Maximum penalty increased to £20 - S.92(2), Criminal Justice Act, 1967

County Borough of Southampton.

BYELAWS

MADE BY

The Mayor, Aldermen and Burgesses

OF THE

Borough of Southampton,

ACTING BY THE COUNCIL,

WITH RESPECT TO

New Streets and Buildings

IN THE

BOROUGH OF SOUTHAMPTON.

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Interpretation of Terms.

1. In the construction of these byelaws the following words and expressions shall have the meanings hereinafter respectively assigned to them, unless such meanings be repugnant to or inconsistent with the context or subject matter in which such words or expressions occur; that is to say,—

" District " means the Borough of Southampton :

" Council " means the Mayor, Aldermen and Burgesses of the Borough of Southampton acting by the Council.

" Base " applied to a wall means the underside of that part of the wall which immediately rests upon the footings or foundation or upon any bressummer or other structure by which such wall may be carried :

" Party wall " means :—

(*a*) A wall forming part of a building and being used or constructed to be used in any part of the height or length of such wall for separation of adjoining buildings belonging to different owners or occupied or constructed or adapted to be occupied by different persons ; or

(*b*) A wall forming part of a building and standing, in any part of the length of such wall, to a greater extent than the projection of the footings on one side on grounds of different owners :

" External wall " means an outer wall of a building not being a party wall, even though adjoining to a wall of another building :

" 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 ballroom, 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 other public purpose :

" Building of the warehouse class " means a warehouse, factory, manufactory, brewery or distillery :

" Domestic building " means a dwelling-house or an office building, or other out-building appurtenant to another building, whether attached thereto or not, or a shop, or any other building not being a public building, or of the warehouse class :

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

" Bressummer " means a beam or girder which carries a wall :

" Width," applied to a new street, means the whole extent of space intended to be used, or laid out so as to admit of being used, as a public way, exclusive of any steps or projections therein, and measured at right angles to the course or direction or intended course or direction of such street.

" Length," as applied to any timber used or intended to be used in the construction of any roof or floor, means the length of such timber in clear bearing :

" Depth," as applied to any timber used or intended to be used in the construction of any roof or floor, means the depth of such timber measured between the upper and lower surfaces of the timber when laid and fixed on edge, its greatest side being as nearly as practicable in a vertical position :

" Strength," as applied to any timber used or intended to be used in the construction of any roof or floor, means the strength represented by multiplying the depth of the timber in inches by itself, and the product by the thickness of the timber in inches.

" Fire-resisting material " means :—

(1) In the case of beams or posts, oak, teak or other hard timber.

(2) In the case of staircases, oak, teak or other hard timber with treads, strings and risers not less than one-and-a-half inches thick ; or

(3) In the case of floors, any suitable timber provided that the spaces between the joists be filled in with good concrete pugging at least three inches thick, or with other solid and incombustible material at least three inches thick, and that the under side of the joists be covered with a sufficient thickness of good plaster or other incombustible material.

Exempted buildings.

2. The following buildings shall be exempt from the operation of these byelaws :—

(*a*) Any building in His Majesty's possession, or employed or intended to be employed for His Majesty's use or service :

(*b*) Any county or borough lunatic asylum, and any building or part of a building belonging to the council of any county, city or borough, and used or intended to be used for the detention of any prisoners :

(*c*) Any gaol, house of correction, bridewell, penitentiary, or other prison, and any building occupied or intended to be occupied by any prison officer for the use of such prison and contiguous thereto :

(*d*) Any building (not being a dwelling-house) belonging to any person or body of persons authorised by virtue of any Act of Parliament to navigate on or use any river, canal, dock, harbour, or basin, or to demand any tolls or dues in respect of the navigation of such river or canal, or the use of such dock, harbour or basin, and used or intended to be used exclusively under the provisions of such Act of Parliament for the purposes of such river, canal, dock, harbour, or basin :

(*e*) Any building (not being a dwelling-house) erected or intended to be erected in connexion with any mine, and used or intended to be used exclusively for the working of such mine :

