

TRINIDAD AND TOBAGO.

No. 2.—1912.

*1st February.*

AN ORDINANCE relating to the construction of new  
Streets and Buildings in Port-of-Spain.

*Repealed by No. 2 of 1912*

[L.S.]

GEORGE R. LE HUNTE,

GOVERNOR.

*15th February, 1912.*

**B**E it enacted by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Port-of-Spain Short Title.  
Building Ordinance, 1912.

2. In the construction of this Ordinance the following Interpreta-  
tion. terms shall have the respective meanings hereafter assigned to them, that is to say:—

- (a.) "The Board" means the Port-of-Spain Town Board constituted under the Port-of-Spain Town Board Ordinance, 1907.
- (b.) "The Chief Commissioner" means the Chief Commissioner appointed under the Port-of-Spain Town Board Ordinance, 1907, and any other person acting as Chief Commissioner for the time being with the authority of the Governor.

- (c.) "The Town Clerk and Treasurer" means the person holding the office of Town Clerk and Treasurer for the time being, and any person for the time being performing the duties of Town Clerk and Treasurer with the authority of the Board.
- (d.) "The Town Engineer" means the person holding the office of Town Engineer for the time being, and any person for the time being performing the duties of Town Engineer with the authority of the Board.
- (e.) "The Town" means the Town of Port-of-Spain as defined by the Port-of-Spain Ordinance, No. 211.
- (f.) "Person" includes any body of persons, whether corporate or unincorporate.
- (g.) "Owner" includes every person in possession or in receipt either of the whole or of a part of the rents and profits of any lands or tenements, whether in his own right or as trustee or personal representative of any other person; or in the occupation of such lands or tenements otherwise than as a tenant from year to year, or for a less term, or as a tenant at will.
- (h.) "Street" means highway, and any public bridge, road, lane, footway, square, court, alley or passage, whether a thoroughfare or not, and any drain at the side of or across any street within the town.
- (i.) "Builder" means the person who is employed to build or to execute any work on a building or structure; or, where no such person is so employed, the owner of the building or structure.
- (j.) "Public Building" means a building used or constructed or adapted to be used, either ordinarily or occasionally, as a church, chapel, or other place of public worship, or as a hospital, workhouse, college, school (not being merely a dwelling house so used), theatre, public hall,

- public concert room, public ball room, public lecture room, or public exhibition room, or as a public place of assembly for persons admitted thereto, by tickets or otherwise, or used or constructed or adapted to be used either ordinarily or occasionally for any public purpose.
- (k.) "Building of the Warehouse Class" means a warehouse, factory, manufactory, brewery, distillery, foundry, and every other building not being either a domestic or a public building.
- (l.) "Domestic Building" means a dwelling house or an office building or other out-building appurtenant to a dwelling house, whether attached thereto or not, or a shop or any other building not being a public building or of the warehouse class.
- (m.) "Dwelling house" means a building used or constructed or adapted to be used wholly or principally for human habitation.
- (n.) "Habitable Room" means a room constructed or adapted to be inhabited.
- (o.) "Inhabited"; the expression "inhabited" applied to a room means a room in which some person passes the night, or which is used as a living room, including a room with regard to which (until the contrary is proved), there is a presumption that some person passes the night therein or that it is used as a living room.
- (p.) "Continuing offence"; Where the beginning of the execution of any work is an offence in respect whereof the offender is liable under the Ordinance or in respect of any bye-law, to a penalty, the existence of the work during its continuance in such a form and state as to be in contravention of the Ordinance or of the bye-law shall be deemed to be a continuing offence, but a penalty shall not be incurred in respect thereof after the expiration of one year from the day when the offence was committed or the bye-law was broken.

Extent of Application.

3. This Ordinance shall apply to the Town of Port-of-Spain as defined in the Port-of-Spain Ordinance, No. 211.

Power to dispense with bye-laws on such terms as the Board may impose.

4. On the application of any building owner the Board, in any case in which they shall think it expedient, may dispense with the observance of any of the bye-laws contained in the first schedule hereto on such terms and conditions as they may think proper, and in case of the non-observance of any terms or conditions upon which the Board may have dispensed with, the observance of any such bye-laws, such liabilities shall be incurred by the building owner and such proceedings may be taken by the Board as if such terms and conditions had been enacted by such bye-laws.

Bye-laws in Schedule.

5. The Bye-laws in the first Schedule to this Ordinance shall come into operation at the commencement of this Ordinance and shall have the same force and effect for all purposes as if the same had been made by Ordinance.

Power to make new Bye-laws in substitution for, or in addition to bye-laws in the schedule.

6. Subject to the approval of the Legislative Council, to be expressed by Resolution, the Board may vary or revoke any of the Bye-laws in the preceding section referred to, and may make all such other and further Bye-laws as may be necessary for the carrying out of this Ordinance, and may attach a penalty not exceeding £20 to the breach of any Bye-law made under the provisions of this Ordinance and may attach a continuing penalty not exceeding £5 for every day during which such breach may continue, and may vary and annul any such Bye-laws.

Town Engineer's certificate of compliance with Bye-laws required before letting or occupying new building.

7. It shall not be lawful to let or occupy, or suffer to be occupied, (except by caretakers, not exceeding two in number), any new building, or any building in course of construction at the date of the passing of this Ordinance, unless the Town Engineer shall have certified in writing that such building complies in every respect with the provisions of this Ordinance, and of all bye-laws made by the Board relating to new buildings.

Power to vary position and direction and to fix beginning and end of new streets.

8.—(1.) The Board may, on the deposit of the plans and sections of any new street in pursuance of any bye-laws in force in the Town, by order vary the intended position, direction or termination or level of any such new street so

far as is necessary for the purpose of securing a more direct, easier, or more convenient means of communication with any other street or intended street, or for the purpose of securing, at either end of the new street, an adequate opening, or of securing compliance with any enactment or bye-law in force in the Town for the regulation of streets and buildings.

(2.) The Board may also, by their order, fix the points at which the new street shall be deemed to commence or end, and the limits of the new street as determined by the points so fixed shall have effect for the purpose of this Ordinance and of any bye-laws relating to new streets made by the Board under this or any other Ordinance.

(3.) Where the Board make an order under this section, a person shall not lay out or construct a new street otherwise than in compliance with such order.

(4.) If any person acts in contravention of the provisions of this section, he shall for every such offence be liable to a penalty not exceeding £10, and in the case of a continuing offence, to a further penalty not exceeding 40 shillings for every day during which such offence shall continue.

#### PUBLIC BUILDINGS:

9. Every person who shall erect a public building shall cause the same to be erected and maintained with such precautions for the safety of the public as, having regard to the special purpose for which such building is intended to be used, shall be approved by the Board.

Precautions  
for safety of  
the public.

