

*Mr. Levestam.*

## FIRE BRIGADES.

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### A BILL INTITULED

AN ACT to provide for the further and better Protection of Life and Property  
from Fire within the Colony of New Zealand. Title.

WHEREAS it is expedient to make provision for the further and better protec- Preamble.  
5 tion of life and property from loss and damage by fire in the several Municipal Corporations and Boroughs :

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 Fire Brigades Act, 1882." Short Title.
- 10 2. After the passing of this Act the duty of extinguishing fires and protect- Duty of extinguishing  
ing life and property in case of fire in cities or boroughs shall be intrusted to fires intrusted to City  
such City, Municipal, and Borough Councils. Councils, &c.
- 15 3. Such City Councils, Municipal and Borough Councils, shall provide and Maintenance of  
maintain a force of firemen, or may agree with any volunteer fire brigade or brigades.
- 15 other persons to provide the necessary labour for the extinguishing of fires, and for the payment to any such brigade or other persons out of the general account of the municipal or other funds belonging to the said City Councils or Boroughs, as the case may be, or by a rate to be levied in manner hereafter mentioned, that is to say,—
- 20 4. That, for the carrying out of the purposes aforesaid, it shall be lawful for the members for the time being of any City Corporation or Town Borough, as aforesaid, to make and levy such rates, not exceeding one penny in the pound sterling per annum, for the purchase, maintenance, support, and repairs of any engines, fire apparatus, uniforms, stabling fodder, and horses, necessary for such maintenance and support as aforesaid ; and such rates, when so levied and paid, shall be exclusively devoted to the purposes aforesaid ; such rate to be made and collected with the general rate. Power to levy rates.
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Who are to provide engines, &c.

5. That such Corporation, Town, or Borough shall provide and keep in good order and condition all such engines, fire apparatus, appliances, and buildings as may be thought fit for securing and promptly using an efficient supply of water for extinguishing fires.

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Engines, &c., shall be property of Councils, &c.

6. The engines and all other property of the said brigades necessary for the proper and efficient discharge of their respective duties shall vest in and become the absolute property of the City Corporation, Town, or Borough in which such brigades are organized, and be under the respective control and direction thereof.

Name and command of fire brigades.

7. Every brigade enrolled under this Act shall be named or called after the name of the city or borough in which it is organized, and shall be under the command of an officer who shall be called the Chief Fire Inspector.

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Fire Inspectors.

8. Any Municipal Corporation or Town Board may from time to time appoint and may remove and reappoint one or more Fire Inspectors. Every such appointment shall be by warrant under the hand of the Mayor or Chairman, and every appointment as well as every removal or resignation of such officer shall be publicly notified in the borough.

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Duties of officer in charge of brigade at a fire.

9. On the occasion of a fire the Chief Fire Inspector or other officer in charge may do the following things :—

- (1.) He may take the command of any fire brigade, fire police, salvage corps, or other persons who by previous agreement with the Council have placed their services at the disposal of the Council, or who for the time place themselves at his disposal; 20
- (2.) He may order any fireman, fire police officer, or police-constable to remove any person who, by their presence or otherwise howsoever, interfere with or impede the labours of the fire brigade or other persons in extinguishing the fire; 25
- (3.) He may take any measures he thinks best for the protection of life and property;
- (4.) He may, with any assistance he requires, break into, take possession of, or pull down any premises for preventing the spread of fire, doing, however, as little damage as possible thereby; 30
- (5.) He may interfere with the supply of water in waterworks or elsewhere as he thinks fit, in order to get a greater supply or pressure in the neighbourhood of the fire; and no penalty, damage, or claim for compensation shall be recoverable by or against any person in consequence of any act done under the authority of this section. 35

Damage to property in extinguishing fire to be deemed within meaning of insurance policy.

10. All damage to property caused by any Fire Inspector or any person acting under his orders in the due execution of their duties under this Act shall be deemed to be damage by fire within the meaning of any policy of insurance against fire, anything in such policy to the contrary notwithstanding. 40

Penalty for interference with fire brigade.

11. If any person or persons shall interfere with or otherwise obstruct any officer or member of a fire brigade in the performance of his duty at any fire or at any other time, he or they shall forfeit and pay, for every such offence, any sum not exceeding *five* pounds.

Penalty for damaging property in custody of fire brigade.

12. If any person (whether a member of a fire brigade or otherwise) shall wilfully damage or destroy any engine or other property in the use or placed in the custody of any brigade for the discharge of their duty, he or she shall be liable to forfeit and pay for every such offence any sum not exceeding *five* pounds, in addition to the sum at which such damage or destruction shall be assessed. 45

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Fire police and salvage corps.

13. The Mayor of any City or Municipal Council, or the Chairman of any Town Board, may accept the services of any fit person or persons, not exceeding in number fifty men, who shall act as a fire police, and whose duty it shall be

to attend at any fire to aid and assist the enrolled police force, to watch over any property saved, to preserve order, and to carry out any instructions which may be given by the Chief Fire Inspector in command, or any other person duly authorized by him; and he may accept the services of any fit person or persons, not exceeding in number fifty men, who shall act as a salvage corps, and whose duty it shall be to attend at any fire to aid in the saving from loss or injury any property, as they may be directed by the Chief Fire Inspector.

14. Every member of such fire police, as aforesaid, having been duly enrolled by the Mayor or Chairman, shall be sworn in before a Justice of the Peace, as in the Schedule to this Act, and shall thereafter, during the period of his services under such fire police, be taken and deemed to be and shall have all the power, authority, and responsibility of a constable.

Members must be sworn in.

15. If the chimney of any house or other building within the city or borough is on fire, the occupier of such house or building shall be liable to a penalty not exceeding forty shillings; but, if such occupier proves that he has incurred such penalty by reason of the neglect or wilful default of any other person, he may recover summarily from such person the whole or any part of the penalty he may have incurred.

Penalty for allowing chimney to catch fire. Proviso.

16. It shall not be lawful to use any building within a borough of more than two storeys high as an hotel, or public lodging-house, without providing on the outside of such building one or more iron ladders or other approved means of escape so fixed from the top of such building in front of the window of each storey to within ten feet of the ground so as to provide a means of escape therefrom. Every such ladder or other approved means of escape must be fixed and shall be constructed in such manner as shall be required by the surveyor or other officer appointed by the Council.

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SCHEDULE.

Schedule.

WE, the undersigned, do swear that we will well and truly serve our Sovereign Lady the Queen in the offices of special fire constables in the City or Borough of \_\_\_\_\_, enrolled under "The Fire Brigades Act, 1882," without favour or ill-will, and will continue to so serve until we are legally discharged; that we will see and cause Her Majesty's peace to be kept and preserved; and that we will prevent, to the best of our power, all offences against the same; and that, while we shall continue to hold the office, we will, to the best of our skill and knowledge, discharge all the duties thereof faithfully according to law.

A.B.  
C.D.

Sworn before me, this \_\_\_\_\_ day of \_\_\_\_\_, 188 , at \_\_\_\_\_, in the Colony of New Zealand.

E.F.,  
A Justice of the Peace.