(*f*) Any building erected or to be erected according to plans previously approved by the Land Commissioners for England, or the Board of Agriculture, or the Board of

Agriculture and Fisheries or the Minister of Agriculture and Fisheries under the Improvement of Land Act, 1864, or other Act or Acts for the improvement of land:

(*g*) Any building which may not be exempt by the operation of any of the preceding clauses of this byelaw, and which may be erected or may be intended to be erected in accordance with such plan and in such manner as may be approved or directed in pursuance of any statutory provision in that behalf by one of His Majesty's Principal Secretaries of State:

(*h*) Any building erected and used, or intended to be erected and used, exclusively for the purpose of a plant-house, greenhouse or conservatory:

(*i*) Any building erected and used, or intended to be erected and used, exclusively for the purpose of an orchard-house, summer-house, poultry-house, boat-house, coal-shed, garden-tool house, potting-shed, cycle-shed, motor-house in connexion with a dwelling-house or otherwise not intended or adapted for use for commercial purposes or aviary. Provided that if any such building exceeds in extent one thousand cubic feet or is used or intended to be used as a poultry-house, motor-house or aviary it shall be wholly detached, and at a distance of ten feet at the least from any other building, not being a building exempt under paragraphs (*h*), (*i*), (*j*), (*k*), or (*l*) of this byelaw, and shall not be fitted with any form of heating apparatus designed or adapted for the combustion of fuel or gas within the building.

(*j*) Any building which shall not exceed in height thirty feet and shall not exceed in extent one hundred and twenty-five thousand cubic feet, and shall not be a public building, and shall not be constructed or adapted to be used either wholly or partly for human habitation, or as a place of habitual employment for any person in any manufacture, trade, or business, and shall be distant at least eight feet from the nearest street, and at least thirty feet from the nearest building not being a building exempt under paragraphs (*h*), (*i*), (*j*), (*k*), or (*l*) of this byelaw, and from the boundary of any adjoining lands or premises:

(*k*) Any building which shall exceed in height thirty feet but shall not exceed in extent one hundred and twenty-five thousand cubic feet, or which shall exceed in extent one hundred and twenty-five thousand cubic feet but shall not exceed in height thirty feet and shall not (in either case) be a public building, and shall not be constructed or adapted to be used either wholly or partly for human habitation,

or as a place of habitual employment for any person in any manufacture, trade, or business, and shall be distant at least twenty feet from the nearest street, and at least fifty feet from the nearest building not being a building exempt under paragraphs (*h*), (*i*), (*j*), (*k*), or (*l*) of this byelaw, and from the boundary of any adjoining lands or premises.

(*l*) Any building which shall exceed in height thirty feet and shall exceed in extent one hundred and twenty-five thousand cubic feet, and shall not be a public building, and shall not be constructed or adapted to be used either wholly or partly for human habitation, or as a place of habitual employment for any person in any manufacture, trade, or business, and shall be distant at least thirty feet from the nearest street, and at least sixty feet from the nearest building not being a building exempt under paragraphs (*h*), (*i*), (*j*), (*k*), or (*l*) of this byelaw, and from the boundary of any adjoining lands or premises:

(*m*) Any building erected or intended to be erected for use solely as a temporary hospital for the reception and treatment of persons suffering from any dangerous infectious disorder:

(*n*) Any building erected or to be erected under or in pursuance of any Act of Parliament and used or intended to be used for occupation by persons undergoing treatment for tuberculosis.

For the purposes of this byelaw, the height of a building shall be measured from the level of the ground adjoining the walls to half the vertical height of the roof.

3. The following buildings shall be exempt from the operation of the byelaws with respect to the structure of walls and foundations of new buildings.

Any building which comprises not more than one storey, the external walls of which shall be constructed of, or wholly covered with suitable incombustible material other than iron, steel, or reinforced concrete, which shall not be constructed or adapted to be used either wholly or partly for human habitation, and which shall not exceed thirty feet in height nor eighty thousand cubic feet in capacity.