10. The Town Engineer, and any other person authorized in that behalf by the Board, may, at all reasonable times during the construction and after the completion of any public building, and at all times during which any building shall be used as a public building, enter and inspect the same, for the purpose of ascertaining whether such building

Power to Town  
Engineer to  
enter, for  
inspection  
thereof for  
purposes of  
evidence.

is in conformity with the provisions of this Ordinance or any regulations made by the Board with regard to public buildings.

Not to be used as such, except after Board's certificate.

11.—(1.) No public building shall be used as such unless and until the Board by notice in writing addressed to the owner thereof, shall have declared their approval of the construction thereof, and of its suitability for the purpose for which it is proposed to be used.

Alterations to be approved by Board.

(2.) After the Board shall have declared their approval, no work affecting or likely to affect such building shall be done to, in or on such building, without the approval of the Board.

Conversion into a public building of building erected for other purpose.

12. Where it is proposed to convert or alter any building, erected for a purpose other than a public purpose, into a public building, such conversion or alteration shall be carried out, and such building shall be constructed, in such manner as shall be approved by the Town Engineer, and the provisions of this Ordinance and of bye-laws made by the Board applicable to public buildings shall apply to such alteration or construction, as if it were the construction of a public building.

Power of Board to require alterations necessary for safety of the public.

13.—(1.) Whenever it appears to the Board that any place in the Town used as a public building is not so constructed or maintained as to afford necessary protection to all persons who may resort thereto, the Board may, by notice in writing require the owner of such place, within a reasonable time, to be specified in such notice, to make such alterations therein or thereto as shall be approved by the Board.

Penalty.

(2.) In case such owner fails to comply with the requirements of such notice within the prescribed time, he shall be liable to a penalty not exceeding £20, and to a further penalty not exceeding £5 for every day after the first day after the completion of such reasonable time as aforesaid during which such default continues, and in default of payment to imprisonment with or without hard labour for any term not exceeding three months.

(3.) The Board may, in lieu of such notice, or concurrently therewith, or at any time thereafter, and without prejudice to the recovery of penalties for the non-compliance therewith, by notice in writing served upon the owner of such place, require such owner on or before a date to be specified in such notice, by statement in writing under his hand addressed to the Board, to show cause why such building should not cease to be used as a public building, or require such person, on such date and at such time and place as shall be specified in such notice, to attend personally or by an agent duly authorized in writing in that behalf before the Board, and show sufficient cause why such building shall not cease to be used as a public building.

Owner may be required to show cause why building should not cease to be used as a public building.

(4.) If such owner shall fail to show sufficient cause why such building shall not cease to be used as a public building, the Board may by order addressed to the owner thereof, prohibit the use of such place as a public building.

Failure to show cause.

(5.) Every person who, after notice of a prohibition order issued by the Board under this section, allows or suffers such building to be used as a public building, or who uses such building as a public building, shall be liable to a penalty not exceeding £20 for every day during which he allows or suffers the same to be used, or during which he uses the same, (as the case may be), after such notice of prohibition.

Penalty.

#### PROJECTIONS.

14. No person shall put up any verandah, balcony, sunshade, weather-frame, or the like, to project over any street, except with the permission of the Board, and in the event of such permission being given, then under and subject to such terms and conditions as shall be therein prescribed.

Verandah projecting over street.

Provided that in no case shall any such verandah, balcony, sunshade, weather-frame, or the like projection, be supported on pillars resting on the street.

15. It shall not be lawful for any person to make any door window, or gate in such manner as to open over a public thoroughfare nor to project any door step or landing into or across any public footpath nor to extend or affix any

Doors not to open over public thoroughfare.

sunshade, signboard, lamp, grating, gutter or other unauthorised projection from any building in such manner as shall cause obstruction, danger or annoyance in any street or to passengers thereon or so as to cause encroachment on or over any street; Provided that in the case of theatres and other public buildings the doors may with the consent of the Board be made to open outwards over a public thoroughfare; And provided further that, with respect to all buildings, mouldings, cornices, or other architectural embellishments and eave gutters may project over a street to an extent not exceeding eighteen inches.

#### DANGEROUS BUILDINGS.

Dangerous  
building—  
Notice to  
Owner.

16.—(1.) Whenever any structure abutting on any street shall be deemed by the Town Engineer to be dangerous to passengers along such street, the Town Engineer shall give notice in writing to the owner of such structure requiring him forthwith to take down, secure or repair the same, as the case may require, within a time to be specified in such notice, and if such owner shall not begin to take down, repair, or secure such structure within the space of three days after service upon him of such notice, and complete such repairs, or take down or secure such structure within the time specified in such notice, the Town Engineer may make complaint thereof before the Commissioner of the Port-of-Spain District Court, and it shall be lawful for such Commissioner of the Port-of-Spain District Court to order the owner to take down, secure or repair, to the satisfaction of the Town Engineer, the same or such part thereof as appears to such Commissioner of the Port-of-Spain District Court to be in a dangerous state, within a time to be fixed by him in such order.

“Structure.”

(2.) The term “structure” in this section includes any building, wall or other structure, or anything affixed to or projecting from any building, wall or other structure.

Penalty on  
noncompliance  
with order of  
the Commis-  
sioner.

(3.) If such order is not complied with within the time therein prescribed, the person on whom such order is made shall be guilty of an offence under this Ordinance, and shall be liable to a penalty not exceeding £20, and to a further penalty not exceeding 40 shillings for every day during the

continuance of such non-compliance, and in default of payment to imprisonment for any term not exceeding three months.

(4.) Whenever it shall be made known to the Board that any internal part of any building, (including any wall, partition or ceiling of any building) is in a state dangerous to any occupier of such building or of any neighbouring building, the Board shall cause the same to be surveyed and examined by the Town Engineer, and if the Town Engineer, on such survey and examination shall be satisfied that such structure is in a state dangerous to any such occupiers as aforesaid, he shall serve a notice in writing on the owner of such building requiring him forthwith to have the same shored up or otherwise secured for the protection of such occupier and to take down, secure, or repair the same, as the case may require, within a time to be specified in such notice.

Dangerous  
internal part  
of building.

(5.) If the owner shall fail, within the time therein specified, to comply with any notice served upon him under this section, the Town Engineer may make complaint thereof before the Commissioner of the Port-of-Spain District Court, and it shall be lawful for such Commissioner of the Port-of-Spain District Court to order the owner to take down, secure or repair to the satisfaction of the Town Engineer the same or such part thereof as shall appear to such Commissioner of the Port-of-Spain District Court to be dangerous to any occupiers, within a time to be fixed by him in such order.

Failure to  
comply with  
notice.

(6.) If such order is not complied with within the time therein prescribed, the owner on whom such order is made shall be guilty of an offence under this Ordinance, and shall be liable to a penalty not exceeding £20, and to a further penalty of 40 shillings for every day during the continuance of such non-compliance.

Penalty.

