



OTAGO ROADS ORDINANCE AMENDMENT ORDINANCE 1872.

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

SESSION XXX. No. 364.

ANALYSIS:

<p>Title. Preamble. 1. Short Title. 2. Repeal of sections in previous Ordinance. 3. Property rateable. 4. Qualification of member of board. To stand in lieu of Section 13 of Roads Ordinance 1871.</p>	<p>5. Qualification for one vote. 6. Interpretation of words. 7. Roll for first election in districts where there was assessment roll. 8. Proceedings to be summary. 9. Ordinance to be part of previous Ordinance.</p>
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AN ORDINANCE to amend the "Otago Roads Ordinance 1871." Title.
[31ST MAY, 1872.]

WHEREAS an Act was passed in the last Session of the General Assembly intituled "The Highway Boards Empowering Act 1871" and whereas it is expedient that any provisions contained in the "Otago Roads Ordinance 1871" not in conformity with the provisions of the said Act should be altered or repealed and that the said Ordinance should be amended in certain particulars : Preamble.

BE IT THEREFORE ENACTED by the Superintendent of the Province of Otago by and 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 Amendment Ordinance 1872." Short Title.

2. Sections numbered thirteen twenty-five thirty-nine forty-two and one hundred and ninety-nine of the "Otago Roads Ordinance 1871" are hereby repealed. Repeal of sections in previous Ordinance.

3. All lands tenements and hereditaments not being Crown Lands or land over which the native title has not been extinguished shall be rateable property within the meaning of the said Ordinance save as is next hereinafter excepted that is to say except land used for public purposes and land in the occupation of hospitals benevolent institutions and buildings used exclusively for public charitable purposes churches chapels and other buildings used exclusively for public worship dwellings of ministers of any religious denomination and buildings used as schools or as residences of schoolmasters or schoolmistresses provided they be inhabited only by the master or mistress of such schools or his or her family and burial grounds and unoccupied land Property rateable.

vested in the Superintendent of the Province or any corporation commissioners or other persons or body under "The Public Reserves Act 1854" or "The Public Reserves Act Amendment Act 1862" or any other Act of the General Assembly or Ordinance of the Province of Otago passed in pursuance of the said two last-mentioned Acts or either of them: Provided that nothing herein contained shall exempt from being rated hereafter any land made liable to be rated under "The Highway Boards Empowering Act 1871" in the event of the said Act being extended to the road districts within the said Province of Otago or any of them.

Qualification of member of board. To stand in lieu of Section 13 of Roads Ordinance 1871.

4. In order that any person may be qualified to be a member of the Board of any district he must have been entitled either under the "Otago Roads Ordinance 1865" or under the "Otago Roads Ordinance 1871" upon the twentieth day of March which shall for the time being have been last past to have been enrolled and must during the whole time for which he is elected continue to be entitled to be enrolled in respect of property of rateable value whether of one or more tenements amounting to Ten Pounds a year at the least on the assessment or voters' roll for the time being in force for such district: Provided that for the first election under the "Otago Roads Ordinance 1871" in any district in which no assessment roll or voters' list shall be in force any person may be qualified to be a member of the board of any district if he be the owner of property within the district which would entitle him to be enrolled on some electoral roll for the district under the provisions of "The Registration of Electors Act 1866" or any Act amending the same.

Qualification for one vote.

5. Instead of the rateable value specified in the twenty-first section of the "Otago Roads Ordinance 1871" entitling the owner or occupier to have one vote the following shall be the rateable value for one vote that is to say a rateable value of not less than ten pounds and less than fifty pounds and any provision to the contrary in the said section contained is hereby repealed.

Interpretation of words.

6. The word "person" and all words importing the masculine gender only contained in the said "Otago Roads Ordinance 1871" shall include females unless the contrary is expressly provided.

Roll for first election in districts where there was assessment roll.

7. For the first election of members of the District Board in every district in which an Assessment Roll shall have been in force under the provisions of the "Otago Roads Ordinance 1865" those persons whose names are entered on such Assessment Roll as rated or liable to be rated and who upon the day of such election shall still hold the same property for which they were rated or liable to be rated and no other person shall on such day as the Superintendent shall appoint not being less than forty days after the same shall have become such district and in manner mentioned in the "Otago Roads Ordinance 1871" elect from the persons capable of being such members the whole number of members assigned to such district.

Proceedings to be summary.

8. All proceedings for offences against the provisions of the "Otago Roads Ordinance 1871" or of any bye-law hereafter legally made by any District Board and all penalties thereby imposed shall be recoverable in a summary way.

Ordinance to be part of previous Ordinance.

9. This Ordinance shall be taken read and interpreted as part of and incorporated with the "Otago Roads Ordinance 1871."

DUNEDIN, NEW ZEALAND: