

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

Department of Internal Affairs,
Wellington, 27th March, 1922.

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

R. HEATON RHODES,
For Minister of Internal Affairs.

PORTOBELLO ROAD BOARD.

SPECIAL ORDER MAKING BY-LAWS OF THE BODY CORPORATE UNDER THE NAME OF "THE INHABITANTS OF THE PORTOBELLO ROAD BOARD," AND MADE AND ENACTED BY THE PORTOBELLO ROAD BOARD.

IN pursuance of the powers vested in it by the Road Boards Act, 1908, the Public Works Act, 1908, the Public Health Act, 1908, and by all or any other statutes it hereunto enabling, the Portobello Road Board doth hereby make and enact the following by-laws, namely:—

1. The short title of this by-law shall be the "Portobello Road Board By-Law No. 1, 1921."
2. This by-law shall come into force on the day of , 1922.

Interpretation.

3. 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 the context inconsistent with such meaning:—

"The road district" shall mean the Portobello Road District:

"The Board" shall mean the Road Board of the Portobello Road District:

"The Chairman" shall mean the Chairman for the time being of the Road Board of the Portobello Road District:

"The Inspector" shall mean any Inspector for the time being appointed by the Road Board of the Portobello Road District in whatsoever capacity, and every person now holding such appointment, and shall include the District Health Officer or Inspector appointed under the Public Health Act, 1908:

"The Clerk" shall mean the Clerk of the Road Board of the Portobello Road District:

"Approval" shall mean approval by the Clerk or Inspector:

"Approved manner" shall be the manner approved by the Clerk or Inspector:

"The Surveyor" shall mean the Surveyor, Engineer, or District Engineer of the Board who act in their behalf:

"Cattle" includes bull, cow, ox, steer, heifer, or calf, sheep, ram, ewe, or wether, or goat:

"Drain" means drain or sewer neither vested in the local authority nor under the control of or maintained by the local authority:

"Dwellinghouse" means a building used or constructed or adapted to be used wholly or principally for human habitation:

"External wall" means an outer main wall (not being a party wall) of a building, even though adjoining the wall of another building, or even though constituting the wall of some lean-to or other building adjoining thereto; the outer wall of such lean-to or other building adjoining shall also be deemed an external wall for the purposes of this by-law:

"Living-room" includes every room in a dwellinghouse except such as are used exclusively for the purpose of a laundry, washhouse, scullery, bathroom, privy, or for the storage of goods other than such as are or are intended for human consumption:

"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 or apparently acting in the general management or control of such factory, and in the case of any premises not in the actual occupation of any person means the owner:

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

"Pan privy" means a privy in which provision is made for the reception of human faecal matter in a movable metal receptacle:

"Sanitary appliance" includes privy, urinal, sink, bath, lavatory, ashpit, sewage-tank, and any fitting connected therewith, and any receptacle, appliance, or thing for the reception or removal of human or animal excreta, sewage, urine, or dirty water, or other liquid waste:

"Stable" includes any stall, loose-box, byre, pen, shed, or any building used or intended to be used for stabling or confining any horse or cattle.

In respect of Public Health.

4. No person shall—
 - (a.) Deposit or allow to remain any nightsoil, offal, filth, rubbish, or other refuse or offensive matter in any part of the road district other than at such place or depot as shall or may from time to time be appointed or provided by the Board and approved of by the District Health Officer in accordance with the provisions of the Public Health Act, 1908.
 - (b.) Keep live poultry in any premises in the road district under such conditions as to create a nuisance or to be dangerous or injurious to health.
 - (c.) Keep, permit, or suffer to remain any fowls or poultry in any cellar, room, or enclosed space in any building, house, or shop within the road district.
 - (d.) Place, throw, or leave, or suffer to remain, on any premises in the road district any refuse in such a manner or for such a time as to have a tendency to encourage rats or other vermin to infest, visit, or frequent such premises; and the owner or occupier of such premises shall comply with any requisition by the Inspector with respect to such accumulation of refuse within the time specified in such requisition.
 - (e.) The owner and occupier of every building or premises shall take all reasonable practicable precautions to prevent such building or premises being infested, or continuing to be infested, with rats, mice, flies, or other vermin or insects likely to contaminate any article of food for human consumption, or cause or spread any disease. The owner and occupier of such building or premises so infested through his omission or neglect to take all reasonably practicable precautions as aforesaid shall be guilty of an offence.
 - (f.) Throw or leave any dead animal or part thereof, or animal-remains, or offensive matter of any kind, upon any place, or into any river, creek, stream, or other water, or on the banks thereof.
 - (g.) Bury any horse, cattle, sheep, pig, dog, or other animal within 2 chains of any public or private road or street, or public place, or of any dwelling; and any person burying any such animal shall do so at such a depth and in such a manner as to prevent any nuisance or any danger to health therefrom to the approval of the Inspector.
 - (h.) Throw or place any garden cuttings, rubbish, or any other substance or refuse into any river, stream, or watercourse whereby the flow of water therein may be impeded.
 - (i.) Suspend or place any carcase, meat, or offal so as to overhang any part of a public place or encroach thereon.
 - (j.) Deposit in or discharge into any river, stream, or watercourse, or on the banks thereof, any sawdust, refuse, chemicals, household sewage, nightsoil, waste matter, or any other matter or thing which may pollute such river, stream, or watercourse so as to become, or cause such river, stream, or watercourse to become, a nuisance or injurious to the public health.
 - (k.) Deposit in or on or near the bank of any river, stream, or watercourse any house-refuse, offensive matter, or any other material, matter, or thing of any description.
 - (l.) Permit or cause any offensive liquid or matter to run or flow from any land, premises, manufactory, or any establishment for the boiling or preparing of any animal matter, or any brewery, slaughterhouse, butcher's shop, or any inn, house, or premises, or from any dunghill, closet, privy, cesspool, or other receptacle, into or upon any street, public or private, or any right-of-way, or any footway or channel.
 - (m.) Suffer or allow any waste or impure or other matter to remain in any cellar or place within any building or premises in the road district, or allow any waste or impure water or other matter to run or flow from any such building or premises into any river, stream, or watercourse within the road district, or to run or flow from any such building or premises upon or over or be on any carriage-way, or footway, or gutter, or water-channel, street (public or private), or other place whether public or private, within the road district, or shall allow the contents of any water-closet, privy, or cesspool to overflow or soak therefrom so as to be offensive.
 - (n.) Carry on, or permit to be carried on, within the said road district any noisome, noxious, or offensive trade or manufacturing business which shall in any manner whatsoever be a nuisance to the neighbour-