17. The owner of any lands in the Town shall, whenever required by the Board by notice in writing, cause to be prepared and delivered to the Board within a period of fourteen days from the service of the notice, a plan of such lands showing the boundaries thereof in relation to some

Demarcation  
of lands  
appurtenant to  
buildings.

fixed point, and, in case any portions of such lands have been leased or let in plots whereon any building or buildings have been erected, shewing also the boundaries of every such plot, and the building or buildings, (if any), standing on such plot.

Any owner who makes default in complying with the requirements of any notice served upon him under this section shall be liable to a penalty not exceeding £10 and to a further penalty not exceeding 5 shillings for every day during which such non-compliance continues after written notice thereof from the Board.

#### LANDS ADJOINING STREETS TO BE FENCED.

Fencing lands adjoining street.

18.—(1.) The Board may, by written notice to the owner of any land adjoining any street, require such owner to cause such land to be properly fenced to their satisfaction and, where the fence of any such land is allowed to be, or to remain, out of repair, to require such fence to be repaired to their satisfaction.

(2.) Any owner who makes default in complying with the requirements of any notice served upon him under this section shall be liable to a penalty not exceeding £10 and to a further penalty of 5 shillings for every day after written notice of the default from the Board, and in default of payment to imprisonment for a term not exceeding 3 months.

#### HOARDINGS.

Hoardings, &c. not allowed on footway or street, except by permission of Town Engineer.

19.—(1.) Except with the permission of the Town Engineer, who may grant such permission upon a written application and upon such terms and conditions as he may consider necessary to provide for the safety and convenience of passengers and the occupiers of adjoining premises, no public footway or thoroughfare shall during any building operations or otherwise be occupied by any hoarding or scaffolding or by any building materials whatever.

Ground occupied by hoarding, &c. to be enclosed.

(2.) In all cases the ground so occupied must be enclosed by the person obtaining such permission with a hoarding for the protection of passengers and the side drains shall in no way be obstructed by any such hoarding or by any building materials or by any building debris.

(3.) The pavement, side drains and concrete covering of a public thoroughfare shall in no case be broken up or into by the excavation of holes for the purpose of securing any hoarding or scaffold poles, except with the permission in writing of the Town Engineer.

Holes in pavement, drains, or thoroughfare not to be made except by permission.

#### MISCELLANEOUS.

20.—(1.) The owner and the builder shall each be liable for any act, matter or thing done or omitted to be done in contravention of any of the provisions of this Ordinance or of any bye-laws made by the Board with respect to new streets and buildings.

Owner as well as builder to be liable for contravention of bye-laws.

(2.) Provided that this enactment shall not prejudice any remedy of an owner or other person against the builder.

21. All notices, orders or consents under this Ordinance or under any bye-law for the time being in force relating to new streets or new buildings shall be sufficiently authenticated if signed by the Town Engineer, or by any other officer duly authorized in that behalf by the Board.

Authentication of notices, &c., under this Ordinance and Building Bye-laws.

22. All notices served by the Board or Town Engineer on the Builder shall be as valid and binding against the owner by whom such builder is employed as if such notice had been served on such owner.

Notice served on builder to be binding on owner.

23. Any person who shall act in contravention of any of the provisions of this Ordinance or of the bye-laws set forth in the first schedule to this Ordinance, or of any bye-laws relating to new streets or to new buildings made by the Board under this or any other Ordinance, or who shall fail to comply with any notice or order made by the Board by virtue of this Ordinance, or of any bye-law relating to new streets or to new buildings, shall be guilty of an offence, and on conviction thereof shall, except where otherwise provided, be liable to a penalty not exceeding £10, and in the case of a continuing offence to a further penalty not exceeding 40 shillings for each day that such offence is continued, and in default of payment to imprisonment with or without hard labour for any term not exceeding three months.

Penalty for breaches of Ordinance or Bye-laws not otherwise provided for.

Appeal by  
person  
aggrieved.

24.—(1.) Where any person deems himself aggrieved by any order or requirement of the Board under this Ordinance or under the bye-laws set forth in the first schedule to this Ordinance, or any bye-laws or regulations relating to new streets and new buildings made by the Board under this or any other Ordinance, such person may within seven days after the service of such order or requirement, appeal to the Commissioner of the Port-of-Spain District Court, and such Commissioner may confirm or vary such order or requirement, and may make such order in the matter as to him may seem proper.

(2.) If such order is not complied with, the person on whom it is made shall be guilty of an offence under this Ordinance, and shall be liable for every such offence to a penalty not exceeding £10 and to a further penalty not exceeding 40 shillings for every day during which such non-compliance shall continue, and in default of payment to imprisonment for a term not exceeding 3 months.

Appeal to full  
Court.

25. Where any person deems himself aggrieved by an order, determination, or conviction of the Commissioner of the Port-of-Spain District Court under this Ordinance, such person may appeal therefrom to the Full Court, subject to the conditions and regulations following:—

(1.) The Appellant shall, within 10 days from the date of the order, determination, or conviction, give notice to the other party and to the Commissioner of the Port-of-Spain District Court by whose act he deems himself aggrieved, of his intention to appeal, and along with such notice he shall give a statement in writing of the grounds of his appeal.

(2.) Within 7 clear days after giving such notice as aforesaid, the appellant shall enter into a recognizance before some Justice of the Peace with a surety or sureties in the sum of £30 at least, conditioned to appear and prosecute such appeal at the next sitting of the Full Court, and to abide the order of and pay such costs as shall be awarded by such Court at such sitting or any adjournment thereof.

Provided that in the event of any appeal by the Board it shall not be necessary for the Board to enter into any recognizance whatsoever.

(3.) The Chief Clerk in the office of the Commissioner of the Port-of-Spain District Court shall forthwith cause to be served upon the respondent or his solicitor a copy certified under his hand of the notice of appeal, and shall notify the appellant and respondent or their solicitors respectively of the day on which the appeal will in the ordinary course of business be on the list for hearing before the Full Court.

Provided always that the appellant shall not be heard in support of such appeal unless such notice and statement have been given and such recognisance entered into as aforesaid, nor, on the hearing of the appeal shall he go into evidence of any other grounds of appeal than those set forth in such statement as aforesaid.

26.—(1.) All offences under this Ordinance, or any bye-laws made by the Board relating to New Streets and New Buildings shall be deemed to be offences punishable under the "Summary Conviction Offences (Procedure) Ordinance" No.1 and all such offences and all penalties, forfeitures, costs, and expenses under this Ordinance directed to be recovered in a summary manner on information or complaint, or the recovery of which is not otherwise provided for, may be prosecuted and recovered in a summary manner on information or complaint before the Commissioner of the Port-of-Spain District Court, and the procedure in all such cases shall be according to the Summary Conviction Offences (Procedure) Ordinance, and such Commissioner shall have all the powers and jurisdiction conferred on a Stipendiary Justice of the Peace under the provisions of such last mentioned Ordinance.

Recovery of penalties.

