

By-laws made by the Petone Fire Board.

Department of Internal Affairs,
Wellington, 15th July, 1930.

THE following by-laws, made by the Petone Fire Board, are published in accordance with the Fire Brigades Act, 1926.

P. A. DE LA PERRELLE,
Minister of Internal Affairs.

BY-LAWS RE PROVISION OF FIRE-ESCAPES.
PETONE FIRE BOARD.

IN exercise of the powers conferred on it by the Fire Brigades Act, 1926, and of every other power it in this behalf enabling, the Petone Fire Board doth hereby, at a duly constituted meeting thereof held this 18th day of June, 1930, make the following by-law:—

A By-law requiring Owners of Buildings to provide such Fire-escapes as may be deemed necessary.

PART I.—PRELIMINARY.

SHORT TITLE.

1. This by-law may be cited by the Short Title of "The Petone Fire Board Fire-escapes By-law, 1930."

HEADINGS EXCLUDED.

2. The division of this by-law into parts, and the headings and/or marginal notes affixed to the parts and clauses hereof, being intended solely for convenience of reference, shall not be deemed part hereof or in any way control or affect the interpretation hereof.

DATE OF COMMENCEMENT.

3. This by-law shall come into force on the day following the publication thereof in the *New Zealand Gazette* pursuant to the provisions of subsection (2) of section 60 of the said Act.

COPIES TO BE SOLD.

4. A printed copy of this by-law may be obtained from the Secretary by the owner of any building or any resident in the district for the sum of one shilling.

INTERPRETATION.

5. In this by-law, unless inconsistent with the context,—
 "The said Act" means the Fire Brigades Act, 1926;
 "Approved" means approved by the Superintendent;
 "Board" means the Petone Fire Board;
 "District" means the Petone Fire District;
 "Exit" means the opening in the exterior wall of the building which is intended to serve as the means of access to a fire-escape;
 "Ground floor" in the case of a building erected on sloping ground includes any floor or part of a floor of the building to which access is obtained by a substantially level approach from the exterior.
 "Nominal capacity" means a number of units for the time being ascertained as provided in clauses 10 and 11 hereof;
 "The pitch" of any part of a stairway means the inclination to the horizontal of a line drawn from the front edge (including nosing) of any step to the front edge of the next step above at right angles to the direction of the width of the lower step;
 "The tread" of a step of a stairway means the distance measured horizontally at right angles to the direction of the width of the step from the front edge of the step to a point vertically in line with the front edge of the step next above;
 "Secretary" means the Secretary of the Board appointed by the Board under the authority of the said Act;
 "Superintendent" means the Superintendent of Fire Brigades appointed by the Board under the authority of the said Act; and includes a Deputy Superintendent and any person for the time being exercising and discharging, pursuant to the authority of the Board, the powers and duties conferred and imposed by this by-law on the Superintendent.

GENERAL APPLICATION.

6. This by-law shall apply to all buildings within the district save as next hereinafter provided.

EXEMPTIONS.

7. This by-law shall not apply to any building—
 (a) Which has no floor or storey above the ground floor; or
 (b) For which a publican's license or accommodation license under the Licensing Act, 1908, has been issued and is in force; or

- (c) Which is lawfully used for any one or more of the purposes set out in section 71 of the said Act, and for no other purpose:

APPLICATION TO PUBLIC BUILDINGS.

8. In the application of this by-law to any building which is used for any one or more of the purposes set out in section 71 of the said Act, and also for any other purpose, this by-law shall not be deemed to require any matter or thing contrary to any requirement made pursuant to the said section 71 or to any by-law made thereunder; but, except as aforesaid, compliance with any requirement made pursuant to the said section 71 or to any by-law made thereunder shall not relieve any person from liability to comply with the requirements of this by-law.

APPLICATION TO FACTORIES.

9. In the application of this by-law to buildings which are subject to section 43 of the Factories Act, 1921-22, this by-law shall not be deemed to require any matter or thing contrary to the said Act or any regulations made thereunder, or contrary to any requisition made thereunder; except as aforesaid, compliance with the said Act, regulations, and requisitions shall not relieve any person from liability to comply with the requirements of this by-law.

NOMINAL CAPACITY OF BUILDINGS.

10. The nominal capacity of a building shall be ascertained according to the nature and use of the occupancy thereof in manner following:—

- (a) Except as provided in the subsequent paragraphs hereof, the nominal capacity shall be a number of units equal to the largest number of persons likely, in the opinion of the Superintendent, to be present in the building at any one time:
 (b) In the case of every building in which sleeping-accommodation is provided for a number of persons exceeding nineteen but not exceeding one hundred, for the purposes of the last preceding paragraph hereof, every person for whom sleeping-accommodation is provided shall be reckoned as one and a half units;
 (c) In the case of every building in which sleeping-accommodation is provided for more than one hundred persons, for the purposes of paragraph (a) of this clause, every person for whom sleeping-accommodation is provided shall be reckoned as two units;
 (d) In the case of every building in which such largest number of persons is one hundred or more, the nominal capacity shall be the number of units ascertained under the preceding paragraphs hereof (so far as applicable), increased by fifty per centum;
 (e) In the case of every building, being an institution used for sick or infirm persons or children, and every building which by reason of the construction or situation thereof or the nature of the use or occupancy thereof is, in the opinion of the Superintendent, liable to unusual damage from fire or unusually exposed to risk of fire, or liable to subject its inmates to unusual risk in the event of fire, the nominal capacity shall be one and a half times the number of units ascertained under all the preceding paragraphs of this clause (so far as applicable):

Provided that in no case shall any account be taken of persons present or likely to be present only in the ground-floor of the building or any part thereof below the ground-floor:

Provided also that whenever a structural alteration or addition to a building is made, or whenever, in the opinion of the Superintendent, a change in the nature of the use or occupancy of a building has occurred or is likely to occur, or whenever there has been an erection, alteration, or change of use of any building in the vicinity of a building, or whenever any matter has occurred by reason of which the inmates of a building are, in the opinion of the Superintendent, exposed to increased risk of danger from fire, the Superintendent may make a fresh computation of the nominal capacity of such building.

NOMINAL CAPACITY OF PARTS OF BUILDINGS.

11. The nominal capacity of any storey or other part of a building required to be ascertained separately shall be ascertained in the like manner as aforesaid, *mutatis mutandis*.

PART II.—OWNER TO PROVIDE FIRE-ESCAPES.

NEW BUILDINGS.

12. The owner of every building hereafter erected shall, before such building is occupied by any person, provide in connection therewith the fire-escapes hereby declared to be necessary for such building.