



OTAGO ROADS ORDINANCE, 1871, AMENDMENT ORDINANCE, 1874.

IN THE THIRTY-SEVENTH YEAR OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA.

SESSION XXXIII. No. 437.

ANALYSIS.

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An Ordinance to amend the "Otago Roads Ordinance 1871." Title.

[15th June, 1874.]

WHEREAS it is expedient to amend the "Otago Roads Ordinance 1871" in certain particulars: Preamble.

BE IT THEREFORE ENACTED by the Superintendent of the Province of Otago with the advice and consent of the Provincial Council thereof as follows:—

1. This Ordinance may be cited and referred to as the "Otago Roads Ordinance 1871 Amendment Ordinance 1874." Short Title.

2. The expression "the said Ordinance" whenever used in this Ordinance shall mean the "Otago Roads Ordinance 1871" and this Ordinance shall be read and interpreted as part of the said Ordinance and words and expressions used in this Ordinance to which a particular meaning is assigned in and by the said Ordinance shall unless there is something in the context repugnant thereto or inconsistent therewith have the same meanings as are assigned to the same words and expressions in the said Ordinance. Interpretation.

3. Section numbered two-hundred-and-eight in the said Ordinance shall be read as if the words "in manner provided by this Ordinance for the receipt and recovery of rates or" which follow immediately after the Amendment of Section 208.

words "body corporate" in the eighth line of the said section were omitted therefrom.

Board may make by-laws.

4. Any District Road Board constituted under or by virtue of the said Ordinance or this Ordinance may from time to time make such by-laws as they shall think fit for the purpose of regulating the conduct of their officers and servants for providing for the due management of the affairs of the Board for any purpose specially mentioned in the said Ordinance in that behalf and for the order and good government of the district and may from time to time by any other by-law alter or repeal any by-law: Provided that no by-law shall be repugnant to the laws of New Zealand or to any Ordinance of the Province of Otago. Every by-law shall be reduced into writing and sealed with the common seal of the Board and shall be published in the *Otago Provincial Government Gazette* and in some newspaper circulating in the district and no by-law shall come into operation until after such publication.

Repeal of sections 158, 159, and 160.

5. Sections numbered respectively 158 159 160 of the said Ordinance are hereby repealed.

Special rate may be levied for extermination of rabbits.

6. It shall be lawful for any District Road Board from time to time in manner provided by the said Ordinance to make and levy a special rate equally upon all rateable property within every or any subdivision of such district and to apply the moneys raised by means of such special rate or any part thereof in and towards the destruction and extermination of rabbits in or near such district in such manner and subject to such conditions and restrictions as the Board may determine: Provided that such special rate shall not exceed one penny in the pound on annual value to let in any one year.

Superintendent upon recommendation of Provincial Council may alter districts and sub-divisions.

7. It shall be lawful for the Superintendent upon the recommendation of the Provincial Council from time to time by proclamation in the *Gazette* to alter the boundaries of any district and either to enlarge or diminish the area thereof also to increase or diminish the number of sub-divisions of any district and to alter the boundaries and to increase or diminish the area of any sub-division or sub-divisions of any district, notwithstanding that any district or any sub-division or sub-divisions of any district may already have been constituted by the said Ordinance or by any proclamation thereunder: Provided that no alteration whatever of any district or sub-division shall be made within three months before any day appointed for holding an election of members of the District Board in or for such District nor after liabilities on loans have been incurred.

Road Board may continue to act notwithstanding alteration of district.

8. It shall be lawful for the Board which shall be in office at the time of any alteration of any district or of the sub-divisions thereof to continue to act for the remainder of the current year for the district so altered whether the same shall be altered in the boundaries or area or in the sub-divisions thereof.

Superintendent may regulate traffic over bridges.

9. It shall be lawful for the Superintendent from time to time by proclamation in the *Gazette* to make alter and repeal by-laws and regulations for limiting the weight of load to be carried in waggons and vehicles crossing any bridge or travelling on any road forming part of or continuing and connecting any road in the said Province of which the Provincial Government shall have undertaken the maintenance and repair and for otherwise regulating the traffic across any such bridge or on any such road and by any such by-law or regulation to impose a penalty not exceeding five pounds for any single breach thereof to be recovered in a summary way.

10. If from any cause whatever the persons entitled to vote at any election for any district or for any sub-division of any district shall fail or neglect to hold an election of members of the District Board of such district on the day appointed by the said Ordinance for that purpose it shall be lawful for the Superintendent by proclamation in the *Gazette* to appoint a day for the holding of such election and an election may be held upon the day so appointed and the election so held shall for all purposes whatsoever be deemed to have been duly held on the day appointed by the said Ordinance for holding the same.

Superintendent may appoint day for holding elections of members of District Board in case of failure to hold same on day appointed by said Ordinance.

DUNEDIN, NEW ZEALAND :

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