(2.) All penalties, fines and costs recovered for offences under this Ordinance, or under any bye-laws made by the Board and relating to New Streets and New Buildings shall be paid to the Commissioner of the Port-of-Spain District Court for the use of the Board.

Penalties to be payable to Board.

27. Any complaint or information for any offence against the provisions of this Ordinance or of any bye-laws made by the Board, relating to New Streets and New Buildings may be made or laid in the name of the Board by any officer or officers of the Board authorized in that behalf either generally or in respect of offences against the

Complaints or information for offences may be made or laid by officers of the Board duly authorised.

provisions of specified enactments or in respect of specified bye-laws; and any officer or officers of the Board authorized in that behalf by the Board may conduct the proceedings before the Commissioner of the Port-of-Spain District Court in all cases in which the Board are complainants.

Powers of Ordinance cumulative.

28. All powers given to the Board under this Ordinance shall be deemed to be in addition to and not in derogation of any other powers conferred upon the Board by Ordinance, law or custom, and such other powers may be exercised in the same manner as if this Ordinance had not been passed.

Saving of penalties incurred.

29. Nothing in this Ordinance shall exempt any person from any penalty to which he would have been liable if this Ordinance had not been passed, but no person shall be liable, except in the case of a daily penalty for a continuing offence, to more than one penalty in respect of the same offence.

#### REPEALS.

Repeals.

30.—(1.) The enactments referred to in the second schedule to this Ordinance are hereby repealed to the extent specified in the third column of the schedule.

(2.) All Ordinances, laws, bye-laws, rules and regulations inconsistent with any of the provisions of this Ordinance are hereby repealed;

Saving.

Provided that the repeals by this Ordinance effected shall not affect,—

- (a.) Anything duly done or suffered under any enactment or bye-law hereby repealed; or
- (b.) Any right or liability acquired, accrued or incurred under any enactment hereby repealed; or
- (c.) Any security given under any enactment hereby repealed; or
- (d.) Any penalty, forfeiture, or punishment incurred in respect of any offence against any enactment or bye-law hereby repealed; or
- (e.) Any investigation, legal proceeding, or remedy in respect of any such right, liability, security, penalty, forfeiture, or punishment as aforesaid;

and any such investigation, legal proceedings, or remedy may be instituted, continued and enforced and any such penalty, forfeiture or punishment may be imposed, as if this Ordinance had not been passed.

(3.) Provided also, that all orders, rules, regulations, bye-laws, proclamations and appointments made under any of the said enactments, and in force at the commencement of this Ordinance, shall, so far as the same respectively are not inconsistent with the provisions of this Ordinance continue in force until they are revoked, altered, or otherwise dealt with under this Ordinance, in like manner as if they had been made under this Ordinance.

(4.) All acts, matters, and things done under the authority of any enactment hereby repealed and which are of any force and effect at the commencement of this Ordinance shall be deemed to have been done under and by virtue of this Ordinance.

31. The lands buildings and property of His Majesty shall be exempt from the operation of this Ordinance. Property of His Majesty.

Passed in Council this First day of February, in the year of Our Lord one thousand nine hundred and twelve.

HARRY L. KNAGGS,  
*Clerk of the Council.*

## FIRST SCHEDULE.

### Bye-Laws.

#### WITH RESPECT TO THE LAYING OUT AND CONSTRUCTION OF NEW STREETS.

1.—(1.) Every person who shall intend to lay out a new street shall give to the Board notice in writing of such intention, which shall be delivered or sent to the Town Engineer at his office in the Town Hall, and shall at the same time deliver or send to the Town Engineer at his office aforesaid a plan and sections of such intended streets drawn to a scale of not less than one inch to every forty-four feet. Notice of intention to lay out—Plan to accompany Notice.

(2.) Such person shall shew on every such plan the names of the owners of the land through or over which such street shall be intended to pass, the intended level and width of such street, the points of the compass, the intended mode of construction and the intended position of such street in relation to the streets nearest thereto, the size and number of the Particulars to be shown on Plan.

- intended building lots and the intended sites, height, class and nature of the buildings to be erected therein and the name and address of the person intending to lay out such street.
- Particulars to be shown on sections. (3.) Such person shall shew on every such section the levels of the present surface of the ground above some known datum, the intended level and rate or rates of inclination of the intended street, the level and inclinations of the streets with which it is intended that such street shall be connected and the intended level of the lowest floors of intended buildings.
- Plan to be signed by Applicant. (4.) Such person shall sign such plan or cause the same to be signed by his duly authorised agent.
- Approval or disapproval of plan. 2. The Town Engineer shall, within one month after the delivery to him of any notice, plan, section, or description of any work required by any bye-law made by the Board to be submitted to him for approval, signify in writing his approval or disapproval of the intended work to the person proposing to execute the same.
- Notice before commencing new street. 3. Every person who shall intend to lay out or construct a new street shall before beginning to lay out or construct such street deliver or send to the Town Engineer at his office aforesaid notice in writing in which shall be specified the date on which such person will begin to lay out or construct such street.
- Notice of Contravention of Bye-laws. 4. Where a person who shall lay out or construct a new street shall at any reasonable time during the progress or after the completion of the laying out or construction of such street, receive from the Town Engineer notice in writing specifying any matters in respect of which the laying out or construction of such street may be in contravention of any bye-laws relating to new streets and requiring such person within a reasonable time, which shall be specified in such notice, to cause anything done contrary to any such bye-law to be amended or to do anything which by any such bye-law may be required to be done but which has been omitted to be done, such person shall, within the time specified in such notice, comply with the several requirements thereof so far as such requirements relate to matters in respect of which the laying out or construction of such street may be in contravention of any such bye-law, and shall, within a reasonable time after the completion of any work which may have been executed in accordance with such requirements, deliver or send or cause to be delivered or sent to the Town Engineer at his office notice in writing of the completion of such work.
- Notification of compliance with requirements of Board. 5. Every person who shall lay out a new street shall lay out such street at such level as the Board shall in each case determine.
- Level of new streets to be determined by Board. 6. Every person who lays out a new street shall lay out and form such street at least thirty feet wide, unless a greater or less width shall in any case be required or consented to by the Board, and the Board shall determine in each case what proportion of the width of such street shall be laid out as a carriage way and footway respectively.
- Width of New Street. 7. The width of a new street shall be taken to mean the whole space dedicated to the public measured at right angles to the course or direction of such street.
- Definition of width.

8. Every person who constructs a new street shall adopt a suitable mode of construction to be approved by the Board and use only sound, suitable and substantial material in the construction of such street. Materials for Construction of New streets.

9. When the proposed level of any new street shall have been determined by the Board, the Town Engineer shall specify the depth and inclination, form, size, and materials of the drains to be constructed and other particulars according to which the work for the proper drainage of such street and of the adjoining properties shall be carried out. Drainage of New streets.

