

Borough of Lyttelton Corporation Enabling Act 1897

Local Act 1897 No 10
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An Act to authorise the Corporation of the Borough of Lyttelton to take over and declare to be “Public Streets” certain Roads in the said Borough which were in Existence prior to the Coming into Operation of “The Municipal Corporations Act, 1876.”

Preamble.

WHEREAS prior to the coming into operation of “The Municipal Corporations Act, 1876” (hereinafter called “the Act”), certain streets had been laid out and were used as public roads within the Borough of Lyttelton of less width than that fixed by the Act: And whereas the Corporation of the Borough of Lyttelton has formed and kept such roads in repair since the same were so laid out, and has expended considerable sums of money in so doing out of the borough funds, and will have to continue to do so: And whereas, owing to the configuration of the Borough of Lyttelton, such roads cannot be widened to the width specified by the Act: And whereas many of such streets have never been dedicated to public uses or vested in the Corporation, and it is desirable that the Council shall have power to declare such streets public streets:

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1 Short Title.

The Short Title of this Act is “The Borough of Lyttelton Corporation Enabling Act, 1897.”

2 Interpretation.

In this Act, if not inconsistent with the context,—

“The Borough” means the Borough of Lyttelton:

“The Borough Council” mean the Borough Council of Lyttelton:

“Street” means and includes street, private street, footway, and right-of-way, as defined by section two hundred and thirty-one of “The Municipal Corporations Act, 1886,”

3 Existing streets may be declared public streets.

The Borough Council may take over and declare any now existing street within the borough to be a public street, notwithstanding the same may be of less width than the width prescribed by the Act, provided such street was in existence prior to the coming into operation of the Act.

4 Exchange of land.

The Borough Council may, in order to obtain a better line of or gradient in any street, exchange with the owner of any land adjoining such street any part of such street for a part of the land so adjoining (notwithstanding such street shall be less than sixty-six feet in width), and may pay or receive money as an equality of exchange: Provided that such street was in existence prior to the coming into operation of the Act.