

breach, or failure shall be a continuing one to a penalty not exceeding £5, as such Court shall think fit, for every day or part of a day during which such offence, breach, or failure shall continue. The existence of any work, building, land, or premises during its continuance in such a state or form as shall be in contravention of any provision of these by-laws shall be deemed a continuing offence under these by-laws.

PART VI.

DRAINAGE BY-LAWS.

151. *Interpretation.*—In the interpretation of this by-law the following words and phrases shall have the meanings hereby assigned to them, unless there is something in the subject-matter or in the context inconsistent with such meaning:—

“Approved” means approved by the officer appointed by the Board for the inspection of the work or matter whereto the context relates:

“By-laws” shall mean all by-laws of the Board for the time being in force, made under the provisions of any Act enabling the Board to make by-laws, including by-laws made by the Board in its capacity as a Local Board of Health:

“Board” means the One Tree Hill Road Board:

“Drain” shall mean every drain or sewer neither vested in the Board nor maintained by the Board:

“Drainage area” means that portion of the One Tree Hill Road District which is included in the Auckland and Suburban Drainage District as defined and described in the Auckland and Suburban Drainage Act, 1908:

“Undrained area” means all that portion of the One Tree Hill Road District not included in the drainage area as above defined:

“Owner” means the owner of any property as defined by the Municipal Corporations Act, 1908:

“Cesspit” shall not be deemed to include any efficient septic tank constructed to the satisfaction of the Board:

“Drainage Inspector,” see “Inspector”:

“Inspector” shall mean the officer appointed by the Board for the inspection of the work or matter to which the context relates:

“Occupier” means the occupier of any property as defined by section 2 of the Rating Act, 1908:

“Sewer” shall mean every sewer or drain vested in the Board, or under the control of or maintained by the Board:

“Clerk” shall mean the Clerk of the Corporation or the acting Clerk for the time being:

“Engineer” means the Engineer for the time being of the One Tree Hill Road Board, or the official of the Board for the time being fulfilling the duties of Engineer to the Board:

Words importing the singular number include the plural number, and words importing the plural number include the singular number, and words importing the masculine gender include feminine gender.

152. *Notices.*—Any notice required to be sent or signed by or on behalf of the Board may be sent or signed by the Chairman or the Clerk, or any other person acting for or on behalf of the Board.

153. *Delivery of Notice.*—Any application or notice which is required to be served upon or delivered to the Board may be delivered at the office of the Board, addressed to the Board, the Chairman, or the Clerk.

154. *Service of Notice.*—Any notice or other document which is hereby required to be served or given or sent by or on behalf of the Board to any person shall be deemed to have been duly served, given, or sent if delivered to such person personally or to his attorney, solicitor, or agent, or left at his residence or place of business, or posted at a post-office in the district addressed to such person at his or her last known place of abode, or to the last known place of abode of such attorney, solicitor, or agent.

155. *Inspectors.*—The Board may from time to time appoint an Inspector or Inspectors, whose duty shall be to see that its by-laws are duly observed, and to investigate and report any breaches thereof to the Board.

156. *Inspectors and other Officers.*—All Inspectors and other officers appointed by the Board under or for the purpose of any repealed by-law, and holding office at the time this by-law comes into operation, shall be deemed to have been appointed under this by-law.

157. *Application of By-law.*—Except as to such sections or Part of this by-law as are declared to be limited, or are by necessary implication limited, in their application to particular areas or districts, this by-law shall apply to the whole of the district.

158. *Sale of By-law.*—The Board shall have this by-law printed, and shall supply a copy thereof to any person requiring the same on payment of the sum of one shilling.

159. *Date.*—This by-law shall come into force on being gazetted.

160. *Licenses.*—The following provisions shall, unless otherwise specified, apply to all licenses granted by the Board under this by-law:—

(a) Before any such license shall be granted, an application in the prescribed form by the person applying for such license and giving all such information as may be required by or provided for in any such form, shall be delivered at the office, and the fee payable in respect of such license shall be deposited with such application. Every such application shall be signed by the applicant.

(b) Every such license shall, when issued, be in the prescribed form, and signed by the Clerk, and shall remain in force until the 31st day of March next after the issue thereof, and may be renewed on application at the office, and payment for renewal fee, not later than the 31st day of March in each year.

(c) Every such license shall be registered in a book to be kept by the Clerk in the appointed form.

(d) If in the opinion of the Board it is proved that the holder of any license, or the person applying for any license, is from any cause unfit to be the holder of such license, the Board may cancel, refuse, suspend, or revoke the same.

161. *License Fees, Drain-connectors.*—For every license issued there shall be paid to the Board's Clerk the sum of £1 per year ending the 31st March in each year, unless the license shall be applied for after the 31st December, in which case the fee shall be 10s. for the period ending the 31st March next ensuing; or should the applicant be a journeyman the fee shall be 5s. for the year, or 2s. 6d. for the period between the 31st December and 31st March.

162. *Inspection Fee, Licensed Plumbers.*—For every connection made with any sewer there shall be charged and payable to the Board an inspection fee of 2s. 6d.

163. *Drainage of Property.*—The owner of every property within the drainage area upon which a dwellinghouse or other building is erected shall, upon receiving notice in writing from the Board to provide and construct a private drain from such property to connect with a sewer, or to provide and affix sanitary appliances in and to any existing or in and to any new private drain, or to execute or do any other matters or things which the Board may lawfully require such owner to execute or do, proceed to comply with such notice within the time therein limited.

164. *Application for Connection.*—The owner or occupier of any property desiring to have the same connected with the sewer shall make application at the Road Board's Office in Form 2 in the Schedule hereto.

165. *Position for Connection.*—On receipt of such application the Inspector shall visit and inspect the applicant's property, and point out the position and line in which the connection shall be made.

166. *Sewers, &c., beneath Public Streets.*—The Board only may make connection with sewers and lay drain-pipes beneath public streets, footpaths, and public places, and such connection shall be made at the sole cost of the applicant. Before making such connection the applicant shall deposit with the Board the amount of the estimated cost thereof.

167. *Maintenance, Drain-pipes and Traps.*—The expense of keeping in repair the drain-pipes and traps mentioned in section 2 will be borne by the Board, but if any of such pipes or traps shall be choked by the placing or allowing to remain therein of any substance other than ordinary sewage the owner or occupier of the property drained by such pipes shall defray the cost incurred by the Board of clearing the pipe so choked. Where two or more properties are drained by one pipe the Board shall determine by whom and in what proportion the cost of removing such obstruction shall be paid. In no case shall two or more premises be allowed to be drained by one common pipe unless a special permit has first been obtained from the Board.

168. *Sewer Connection.*—The water-closets, sinks, baths, wash-tubs, &c., in all buildings within the drainage area to be connected with sewer to the satisfaction of the Board's officer.

169. *Pipes, &c., to remain the Property of the Board.*—Notwithstanding the payments enumerated in the preceding sections, all drain-pipes, traps, and other fittings provided by the Board (in consideration of such payments), and all drain-pipes beneath public streets and footpaths, shall remain the property of the Board, and no person shall have any claim to the same.

170. *Notice of Intended Connections.*—No person shall connect any drain, pipe, water-closet, urinal, trap, cesspool, or other fitting with any drain-pipe communicating or intended to communicate with any sewer unless he shall have previously given to the Clerk forty-eight hours' notice in writing of his intention to do so, such notice to be on Form 2 in the Schedule hereto.