10. Every person who lays out or constructs a new street shall at all reasonable times during the laying out or construction of such street afford the Town Engineer and his duly authorised assistants free access to such street for the purpose of inspection. Access to work during construction.

11. Every person who shall lay out or construct a street shall within 14 days after the completion of the laying out or construction of such street deliver or send to the Town Engineer at his office notice in writing of the completion of the laying out or construction of such street and shall, at all reasonable times, within a period of 14 days after such notice shall have been delivered or sent, afford the Town Engineer and his duly authorised assistants free access to such street for the purpose of inspection. Notice of completion of street.

12. Any person who shall lay out or construct any new street without giving the notices or without delivering the plans and sections required to be given and delivered by these bye-laws; or who shall lay out or construct any new street without having the plans thereof approved by the Board; or who shall lay out or construct any new street in any wise contrary to the plans and sections which have been approved by the Board; or who shall otherwise offend against any of the foregoing bye-laws, shall for each such offence be liable to a penalty not exceeding £20, and in the case of a continuing offence to a further penalty not exceeding £5 for every day during which such offence shall continue after notice thereof from the Board, and in default of payment to imprisonment with or without hard labour for any term not exceeding three months. Penalty for Breach of Bye-laws relating to New streets.

WITH RESPECT TO THE CONSTRUCTION OF NEW BUILDINGS.

*Building Sites and the Drainage thereof.*

13. No piece of land shall be used as a site for the erection of any building unless such site is of such a shape that the front of the building can be made parallel to the line of the streets which such building faces, or as nearly parallel to such line as the Board may consider practicable. Building sites—Requisites of.

14. No person shall erect any building or structure, or construct any foundation of any building or structure, upon any site which shall have been filled up with any material impregnated with foul matter or be impregnated with any animal or vegetable matter, or upon which any such matter may have been deposited, unless and until such matter shall have become innocuous or been properly removed by excavation from such site, nor until all holes caused by such excavation shall have been filled up with hard brick, dry inorganic material, concrete, or other suitable material to be approved of by the Town Engineer. Buildings on land impregnated with foul matter—Conditions on which allowed.

Level of lowest floor. 15. No person shall place the under side of the lowest floor of a building or structure at such a level as will render it liable to flooding, or construct any building so that the site thereof cannot be efficiently and properly drained to the satisfaction of the Town Engineer.

Building over drains not allowed except by special leave. 16. No building shall be constructed over any drain, ravine, or storm water channel, except with the written permission of the Board, and upon such conditions as the Board may impose.

#### Foundations.

Foundations. 17. Every person who shall erect a new building shall cause every wall, pier, column or buttress thereof to be built on a foundation of cement concrete of such width as the Town Engineer may require; provided that the width shall in every case be such that the super-imposed load on the soil shall not exceed one and a half tons per superficial foot.

Depth of underside of concrete foundation. 18. The underside of the concrete foundation shall be laid at a depth below the underside of the super-imposed wall of not less than two-thirds of the thickness of such wall at the base thereof, nor in any case less than nine inches deep.

Width of foundation. 19. The width of the foundation shall be reduced from below upwards, by even steps or batter in either case at an inclination to the horizon, not flatter than two and a quarter inches vertical, to three inches horizontal, to a width not less than that of the super-imposed wall.

Damp course. 20. Every person who shall erect a new domestic building, and every person who shall erect any other new building having enclosing walls constructed of brick, stone or cement concrete and having a timber floor, shall cause every wall of such building to have a proper damp course of asphalt or cement mortar composed of one part of Portland cement and two parts of sand, (such asphalt or cement mortar to be not less than three-eighths of an inch thick), or other imperishable material approved by the Town Engineer throughout the whole thickness of the wall beneath the lowest timbers and nearer to the ground, but in no case at a height of less than six inches above the surface of the ground adjoining such walls.

#### Walls.

Structure of External walls. 21.—(1.) Every person who shall erect a new building shall cause such building to be enclosed with walls constructed of good bricks, stone, or other incombustible materials, properly bonded and solidly put together with,—

- (a.) Good mortar, compounded of good lime and clean, sharp sand, in the proportion of not less than one part by measure of lime to three parts by measure of sand; or
- (b.) Good cement; or
- (c.) Good mortar compounded of not less than one part of good cement to four parts by measure of clean sharp sand.

(2.) Provided always that such person may construct any external walls of any building with a frame-work of timber properly and securely put together, if such walls be constructed in accordance with the following rules:—

Walls of timber framed buildings.

(a.) If the building is within the Central District of the town, or within 15 feet of the boundary of the lands of an adjoining owner, the space between the timbers shall be filled in complete with bricks, stone, cement concrete, or other fire resisting material efficiently secured thereto, and the timbers shall be protected so as to be fire resisting.

(b.) If the building is not within the Central District of the town and there shall be a clear open space of land not less than 15 feet in width on every side of such building except on the front towards the street, exclusively belonging thereto, the timber framework, constructed as described above, may be covered externally with wood.

(3.) Provided also that where any building shall consist of more than one storey,—

Walls of Buildings of more than one storey.

(a.) If within the Central District or within 15 feet of the boundary of the land of an adjoining owner, the external walls of the lower storey may be constructed of the materials described above in (1) or in (2) (a) and the external walls of the upper storey or storeys of the materials described above in (2) (a);

(b.) If not within the Central District and there shall be a clear open space of land not less than 15 feet in width on every side of such building except on the front towards the street, exclusively belonging thereto, the external walls of the lower storey or storeys may be constructed of the materials described above in (1) or in (2) (a), and the external walls of the upper storey or storeys of the materials described in (2) (b).

(4.) Cement shall be of a slow setting quality to comply with the requirements of the last revise of the British Engineering Standards Committee, or otherwise of a brand and description approved by the Town Engineer.

Cement Concrete.

All sand is to be clean and sharp and free from organic or earthy matter and is to be screened if required by the Town Engineer.

The aggregate may be broken stone or brick, or other hard substance approved by the Town Engineer, or of gravel which is free from organic or earthy matter.

No weaker mixture of concrete shall be used than that specified in the following schedule :

	Cement.	Sand.	Aggregate.
(i.) For walls 6 inches or less in thickness, floors and slabs	...	...	1    2    5
(ii.) For foundations, surface water drains, pavements, and walls more than 6 inches thick	...	...	... 1    3    6

The size of the broken stone or brick used for making concrete shall depend on the thickness of the wall or other construction in which the concrete is used and shall be as follows : --

Walls 6 inches thick and under ... Of a size which will pass through a ring 2 inches internal diameter.

Walls over 6 inches thick, including foundations, surface water drains and pavements. Of a size which will pass through a ring  $2\frac{1}{2}$  inches internal diameter.

All concrete shall be mixed on an artificial platform, and in a manner satisfactory to the Town Engineer.

“Central District” —  
Meaning of.

