

Christchurch District Drainage Amendment Act 1927

Local Act 1927 No 9
Date of assent 21 October 1927

Contents

	Page
Title	1
Preamble.	
1 Short Title.	2
2 Interpretation.	2
3 Additional authority to borrow money for purposes of drainage and sewerage works within the special area.	2
4 Power to make advances for sewer connections.	3
5 Power to construct cross-sewers.	3
6 Additional powers to Board.	4

An Act to amend the Christchurch District Drainage Act, 1907.

Preamble.

WHEREAS the Christchurch Drainage Board, by resolution passed on the seventeenth day of April, nineteen hundred and twenty-three, and published in the *Gazette* of the twenty-sixth day of the same month, defined and created a special area pursuant to the powers conferred on it in that behalf by section five of the Christchurch District Drainage Amendment Act, 1922: And whereas by a poll of the ratepayers of the said special area taken on the seventeenth day of July, nineteen hundred and twenty-three, to raise a special loan the Board was authorized to raise a special loan of seven hundred thousand pounds for the purpose of constructing drainage and sewerage works within the said special area: And whereas the aforesaid special loan of seven hundred thousand pounds will not be sufficient to complete the said drainage and sewerage works within the said special area: And whereas it is desirable that the

Board should have power to borrow additional moneys sufficient to complete the said drainage and sewerage works over the whole of the special area:

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.

This Act may be cited as the Christchurch District Drainage Amendment Act, 1927, and shall be read together with and deemed part of the Christchurch District Drainage Act, 1907.

2 Interpretation.

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

“Board” means the Christchurch Drainage Board:

“The special area” means the special area created by the Board as hereinbefore recited:

“The district” means the district as defined by the Christchurch District Drainage Act, 1

“Cross-sewer” means a sewer or drain in a road or street running from a main sewer of the Board to the boundary of any land abutting on such road or street:

“Owner” means the owner in fee-simple, whether beneficially or as a trustee, and includes a mortgagee acting in exercise of power of sale, the Public Trustee, and any local authority, Board, or other body or authority, howsoever designated, constituted, or appointed, having power to dispose of land by way of sale or lease.

3 Additional authority to borrow money for purposes of drainage and sewerage works within the special area.

- (1) The Board may from time to time, for the purpose of completing the drainage and sewerage works within the said special area, by special order, but without taking the steps described in sections nine to thirteen of the Local Bodies' Loans Act, 1926, borrow any sum or sums of money not exceeding in the whole two hundred and fifty thousand pounds in addition to any moneys heretofore authorized to be borrowed, and in addition to the moneys authorized to be borrowed under section nineteen of the Local Bodies' Loans Act, 1926:

Provided that the public notices required to be given in the making of special orders shall appear in at least two newspapers circulating in the district, and that upon the presentation to the Board, at any time prior to the time fixed for the confirming of such resolution, of a petition signed by at least one-tenth of the ratepayers within the said special area requiring the Board to submit the proposed loan to the approval of the ratepayers the Board shall hold a poll of the ratepayers before proceeding further in raising such loan.

- (2) Every special loan raised under this section shall be secured by means of a special rate made and levied on all rateable property within the special area as at the date of the special order hereinbefore referred to.
- (3) For the purpose of meeting the annual charges of interest and sinking fund on any loan raised for drainage and sewerage works within the special area the Board may from time to time make and levy a separate rate on all rateable property for the time being comprised in the special area:
Provided that nothing herein shall affect any special rate made and levied as security for any loan.
- (4) The provisions of paragraph (6) of section five of the Christchurch District Drainage Amendment Act, 1922, shall apply with respect to all rates made and levied for the purpose of this section.

4 Power to make advances for sewer connections.

- (1) The Board may from time to time make advances out of any funds at its disposal, including moneys raised under the authority of section three of the Christchurch District Drainage Amendment Act 1923, to the owner of any property rateable under the authority of the principal Act, for the purpose of enabling such owner to pay for the cost of the construction of any cross-sewer and to connect any building or premises with any sewer or sewers of the Board.
- (2) Any advances made pursuant to the authority conferred by this section shall be made subject to the conditions set out in subparagraphs (i), (ii), and (iii) of paragraph (6) of section five of the Christchurch District Drainage Amendment Act, 1923, and the provisions of sections six and seven of the said Act shall also, with the necessary modifications, apply to such advances.
- (3) Section thirty-nine of the principal Act is hereby repealed.

5 Power to construct cross-sewers.

- (1) Wherever any premises are to be connected with any sewer of the Board the Board shall construct all cross-sewers.
- (2) The Board shall construct a cross-sewer in any road or street in the district to the boundary of any land abutting on such road or street when requested so to do in writing by the owner of such land.
- (3) The cost of each cross-sewer shall be fixed by the Board, whose decision in this respect shall be final, and such cost shall be a debt due to the Board from the owner of the land to the boundary of which any such cross-sewer is made, and if such debt is not paid within fourteen days after demand has been made by the Board for payment thereof shall be deemed to be an advance made by the Board under the provisions of section four of this Act.
- (4) The Board shall undertake the structural maintenance of all cross-sewers in the district.

6 Additional powers to Board.

- (1) The Board may by notice in writing require the owner of any property rateable under the authority of the principal Act to do all or any of the following things, that is—
 - (a) Provide, construct, and lay any new private drains or sewers from any part or parts of his premises, and connect such new private drains or sewers with such public drain or sewer as the Board shall direct:
 - (b) Cleanse, repair, maintain, and relay and alter the course and direction and outfall of or take up and disconnect any existing private drain or sewer of or belonging to such premises:
 - (c) Connect any existing private drain or sewer with any public drain or sewer other than the public drain or sewer with which the same shall previously have been connected:
 - (d) Provide and affix in or to such existing private drain or sewer or in or to any such new private drain or sewer all such traps, methods of ventilation, and other sanitary appliances whatsoever as the Board shall direct:
 - (e) Connect or disconnect any existing or new private drain or sewer with or from any bath, water-closet, urinal, sink, grease-trap, or other sanitary appliance:
 - (f) Provide any water-closet, urinal, or other sanitary appliance with proper and sufficient supply of water with which to flush the same:
 - (g) Execute, provide, and do generally any works, materials, and things which in the opinion of the Board shall be necessary or expedient for the effective drainage or sewerage of such premises and every part thereof.
- (2) Every such notice as aforesaid shall specify the works, materials, and things to be executed, provided, and done thereunder, and the public drain or sewer with which any private drain or sewer shall be required to be connected, and shall limit a time within which the same works, materials, and things shall be so executed, provided, and done.
- (3) Any notice, order, or direction purporting to be given or made by or with the authority of the Board or any officer thereof shall be deemed to be a notice within the meaning of this Act without proof of such authority, and the issue thereof by any officer of the Board shall be conclusive of the authority of such officer to issue the same unless the same shall be proved to have been issued contrary to the directions of the Board.
- (4) Any person who fails to comply with the requirements of the Board as set out in such notice in the manner and within the time stipulated in such notice shall be liable for a fine not exceeding fifty pounds.