

estimated cost of the construction of such crossing or drain, as the case may be, pay the amount of such estimated cost to the Clerk of the Board before the Board shall proceed with such construction. If any such crossing or drain shall be out of repair, the owner or occupier of the premises from which the same leads, or any person for whose use and benefit the same exists, shall, within seven days after notice in writing from the Clerk of the Board to that effect stating the repairs required, properly and completely repair the same in accordance with such notice, failing which the Board may effect such repairs and recover the cost thereof from such owner, occupier, or person. And in case any such owner, occupier, or person shall make default and fail to comply with such notice within the time therein mentioned, he shall be deemed to commit an offence on every day during which he shall be in such default as aforesaid.

Carting over Footpaths.

16. No person shall cart any metal, stone, building, or other material across any footpath where there is not a crossing constructed in accordance with By-law No. 15 of Part II without the consent in writing of the Clerk of the Board on written application made in that behalf, and stating the property to or from which the carting is to be done, first obtained; and the applicant for such consent shall, prior to the issue of such consent, deposit with the Clerk of the Board a sum not exceeding £10, as the Engineer, or, if there be no Engineer, the Clerk of the Board, shall direct, as security for the necessary repairs to the footpath or kerbing which may be caused by carting material or otherwise, and shall obtain a receipt for the same; and upon repairs being completed to the satisfaction of the Engineer or Clerk of the Board, as the case may be, the said deposit shall thereupon be returned, and on failing to execute the necessary repairs after forty-eight hours' notice so to do from the Clerk of the Board the same shall be done at the cost and risk of the applicant, and the costs thereof deducted from the amount of such deposit.

PART III.

DWELLING SITES.

Dwelling-site Areas.

1. Except as provided by next succeeding by-law (No. 2) no person shall erect a new house in the district upon a site of a less area than one-quarter of an acre, and unless such site shall have a frontage of at least 66 ft. to a public road.

2. If any person, being the owner of a site having an area and frontage of such limited extent that not more than one new house can in compliance with these by-laws be erected thereon, shall erect a house upon any portion of such site, and shall thereafter sell, lease, or otherwise dispose of such portion with the house thereon, it shall not be lawful for any person thereafter to erect a house upon the remaining area of the said site.

Exceptions.

3. The preceding by-laws shall not apply to prevent the erection of one new house on an allotment, lot, or section which does not comply with the requirements of the said by-laws, but which is shown on any public plan or any plan lodged or deposited in any Lands or Deeds Registration Office, or approved by the Board, prior to the gazettement of these by-laws, or on a site owned at the date of the coming into force of these by-laws by a person not owning any adjoining land; or to prevent the erection of a shop with dwelling-rooms attached upon any site having frontage to a public road, provided that in the erection of such shop and dwelling-rooms provision shall be made for the disposal of sewage and offensive matter from such shop and dwelling-rooms thereto attached in accordance with any general conditions for such disposal which may be made by the said Board.

4. Notwithstanding the provisions of clause 1 of these by-laws the said Board may permit the erection of a dwelling-house upon any area in the district containing not less than one-fourth of an acre which may not strictly comply with the requirements of the said clause 1, but which may in the opinion of the Board, having regard to its configuration and the particular circumstances of the case, be a fit and suitable site for the erection of a dwellinghouse.

Air-spaces.

5. No person shall erect a new house in the district unless he shall provide at the side or in the rear thereof an open space exclusively belonging to such house and of an aggregate area of not less than 600 square feet: Provided that such open space shall extend throughout the entire width, or, in the alternative, throughout the entire depth, of the site, and shall be free from any erection thereon above the level of the ground, and shall be so maintained while the site is occupied

by the house: Provided also that the minimum distance across such open space from every part of any wash-house, shed, convenience, or other erection attached thereto shall be as follows:—

- (a.) If the height of the house does not exceed 15 ft.—15 ft.
- (b.) If the height exceeds 15 ft. but does not exceed 25 ft.—20 ft.
- (c.) If the height exceeds 25 ft. but does not exceed 35 ft.—25 ft.
- (d.) If the height exceeds 35 ft.—30 ft.

For the purpose of these by-laws, where the side boundaries of any site are not of the same length, the mean length of such side boundaries shall be taken as the depth of the site for the purpose of defining the distance across such open space; and the height of a house shall, for the purpose of these by-laws, be measured from the average level of the ground immediately adjoining the side or the rear of such house, as the case may be, to the level of half the vertical height of the roof or to the top of the parapet, whichever is the higher.

Alterations to Buildings.

6. No person shall make any alteration or addition to any house (whether erected before the coming into operation of these by-laws or not) whereby the open space attached to such house shall be diminished by such alteration or addition so as to leave a less open space than is required by these by-laws to be provided.

Definition of New House.

7. The erection of a house upon vacant land or upon a site previously occupied by any building, or the re-erection of any house pulled down to within 1 ft. of the ground floor, or the conversion into a house of any building not originally constructed for human habitation, or the conversion into more than one house of a building originally constructed as one house only, or an addition or raising of a house (so far as such addition or raising is concerned), shall be deemed to be the erection of a new house within the meaning of these by-laws.

Definition of Site.

8. The ground upon which any house is erected, together with the whole curtilage thereof enclosed within the boundary fences, walls, or lines of the premises, shall be deemed to be the site of such house within the meaning of these by-laws.

Site Formation.

9. The ground on which any new house is erected and the ground immediately around such new house shall be so formed and graded that no water can lodge thereon or under such house, or run under such house.

Plans to be provided.

10. The erection of a new dwellinghouse shall not be commenced or proceeded with until the person who proposes to carry out such work shall have made application to the Clerk in the form set out in the Second Schedule to these by-laws. Such persons shall at the same time lodge with the Clerk complete plans showing the block-plan and sections of the said site, and the measurements of the height and distance from the boundaries of such dwellinghouse, as required by the provisions of these by-laws. Such plan and sections shall be in ink on drawing-paper or tracing-cloth, and shall be to a scale not less than one-eighth of an inch to the foot: Provided always that if the work proposed to be done is of such a trivial nature as, in the opinion of the Building Committee, not to require the preparation of such plans and sections, such Committee may dispense with their production. If the Building Committee are satisfied that all conditions required by these by-laws are or can be fulfilled by the proposed works as described in such plans, and after the payment of the fees set forth in the First Schedule hereto, a permit for the erection of the dwellinghouse shall be issued by the Clerk.

Foundations of Concrete, &c.

11. In any foundation-wall, either of concrete or bricks or stone, either separate or conjoined, a proper damp-proof course of sheet 4 lb. lead, asphalt, or slates laid in cement, or other durable material impervious to moisture, shall be laid beneath the level of the lowest timbers and at a height of not less than 6 in. above the surface of the ground adjoining such wall.

Plates and Joists above Ground.

12. No part of any plate or joist of any house shall be at a less distance, in the case of a plate, than 3 in., and in the case of a joist than 6 in. from any portion of the ground below