(5.) The term “Central District” in this bye-law means the district enclosed by a line commencing at the Park Street Bridge over the Dry River, running thence westwards along Park Street as far as Richmond Street, thence down Richmond Street to Sackville Street, thence down Sackville Street to the sea, thence southwards to the corner of Marine Square, thence eastwards along Marine Square to the corner of St. Vincent Street, thence down St. Vincent Street to South Quay, thence eastwards along South Quay to the Dry River, and thence northwards along the western bank of the Dry River to Park Street bridge; and such district shall include all the premises abutting on both sides of each of the streets above named, except South Quay.

#### *Timber Framed Buildings.*

**22.** All timber used in the frame-work of the walls, roofs and floors of buildings shall be of hard wood, pitch pine or other wood of a description approved by the Town Engineer.

**23.** All sills, bearers, or girders of timber framed buildings intended for residences, places of business or purposes other than out-houses, kitchens, stables, coach-houses, bath-rooms, privies or water-closets shall if supported on walls of brick, concrete or stone work, be bedded on a layer of Portland cement mortar, not less than three-eighths of an inch thick, mixed not weaker than one of cement to two of sand, laid on top of supports and extended to the whole width of the sill.

**24.** The joints between the vertical and horizontal members of the frame-work of the walls of any building of which the sills are required to be bedded in cement mortar shall be securely put and held together with mortice and tenon joints, or any sill or wall plate may be checked into and securely bolted to the uprights as may be approved by the Town Engineer.

The braces in the frame-work of the walls of such building shall be of adequate size and number.

*Architectural Projections.*

25. Every coping, cornice, fascia window dressing, portico, verandah, balcony, and balustrade, and every architectural projection and architectural decoration whatsoever, and also the eaves and cornices to any overhanging roof, except the cornices and dressings to the window fronts of shops, and the joists, mouldings, hand rails, and flooring of verandahs and balconies and the eaves and cornices to detached dwelling houses distant at least fifteen feet from any other building or from the land of any adjoining owner, shall be of brick, tile, stone, artificial stone, slate, cement, or other incombustible material, approved by the Town Engineer.

Architectural  
projections or  
decorations.

*Roofs.*

26. Every person who shall erect a new building, shall construct the roof of such building in accordance with the following regulations:—

- (a.) All timber roofs with rafters shall be tied with tie-beams, tie-plates, or collar-beams, the number of which shall depend on the span of the roof as under:—

When the roof is under 10 feet span, the number shall be not less than one to every third pair of rafters;

When the roof is over ten feet and not over 15 feet span, the number shall be not less than one to every alternate pair of rafters;

When the roof is over 15 feet and not over 20 feet span, the number shall be not less than one to every pair of rafters;

- (b.) The underside of any collar beam shall be in no case higher above the wall-plate than half the vertical height from the wall-plate to the ridge.

- (c.) All roofs over 20 feet span shall be of a design approved by the Town Engineer.

- (d.) The flat, gutter and roof of every building, and every turret, dormer, lantern light, sky-light or other erection placed on the flat or the roof thereof shall be externally covered with slates, tiles, metal or other incombustible materials, except wooden cornices and barge boards not exceeding twelve inches in depth, and the doors, door-frames, windows, window-frames of such dormers, turrets, lantern-lights, sky-lights or other erections.

27. Except where a ceiling is provided, the underside of the roof of every inhabited room shall be close boarded.

Inhabited  
room—under  
side of roof to  
be ceiled or  
close boarded.

*Floors.*

28. Every person who shall construct a new building shall construct the floor thereof in accordance with the following regulations:—

- (a.) The level of the ground floor of every domestic building shall be not less than six inches higher than the highest level of the ground outside such building.

Floors,  
Regulations  
applicable to.

- (b.) The space, if any, between the under surface of any floor and the underlying ground shall in no case be less than two feet six inches in every part; and, except where such floor, measured from the under surface thereof, is in every part thereof, three feet or more above the highest level of the underlying ground, such underlying ground shall be paved with cement concrete not less than four inches in thickness, or with other impermeable materials as the Town Engineer may approve.
- (c.) Floors of solid concrete may be boarded over, provided that the boards shall be so laid as to leave no intervening space between such boards and the concrete.
- (d.) All wooden floors shall be properly grooved and tongued or otherwise jointed so as to be reasonably water tight.
- (e.) The floors of all buildings shall be constructed to bear safely the maximum load to be carried. The live load on floors shall be computed as follows:—

In dwelling houses, hotels, lodging houses and similar buildings, not less than seventy pounds per superficial foot.

In places of public assembly, workshops, retail shops and similar buildings, not less than one hundred and twenty pounds per superficial foot.

In buildings of the warehouse class, not less than two hundred and twenty-four pounds per superficial foot.

Floors of buildings used for manufacture or storage of articles of food.

29. The ground floor of every new building used or intended to be used for the manufacture, or for the storage for the purpose of sale, of any articles intended for the food of man, or for any articles intended for the food of animals, shall be constructed of cement concrete, not less than six inches in thickness or of such other impermeable material as the Town Engineer may approve.

#### Staircases.

Staircases - Regulations applicable to.

30. Every person who shall erect a new building shall construct the staircases therein according to the following regulations:—

- (a.) He shall cause the treads to be not less than 8 inches in width measured horizontally from face of riser to face of riser, and the risers to be not more than  $8\frac{1}{2}$  inches in height measured vertically from top of tread to top of tread.
- (b.) He shall cause every such staircase to be provided with proper and sufficient handrails securely fixed.

#### Height of Buildings.

Height of Buildings.

31. No person shall, except with the permission of the Board and subject to such conditions as to the Board shall seem proper, erect any building exceeding 36 feet in height measured from the level of the street to the junction of the eaves and walls.

*Open space about Buildings and Ventilation of Buildings.*

32. Every person who shall erect a new dwelling house shall leave between the building line and the street alignment an open space of not less than four feet, which shall be free from any erection thereon above the level of the ground, except the portico, step or other like projection from such building, or any gate, fence, or wall. Open space in front of dwelling house.

33. Every person who shall erect a new dwelling house shall provide in the rear of such building an open space exclusively belonging to such building of the aggregate extent of not less than 150 square feet free from any erection thereon. Open space in rear of dwelling house.

34. No out-building shall be erected on any part of the site of any dwelling house which, in the opinion of the Town Engineer would interfere unduly with the free circulation of air around and about such dwelling house. Out-buildings.

35. Every person who shall erect a new dwelling house shall construct such building so that there shall be on each side of such building an open space not less than four feet wide extending along the entire length of such building and exclusively belonging thereto. Open space at side of dwelling house.

36. Every person who shall erect a new building shall construct every room in such building which shall be intended for human habitation in accordance with the following regulations, that is to say : - Rooms for human habitation.

