

New Zealand.



ANALYSIS.

- Title.
- Preamble.
- 1. Short Title.
- 2. Interpretation.
- 3. Board may repeal by-laws.

- 4. Board may provide penalties for breach of by-laws.
- 5. Provisions for making by-laws.
- 6. Copies of by-laws to be printed.
- 7. Penalties.

1891, No. 4.—*Local.*

AN ACT to amend "The Christchurch District Drainage Act, 1875." Title.
[29th August, 1891.]

WHEREAS it is expedient to amend "The Christchurch District Drainage Act, 1875:" Preamble.

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. The Short Title of this Act is "The Christchurch District Drainage Act 1875 Amendment Act, 1891." Short Title.

2. In this Act, if not inconsistent with the context,— Interpretation.
"Board" means the Christchurch Drainage Board.

3. The Board may from time to time make, alter, or repeal such by-laws as to them shall seem meet for all or any of the purposes following, that is to say:— Board may repeal by-laws.

(a.) To provide for, control, and regulate the construction, maintenance, repair, disconnection, user, disuser, and inspection of lavatories, baths, urinals, waterclosets, sinks, hydraulic rams, hydraulic engines, sumps, traps, ventilators, siphons, drain-pipes, and other works which have already been erected or constructed, or which may at any time hereafter be constructed or be proposed to be erected or constructed, on private property or otherwise for the purpose of conveying sewage or water or other solid or liquid matter into the drains, sewers, or watercourses under the control of the Board, and also the materials to be employed in any such work;

(b.) For regulating the examination, licensing, and disqualification of persons wishing to undertake or execute work for other people in connection with the matters referred to in the last-preceding subsection, or any of them, and to pre-

vent unlicensed persons from undertaking or executing any such work, or interfering in any way with such drains, sewers, or watercourses;

- (c.) To provide against injury to any drain, sewer, or watercourse under the control of the Board, or the displacement of the ground in which the same, or any of them, are constructed, built, or laid, and to compel any person causing such injury or displacement to repair or replace the same, or pay the cost of so doing;
- (d.) For preventing or permitting rain-water, the waste from artesian wells, hydraulic engines and water-pipes, and all surface-drainage from entering any of the sewers of the Board which are or may be in connection with their pumping-station at Linwood, and for determining the terms and conditions upon which the same may be allowed to enter any of the said sewers when permission is given by the Board.
- (e.) For fixing the fees to be paid to the Board in respect of any license, privilege, or authority granted by it.

Board may provide penalties for breach of by-laws.

Provisions for making by-laws.

4. The Board may by any such by-law provide a penalty for every breach thereof to an amount which shall be in the discretion of the Court inflicting the same, and shall in no case exceed five pounds.

5. Such by-laws shall be made only in the manner and subject to the conditions following:—

- (a.) They shall only be made by special order of the Board.
- (b.) A "special order" shall consist in an order made by the Board as follows:—

(1.) The resolution to do such thing shall be adopted at a special meeting:

(2.) Such resolution shall be confirmed at a subsequent meeting, ordinary or special, held not sooner than four weeks thereafter:

(3.) Public notice of such subsequent meeting and of such resolution shall be given once in each of the said four weeks, and a notice of such meeting and such resolution given to each member of the Board, or sent to his address through the ordinary course of post in a prepaid letter, three days at least before such subsequent meeting:

Provided that in publicly notifying the resolutions making such order it shall not be necessary to set forth the whole of the proposed by-law if the object or purport of the same be stated, and if a copy of the proposed by-law be deposited in the office of the Board, or at some other place within the district which shall be specified in the notification, and be open to the inspection of the public during office hours, for at least seven days immediately preceding the meeting.

- (c.) They may be amended before adoption.
- (d.) They shall have the common seal of the Board affixed thereto.
- (e.) They shall come into force on a day named in the special order making the same, which shall not be earlier than seven clear days after the making of such order.

- (f.) Every by-law repugnant to any Act of the General Assembly for the time being in force in the district shall be null and void.
- (g.) A copy of any by-law, sealed with the common seal of the Board, shall be received as evidence of the same having been duly made as by this Act provided, unless the contrary is proved.
- (h.) No by-laws made by the Board shall come into operation until the same be confirmed by order of the Governor in Council, who may direct an inquiry into the same, at such time and place, and before such persons, and after giving such notices as he shall think fit, and, with or without such inquiry, he may allow or disallow the said by-laws, as he shall think fit: Provided that if, at any time before the confirmation of any by-law, any local body, as defined in "The Local Elections Act, 1876," having jurisdiction within any district in which any by-law is intended to be in force, shall, by notice in writing to the Colonial Secretary, object thereto, the Governor shall, by Order in Council, either disallow such by-law or cause a public inquiry to be held in some convenient place by such person or persons as he may appoint, when all persons interested may have the opportunity of being heard; and after such inquiry the Governor in Council shall either disallow such by-law or give one month's notice of his intention to allow the same by advertisement in some newspaper or newspapers circulating in the district affected thereby.

6. The Board shall cause printed copies of all by-laws to be kept at the office of the Board, and to be supplied to any ratepayer applying for the same. Copies of by-laws to be printed.

7. Nothing in this Act, or in any by-law made thereunder, shall be deemed to relieve any person from any penalty, punishment, or action to which he would otherwise be liable in respect of anything done by him in breach of any such by-law. Penalties.