

Special Order made by the Ostend Road Board making By-laws.

Department of Internal Affairs,
Wellington, 3rd November, 1921.

THE following special order, made by the Ostend Road Board, is published in accordance with the provisions of the Road Boards Act, 1908.

WM. DOWNIE STEWART,
Minister of Internal Affairs.

OSTEND ROAD BOARD BY-LAWS.

BY-LAWS OF THE BODY CORPORATE UNDER THE NAME OF
"THE INHABITANTS OF THE OSTEND ROAD DISTRICT,"
AND MADE AND ENACTED BY THE OSTEND ROAD BOARD.

In pursuance of the powers vested in it by the Road Boards Act, 1908, the Motor Regulation Act, 1908, the Public Works Act, 1908, the Dog Registration Act, 1908, the Public Health Act, 1908, the Public Reserves and Domains Act, 1908, the Municipal Corporations Act, 1908, and by all or any other statutes it hereunto enabling, the Ostend Road Board doth hereby make and enact the following by-laws, namely:—

PART I.

GENERAL PROVISIONS.

1. These by-laws shall come into force on the gazetting thereof.

2. On the date on which this by-law shall come into operation all by-laws in force in the district shall be and be deemed to be repealed; provided always that such repeal shall not affect anything done, or any right or liability accrued, or order made under such first-mentioned by-laws, or any of them. All licenses issued under any repealed by-law shall, after the coming into operation of this by-law, be deemed to have been issued under this by-law, and be subject to the provisions thereof.

3. In the interpretation of these by-laws, unless inconsistent with the context,—

"Board" means the Ostend Road Board:

"District" means the Ostend Road District, and any alterations thereof which may from time to time be legally made:

"Carriage" shall include any coach, carriage, omnibus, drag, chariot, fly, car, cabriolet, hackney-carriage, gig, brougham, hansom, landau, sulky, dog-cart, wagonette, motor-car, or other similar vehicle, carrying or used for the carrying of passengers:

"Cart" shall include any cart, wagon, timber-carriage, lorry, sledge, express-wagon, motor-wagon, van, dray, truck, or other similar vehicle:

"Cattle" means and includes any horse, mare, gelding, rig, colt, filly, ass, mule, bull, cow, ox, heifer, steer, calf, sheep, ram, ewe, wether, lamb, goat, kid, boar, sow, and pig of any kind:

"Clerk" means Clerk of the Board or his deputy:

"Footway" or "footpath" shall mean so much of any road, street, or private street as is or hereafter may be laid out or constructed for foot-passengers only, and shall include the edging and kerbing thereto in cases in which edging or kerbing either exists or is required by the Board to be made:

"House" includes hotel, boardinghouse, and any building in which human beings dwell or are intended to dwell, and includes a shop with dwelling-rooms attached:

"Inspector of Nuisance" means the Inspector of Nuisances for the time being appointed by the Board, or, if there be no such Inspector appointed, then the Clerk of the Board shall be deemed the Inspector of Nuisances for the purposes of these by-laws:

"Motor-car": If a motor-car is used as a carriage or as a cart it shall be deemed to be a carriage or cart, as the case may be, within the meaning assigned to the said terms respectively in this by-law:

"Occupier," in respect of any premises, means the person by whom or on whose behalf such premises are actually occupied; and in the case of a factory includes any agent, manager, foreman, or other person acting for the owner:

"Owner," in respect of any premises, means the person for the time being entitled to receive the rack-rent thereof, or who would be so entitled if the same were let to a tenant at rack-rent:

"Offensive matter" includes offal, putrid or decayed animal or vegetable matter or fish, the refuse of fruit and vegetables, carrion, dead animals, and any other matter giving off an offensive odour or being in any way injurious to health:

"Person," and words applying to any persons or individuals, shall include a body of persons, whether incorporated or unincorporated:

"Privy," includes earth-closet, water-closet, pan-privy, and every place for the reception of faecal matter:

"Sufficient privy" means a water-closet or pan-privy of the description, with the appliances, fittings, and connections, and places as required by these by-laws:

"Public place" shall include and apply to every road, street, footpath, footway, court, alley, and thoroughfare of a public nature or open to or used by the public as a right, and every place of public resort or place to which the public have access so open or used:

"Reserves" shall mean and include the open spaces, plantations, beaches, and foreshores, and any other reserves set apart for public health or recreation, or as a bush reserve, recreation reserve, or park, which now are or hereafter may be under the management or control of the Board:

"Road" means any road in the district, and includes street and also any footpath and crossing, and the whole land between the fences on either side of a road or street; and "street" includes a road:

"Sanitary fitting" includes a urinal, sink, bath, wash-tub, lavatory, and any receptacle, appliance, or thing for the reception or removal of human or animal excreta, sewage, or liquid waste:

"Sewage-tank" means a tank, reservoir, or receptacle for the reception of disintegration of sewage, and includes that class of sewage-tank commonly known as septic tank, and includes all reservoirs, pipes, filter-beds, discharges, and other parts ordinarily appurtenant to or required for the efficient operation of a sewage-tank:

"Vehicle" shall mean and include any carriage or cart as hereinbefore defined, whether licensed by the Board or not, and any other class of vehicle:

"An offence" shall mean an offence against these by-laws, and shall include the omission or neglect to comply with any part thereof:

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 females:

Where not inconsistent, words, phrases, and designations herein used which appear in the interpretation clauses of any of the Acts under which these by-laws are made shall have and include the interpretation given thereto by such Acts.

Application.

4. These by-laws shall apply to and be in force within the whole district, except where otherwise specially provided.

Notices.

5. 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.

6. 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.

7. 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.

Inspector.

8. 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.

9. 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.

Offences.

10. Any person who shall do, or cause to be done, or be concerned in doing anything contrary to these by-laws or any of them, or any provision therein contained, or who shall omit to do anything required by these by-laws, or any of them, to be done by him, shall be deemed to have committed a breach of these by-laws. Any person committing a breach of these by-laws shall be guilty of an offence, and shall be liable to a penalty not exceeding £10 for every such offence, and in case of a continuous offence to a penalty of not more than £10 for each day during which such offence continues.