- (a.) Every such room shall have a clear superficial area of not less than 100 square feet, and shall not be less in length or width than eight feet; Provided that this bye-law shall not apply to a dressing room or other room attached to such room, but not used as a sleeping room. Size of rooms.
- (b.) Every such room which is an attic, or a room wholly or partly in the roof of such building, shall, for at least two-thirds of the area of the room, be not less than 9 feet in height. Height of habitable room in the roof.
- (c.) Every such room which is not an attic, or a room wholly or partly in the roof of such building, shall not in any part be less than ten feet in height measured from the floor to the under side of the beam on which the upper floor or, (if there be no upper floor) the roof rests. Height of inhabited room not in the roof.

37. If any person knowingly suffers any room not constructed in conformity with the preceding bye-law to be inhabited, he shall be liable to a penalty not exceeding 10/- for every day during which such room is inhabited. Penalty.

38. Every dwelling house shall have in the wall of each storey of such building which shall immediately front or abut on such open spaces as, in pursuance of the bye-laws in that behalf, shall be provided in connection with such building, a sufficient number of suitable windows or doors constructed in such a manner and placed in such a position that such windows or doors shall afford effectual and adequate means of ventilation by direct communication with the external air. Ventilation through windows or doors.

Windows of habitable rooms.

39. Every domestic building shall have in every habitable room of such building one window at the least opening directly into the external air, or into a gallery or verandah, and the total area of such window, or, if there be more than one window, of the several windows, clear of the sash frames, shall be equal to at least one tenth of the floor area of the room; and every such window shall be so constructed that one half at the least may be opened, and so that the opening in every case shall extend to the top of the window; but a room having no external wall, or a room constructed wholly or partially in the roof, may be ventilated through the roof by a dormer window, or skylight, provided that such dormer window or skylight shall have a clear superficial area, clear of the sash frame, equal to at least one tenth of the floor area of the room, and so constructed that one half at least of such window or skylight may be opened, and that the opening may extend in every case to the top of the window.

Ventilation through jalousies lattice work, &c.

40. Every such habitable room shall, in addition to such window, or door opening directly into the external air or into a gallery or verandah, be provided by means of standing jalousies or lattice work or otherwise, with apertures of an aggregate area of not less than one twentieth of the floor area of the room, opening directly into the external air or into a gallery or verandah which, as regards the ventilation thereof, satisfies the requirements of any bye-laws in force with respect to the ventilation of a habitable room, or which is otherwise adequately ventilated to the satisfaction of the Board; but this section shall not apply where the windows or the upper parts of the doors required in the three last preceding sections consist of standing jalousies, or are otherwise so constructed as, in the opinion of the Town Engineer, to afford adequate and free ventilation at all times.

*Privies.*

Privies.

41. Every person who shall construct a privy in connection with a building shall construct the same in accordance with the following regulations:—

Size of Pit.

(a.) He shall cause the pit of such privy to be dug not less than 4 feet deep, with a clear internal area of not less than 12 square feet.

Construction and materials.

(b.) He shall cause the sides of the pit to be constructed of cement concrete not less than six inches thick carried up to a height of not less than twelve inches above the floor level.

(c.) Where water is reached at a less depth than 4 feet, the sides and bottom of the pit shall be constructed of cement concrete, and the pit shall be made water-tight.

Minimum dimensions of Privy.

(d.) The minimum dimensions of the privy building shall be 4 feet in length by 3 feet in width, and 7 feet in height up to the eaves.

Door and Ventilation.

(e.) Every privy shall have a suitable door, and shall be ventilated in the upper part of the opposite sides by means of openings not less than three square feet in aggregate area, and communicating directly with the open air.

- (f.) Privies shall in all cases be entirely disconnected from any building or part of a building used for human habitation, and shall be erected at a distance of at least ten feet therefrom. Distance of Privies from Habitable buildings.
- (g.) Every privy shall be constructed in such a manner and in such a position as to afford ready access to the pit of such privy for the purpose of cleansing the same and of removing filth therefrom. Means of access.

*Drainage of Buildings and Yard.*

42. Every person who shall erect a new building shall provide in connection with such building good and sufficient surface water drains of brick, stoneware, masonry or concrete or other approved material located, constructed and graded to the satisfaction of the Town Engineer, delivering into the side channel of an adjacent street or into such other stream or channel as the Board may direct, and all yards, open spaces and passages appurtenant to or used in connection with a new building shall be drained in a similar manner. Drainage of Buildings, yards and open spaces.

*Paving of Yards and open Spaces in connection with Dwelling Houses.*

43. The owner of every building in connection with which there is any yard or open space shall, whenever in the opinion of the Board it is necessary for the prevention or remedy of insanitary conditions that all or part of such yard or open space should be paved, forthwith cause the same to be properly paved with good cement concrete, or with good asphalt on a proper foundation, and also sloped to a properly constructed channel so as effectually to carry off all rain and waste water therefrom, and shall at all times keep and maintain such pavement in good order and repair. Paving of yard and open spaces.

*Notices, Plans and Inspection of Works.*

44. (1.) Every person who shall intend to erect a new building shall give to the Board notice in writing of such intention, which shall be delivered or sent to the Town Engineer at his office at the Town Hall, and shall at the same time deliver or send to the Town Engineer at his office aforesaid, complete plans and sections of every floor of such intended building, which shall be drawn in duplicate, in ink, on tracing linen to a scale of not less than one inch to every eight feet, and shall show the position, form and dimensions of the several parts of such building, and of every water closet, earth closet, privy, gully, and drain, and of every appurtenance, and in which the building shall be so described as to show whether it is intended to be used as a dwelling house or otherwise. Notice of intention to erect new building.

(2.) Such person shall, at the same time, deliver or send to the Town Engineer at his office aforesaid, a description in writing of the materials of which it is intended that such building shall be constructed, and of the intended mode of drainage. Deposit of Plans and Sections.

(3.) Such person shall, whenever required by the Board, at the same time deliver or send to the Town Engineer at his office aforesaid, a block plan of such building, which shall be drawn to a scale of not less than one inch to every forty-four feet, and shall show the position of the building and of the appurtenances of the buildings immediately adjoining, the width and level of the streets abutting thereon, the level of the lowest floor of such building, and of any yard or grounds belonging thereto.

(4.) Such person shall also show on such plan the intended lines of drainage of such building, and the intended size, depth, and inclination of each drain.

(5) The Town Engineer shall, within seven days after the delivery to him of any notice, plan, section or description of any work required by any bye-law made by the Board to be submitted to him for approval, signify in writing his approval or disapproval of the intended work to the person proposing to execute the same.

Notice of day  
on which  
work will  
commence.

45. Every person who shall intend to erect any building or otherwise to execute any work to which any of the bye-laws relating to new buildings may apply, shall before beginning to erect such building or to execute such work, deliver or send to the Town Engineer at his office aforesaid notice in writing in which shall be specified the date on which such person will begin to erect such building or to execute such work.

Contravention  
of Bye-law ;  
Notice by  
Town  
Engineer.

