

SUPPLEMENTARY ORDER PAPER.

HOUSE OF REPRESENTATIVES.

Tuesday, the 18th Day of October, 1910.

MUNICIPAL CORPORATIONS AMENDMENT BILL.

Mr. SIDEY, in Committee, to move the following new clause:—

22A. (1.) On the certificate of the District Health Officer, or of two duly qualified medical practitioners, or the declaration of any three electors and the certificate of one qualified medical practitioner, that any building or place in a borough is in a condition unfit for occupation or dangerous to public health, the Council of such borough may—

(a.) If it considers the building can be made fit for occupation, give notice to the owner thereof requiring him, within a time named in the notice, to effect such repairs or make such structural alterations or additions thereto as the Council directs, and by the same notice the Council shall state the time (being not less than twenty-one days after the service of the notice) and place at which, if the owner fails to comply with such requisition, the Council will take into consideration the question of pulling down the said building:

(b.) If it considers that the building cannot be rendered fit for occupation, give to the owner notice of the time (being not less than twenty-one days after the service of the notice) and place at which the question of pulling down the said building will be considered by the Council.

(2.) On the question of pulling down the said building being taken into consideration, the owner shall be entitled to be heard, and if upon any such consideration the Council is of opinion that the necessary steps are not being taken with due diligence to render the building fit for occupation, or that the building cannot be rendered fit for occupation or is dangerous to public health, it shall order such building or any part thereof to be pulled down at the expense in all things of the owner.

(3.) If any owner undertakes to execute forthwith the works necessary to render the building fit for occupation, and the Council considers that it can be so rendered fit for occupation, the Council may, if it thinks fit, postpone the operation of the order for such time, not exceeding six months, as it thinks sufficient for the purpose of giving the owner an opportunity of executing the necessary works.

(4.) Notice of such order shall be forthwith served upon the owner, and any Magistrate may, on the application of the owner within fourteen days after notice of the order has been served upon him, and after notice to the Council, and after hearing such evidence as may be adduced for or against such application, either set aside, vary, or confirm such order, and no work shall be done nor proceedings taken by the Council under such order until after such application is determined or ceases to be prosecuted; and the Magistrate may, in making such order as to costs as he thinks fit, take into consideration the whole of the proceedings that have been taken under this section subsequent to the notice mentioned in paragraph (a) or paragraph (b) of subsection *one* hereof.

(5.) Where an order for the pulling-down of a building has been made the owner thereof shall, within three months after the order becomes operative, proceed to take down and remove the building, and if the owner fails therein the Council shall proceed to take down and remove the building.

(6.) If such building is taken down and removed by the Council, the Council may sell or destroy the materials or any part thereof and apply the proceeds in or towards payment of the expenses incurred under this section, and shall pay the residue (if any) to the owner on demand, or if such proceeds are insufficient the Council may recover the balance of such expenses from the owner.

Repeal.

(7.) This section is in substitution for section two hundred and ninety-one of the principal Act, which section is hereby repealed.
