gazette.

(PUBLISHED BY AUTHORITY.)

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J. D. ORMOND, Superintendent.

VOL. XV.

THURSDAY, MAY 20, 1875.

No. 47

BYE-LAWS AND REGULATIONS.

BYE-LAW (No. 1 A).

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

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

1. All privies, cesspools, and house drains within the Borough, 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.

2. The owner or occupier of any dwelling-house or tenement within the Borough, reasonably requiring the use of a privy, which shall be constructed on the Earth Closet system, according to such plan as shall be approved of by the Council, shall, within one month 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.

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

Borough, at the expense of the owner or occupier thereof, any night soil, dung, ashes, slops, filth, refuse, or rubbish of any kind.

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 purpose 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 Borough, 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.

5. Any person who shall obstruct any officer or other person employed by the Council in the performance of anything 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 for every such offence forfeit a sum not exceeding £5.

REGULATION (No. 2 A).

Regulation of the Borough of Napier, made under Schedule 13 of "The Municipal Corporations Act, 1867."

In pursuance of section 45, subdivision 9, of Part I, Schedule 13, "Municipal Corporations Act, 1867," the Council of the Borough of Napier make the following Regulation: that is to say,—

It shall not be lawful to drive into or through that part of the Borough of Napier, commencing at the railway crossing at the south end of Hastings-street, where it joins the White Road; thence along Hastings-street to its junction with the Shakespeare Road; then along the Shakespeare Road to where it meets the

Cooto Road, except between the hours of 10 p.m. and 8 a.m., any cattle intended for sale, slaughter, or shipment, or travelling from one part of New Zealand or any other colony to any other place: Provided that nothing herein contained shall apply to horses driven in harness, or to oxen in the yoke.

BYE-LAW (No. 3 A).

A Bye-Law to provide for the better Rule and Government of the Borough of Napier.

In pursuance of Section 186, of Part XIII., of "The Municipal Corporations Act, 1867," the Council of the Borough of Napier ordain as follows; that is to say—

Any person guilty of any of the following offences, omissions, or neglects, within the Borough of Napier, shall, on being convicted of any such offence, neglect, or omission, be liable to pay any penalty not exceeding (£5) Five Pounds:—

1. Throwing or sweeping any glass, filth, dirt, rubbish, orange-peel, or other matter of a similar nature upon or into any street, channel, footway, court, alley, or public place whatsoever.
2. Leading or riding any horse or other animal, or drawing, wheeling, or driving any cart, carriage, sledge, truck, barrow, or other thing upon or along any footpath, without permission from the Borough Council so to do.
3. Burning any shavings, straw, or other materials or matter upon any footway, channel, surface drain, or carriage road, without such permission as aforesaid.
4. Drawing or trailing any sledge, timber, or other material, upon any footway or carriage road, to the injury of such footway or carriage road.
5. Allowing night soil or other offensive matter, to be spilt or otherwise cast on to or upon any road, street, footway, public place, or thoroughfare.
6. Leaving any inflammable materials or matter in any public street or place, or on any open space near any building, without such permission as aforesaid.
7. Keeping any goat or goats within the limits of the Borough of Napier.
8. Placing any placard or other document, writing, or painting on, or otherwise defacing any house or building, or any wall, fence, lamp-post, or gate, without the consent of the occupier or owner thereof.
9. Allowing the droppings from the eaves of any house or verandah to fall upon any footway.
10. Opening any drain or sewer, or removing the surface of any footway or carriage road, without authority from the Borough Council so to do.
11. Neglecting to clean any private yard, way, passage, or avenue, by which neglect a nuisance by offensive smell or otherwise is caused.
12. Rolling any cask, beating any carpet, breaking in any horse, flying any kite, using any bows and arrows, or playing at any game to the annoyance of any person in any public place, or obstructing any footpath or carriage road, whether by allowing any cart or animal to remain

across such footpath or carriage road, or by placing goods thereon, or otherwise.

13. Throwing or discharging any stone or other missile, to the damage or danger of any person or property.

14. Having any awning on or over any footway in any public street or thoroughfare, not being nine feet clear above the footway, or obstructing the footway by the supports of such awning or verandah, or hanging any goods on or under such awning over the footway.