46. Where a person who shall erect a building or shall execute any other work to which the bye-laws relating to new buildings may apply, shall at any reasonable time during the progress or after the completion of the erection of such building or of the execution of such work, receive from the Town Engineer notice in writing specifying any matters in respect of which the erection of such building, or the execution of such work may be in contravention of any bye-laws relating to new buildings and requiring such person within a reasonable time, which shall be specified in such notice, to cause anything done contrary to any such bye-laws to be amended or to do anything which by any such bye-laws may be required to be done but which has been omitted to be done, such person shall, within the time specified in such notice, comply with the several requirements thereof so far as such requirements relate to matters in respect of which the erection of such building or the execution of such work may be in contravention of any such bye-law, and shall within a reasonable time after the completion of any work which may have been executed in accordance with such requirements, deliver or send to the Town Engineer at his office notice in writing of the completion of such work, and shall at all reasonable times within a period of three days after such notice shall have been so delivered or sent afford the Town Engineer free access to such work for the purpose of inspection.

Access to  
works by  
Town  
Engineer.

47. Every person who shall erect a building or shall execute any other work to which any of the bye-laws relating to building shall apply, shall at all reasonable times during the erection of such building or the execution of such work, afford the Town Engineer and his duly authorised assistants free access to such building or work for the purpose of inspection.

Notice of  
completion of  
Building.

48. Every person who shall erect any building shall within 14 days after the completion of the erection of such building deliver or send to the Town Engineer at his office at the Town Hall notice in writing of the completion of the erection of such building, and shall at all reasonable times within 14 days after such notice, and before such building shall be occupied, afford the Town Engineer and his assistants free access to every part of such building for the purpose of inspection.

Penalty for  
breach of bye-  
laws with  
respect to new  
buildings.

49. Any person who erects or causes to be erected any new building without giving the notices or without delivering the plans and sections required to be given and delivered by these bye-laws; or who shall erect

any new building without having the plans thereof approved by the Board ; or who shall erect any new building in any wise contrary to the plans and sections which have been approved by the Board, or who shall otherwise offend against any of the foregoing bye-laws relating to new buildings, shall for each offence be liable to a penalty not exceeding £20, and in the case of a continuing offence to a further penalty not exceeding £5 for every day during which such offence continues after notice thereof from the Board, and in default of payment to imprisonment with or without hard labour for any term not exceeding three months.

WITH RESPECT TO THE ALTERATION OF BUILDINGS.

50.—(1.) Every person who shall intend to alter a building shall give to the Board notice in writing of such intention, which shall be delivered or sent to the Town Engineer at his office, and shall at the same time deliver or send to the Town Engineer complete plans and sections of such intended alteration, which shall be drawn, in duplicate, in ink on tracing linen to a scale of not less than one inch to every eight feet, and shall show the position, form and dimensions of the several parts of such building in or in connection with which such alteration is intended to be made, and in such plan and sections he shall cause such building to be so described as to show whether the building, as proposed to be altered, is intended to be used as a dwelling house or otherwise.

Notice of  
intention to al-  
ter Buildings.  
Deposit of  
Plans and  
Sections.

(2.) Such person shall at the same time deliver or send to the Town Engineer a description in writing of the materials which it is intended to use in carrying out the intended alterations.

Description  
of Materials.

(3.) Such person shall, whenever required by the Board, at the same time deliver or send to the Town Engineer, at his said office, a block plan of the proposed alteration of such building, which shall be drawn in ink on tracing linen to a scale of not less than one inch to every forty-four feet.

Block Plan.

51.—(1.) Every person who shall intend to alter a building shall before beginning to execute any work in connection with such intended alteration, deliver or send to the Town Engineer at his office, notice in writing, in which shall be specified the date on which such person shall begin to execute such work.

Notice of  
Date on which  
work or altera-  
tion will be  
commenced.

(2.) The Town Engineer shall, within seven days after the delivery to him of any notice, plan, section, or description of any work required by any bye-law made by the Board to be submitted to him for approval, signify in writing his approval or disapproval of the intended work to the person proposing to execute the same.

52. Where a person who shall alter a building which has been erected in accordance with the provisions of this Ordinance and any bye-laws made hereunder shall, at any reasonable time during the progress or after the completion of the work of alteration of such building, receive from the Town Engineer notice in writing specifying any matters in respect of which such building as altered by such work would, if at first so constructed, have contravened such Ordinance or such bye-laws, and requiring such person within a reasonable time, which shall be specified in such notice, to cause anything done contrary to such Ordinance or such bye-laws to be amended or to do anything which by such Ordinance or by such bye-laws would have been required to be done and which has been omitted to be

Contravention  
of Bye-laws—  
Notice by  
Town  
Engineer.

Notice of compliance with Engineer's requirements.

done, such person shall, within the time specified in such notice, comply with the several requirements thereof so far as such requirements relate to matters in respect of which such building, if so altered, would, if at first so constructed, have contravened such Ordinance or bye-laws, and shall within 14 days after the completion of any work which may have been executed in accordance with any such requirement, deliver or send to the Town Engineer at his office notice in writing of the completion of such work, and shall, at all reasonable times within a period of 14 days after such notice shall have been delivered or sent, afford such Town Engineer free access to such work for the purpose of inspection.

Access of Engineer to alteration works.

53. Every person who shall alter a building shall, at all reasonable times during the work of alteration, afford the Town Engineer free access to such building for the purpose of inspecting such work.

Notice of completion of alterations.

54. Every person who shall alter a building shall within 14 days after the completion of the work of alteration, deliver or send to the Town Engineer at his office notice in writing of the completion of such work, and shall, at all reasonable times, within a period of 14 days after such notice shall have been so delivered or sent, afford such Town Engineer free access to such building for the purpose of inspecting such work.

Penalty for breach of bye-laws with respect to alteration of buildings.

55. Any person who alters or causes to be altered any building without giving the notices or without delivering the plans and sections required to be given and delivered by these bye-laws; or who shall alter any building without having the plan thereof approved by the Board; or who shall alter any building in any wise contrary to the plans and sections which have been approved by the Board, or who shall otherwise offend against any of the foregoing bye-laws relating to the alteration of buildings, shall for each offence be liable to a penalty not exceeding £20, and in the case of a continuing offence to a further penalty not exceeding £5 for every day during which such offence shall continue after a notice thereof from the Board, and in default of payment to imprisonment with or without hard labour for any term not exceeding three months.

SECOND SCHEDULE.

Enactments Repealed.

No. OF ORDINANCE.	SHORT TITLE.	EXTENT OF REPEAL.
No. 220	... The Port-of-Spain Building Ordinance	The whole.
No. 221	... The Port-of-Spain Suburban Building Ordinance	The whole, in so far as it relates to Port-of-Spain.
No. 201	... The Port-of-Spain Streets Management Ordinance	Section 3.
No. 14 of 1910	... The Port-of-Spain Town Board Amendment Ordinance	Sections 24 and 25.