15. Blasting any rock, stone, or timber in or near any public place, without permission of the Council.

16. Furiously or negligently riding or driving through any public place, street, or thoroughfare.

17. Exposing in any public street or thoroughfare, except in any fair or market lawfully appointed for that purpose, any horse or other animal for show, hire, or sale.

18. Making any cellar-door or other opening from the footway of any street or public thoroughfare, without the consent or not in accordance with the directions of the Town Council.

19. Exposing for sale any article whatsoever on any footway or outside any shop window or doorway abutting on any public thoroughfare or street.

20. Discharging any firearms, or carrying any firearms, sword, dirk, dagger, or other offensive weapon within the Borough of Napier, without permission of the Town Council: Provided that the provision last aforesaid shall not apply to any Justice of the Peace, or any person in Her Majesty's military or naval service, or any member of the police or other peace officer, or any member of a recognised Volunteer corps, or any special constable, or any person actually in pursuit of any felon or offender.

21. Any person laying out or opening any street or building therein, and omitting during the operations necessary for forming such street or for building therein to take all such precautions for guarding against injury to the passengers along such street as may be necessary, or as may be directed by the Town Council.

22. Any person placing any obstruction upon any street line, whereby life or limb is likely to be endangered.

23. Any person neglecting or omitting to keep in good repair any rail, gate, fence, or cover over or about any area or entrance to any cellar or other place, or keeping open for more than a reasonable time for taking in or out any articles any entrance to any area, cellar, or other place (such area or entrance opening into or upon or near any public street, road, thoroughfare, or other public place).

24. Any person throwing any offensive matter, or any animal, with the intention of drowning it, into any watercourse, or other place from whence a supply of water for the use of the inhabitants of the said town is obtained.

25. Any carter riding on any cart, dray, or waggon, without having and holding proper and sufficient reins, and no competent person having charge of the animal or animals drawing the same.

26. Any person driving any vehicle

whatsoever, or riding any animal, and when meeting any other vehicle or animal not keeping on the left or near side of the road or street; or when passing any other vehicle or animal going in the same direction, not going or passing or not allowing any person desirous so to do to pass, when practicable, on the right or off side of such other vehicle or animal.

27. Any driver of any horse or vehicle injuring any person or property whatever by negligence, or by driving on the wrong side of the road, or by being away from his horse or cattle so as to be unable to have full control over them.

28. Any person driving any dog or goat harnessed or attached to any vehicle through any public place.

29. Any person who shall act as driver or have the sole charge of more than one vehicle on any public road or street, unless in cases where two of such carts and no more shall be drawn each by one horse only, and the horse of the hinder of such carriages shall be attached by a sufficient rein to the back of the foremost of such vehicles.

30. Any person turning loose any horse or cattle upon any public street or allowing any animal or animals to wander in any public street or thoroughfare within the Town of Napier.

31. Any person leaving upon any public street or thoroughfare any plough, harrow, cart, or other vehicle without any horse or animal harnessed thereto, unless in consequence of some accident having occurred.

32. Any person slaughtering or skinning any beast upon any public street or thoroughfare, or permitting any slaughtered beast or skin to remain there, or leaving any dead beast on such street or thoroughfare.

33. Any person having any iron, timber, or boards laid across any vehicle,

going along any street or thoroughfare, so that either end should project more than two feet beyond the wheels or sides of such vehicle.

34. Any persons destroying, damaging, polluting, or obstructing any aqueduct, dam, sluice, pipe, pump, watercourse, or fountain,

35. Any person suffering, or allowing any waste or impure water or other matter to remain in any cellar, or place within any building or premises in the borough, or allowing any waste or impure water or other matter to run or to flow from any such building or premises, upon or over, or be on any carriage or footway, or other place, whether public or private, within the town, or shall allow the contents of any water-closet, privy, or cess-pool to overflow or to soak therefrom so as to be offensive.

37. Any person, being the owner or tenant of any building abutting any street where the footpath has been formed, who, by omitting or neglecting to secure and maintain the foundation of such building, causes or allows the formed footpath to fall in or be otherwise damaged.

38. Keeping any disreputable house, or house of ill-fame, or having the control, conduct, or management of the same, or being a reputed occupier, or an inmate of any such house.

The foregoing Bye-Laws were adopted by the Borough Council of Napier at an Ordinary Meeting, held on April 16, 1875.

ROBERT STUART,
Mayor.
M. N. BOWER,
Town Clerk.

Assented to by
J. D. ORMOND,
Superintendent.