Provided that such building—

(*a*) if it does not exceed two thousand cubic feet in capacity shall be distant at least ten feet from the boundary of any adjoining lands or premises not being a street;

(*b*) if it exceeds two thousand cubic feet but does not exceed fifteen thousand cubic feet in capacity, shall be

distant at least eight feet from the nearest street, and at least fifteen feet from the nearest building, and from the boundary of any adjoining lands or premises ;

(*c*) if it exceeds fifteen thousand cubic feet in capacity, shall be distant at least eight feet from the nearest street, and thirty feet from the nearest building, and from the boundary of any adjoining lands or premises.

For the purposes of this byelaw height shall be measured from the level of the ground adjoining the walls to half the vertical height of the roof of the building.

4. The byelaws with respect to the structure of walls shall not apply to any wall of a public building or building of the warehouse class not exceeding one storey in height which shall be constructed of piers of good brickwork or stonework or other hard and incombustible materials of sufficient size and strength to secure due stability filled in with bricks, stone or other hard and incombustible materials of sufficient thickness to secure due stability, provided that—

(A) such piers and filling shall—

(i) have proper footings resting on the solid ground or upon good concrete of sufficient width and thickness or upon some sufficient substructure as a foundation ; and

(ii) be properly put together (*a*) with good mortar compounded of not less than one part of good lime to three parts of clean sharp sand or other suitable material ; or (*b*) with good cement ; or (*c*) with one part of good cement mixed with not more than four parts of clean sharp sand ; and

(B) such piers shall be constructed at each end of the wall and be properly distributed throughout its length.

5. Any domestic building (not being a building mentioned in paragraph (*j*) of the foregoing byelaw numbered two) shall be exempt from the operation of the byelaws with respect to the structure of walls if the following conditions are satisfied :—

(1) The building shall not comprise more than two storeys ;

(2) The capacity of the building shall not exceed eighteen thousand cubic feet ;

(3) Each external wall of the building shall be constructed of good and suitable incombustible materials so as to be of sufficient stability and reasonably weather-proof and

(A) Shall to a height of not less than six inches above the surface of the adjoining ground be not less than eight-and-a-half inches thick and be constructed of—

(i) Good whole bricks, or stone properly bonded and solidly put together (*a*) with good mortar compounded of good lime and clean sharp sand or other suitable materials, or (*b*) with good cement, or (*c*) with good cement mixed with clean sharp sand, or

(ii) Other good hard and suitable incombustible material properly and solidly put together, and shall be provided with an effective damp-proof course of sheet lead, asphalte, or vitrified stoneware, or a double course of impervious slates or blue bricks laid to break joint and bedded in cement mortar, or of other not less durable material impervious to moisture beneath the level of the lowest floor and of the lowest timbers and at a height of not less than six inches above the surface of the adjoining ground ; or

(B) Shall be carried at a height of not less than six inches above the surface of the adjoining ground upon sufficient piers constructed of good bricks, stone, or other hard and suitable materials similarly bonded and put together or of good cement concrete, and having proper footings resting on the solid ground or some other solid and sufficient foundation, and having also beneath the level of the lowest timbers of the building and at a height of not less than six inches above the surface of the adjoining ground an effective damp-proof course of sheet lead, asphalte, or vitrified stoneware, or a double course of impervious slates or blue bricks laid to break joint and bedded in cement mortar, or of other not less durable material impervious to moisture ;

(4) (*a*) The distance of the building from the opposite side of any street shall be not less than forty feet ;

(*b*) the distance of the building from the boundary of any adjoining lands or premises (not being lands or premises comprising buildings forming part of the same block as the first-named building) shall be not less than eight feet.

(5) Where the building forms or is intended to form part of a block of buildings :—

(*a*) the number of buildings in the block shall not exceed six ;

(*b*) the buildings shall be separated by walls which notwithstanding anything hereinbefore contained shall be constructed in accordance with the requirements of the byelaws with respect to party walls.

With respect to the level, width, and construction of new streets and the provisions for the sewerage thereof.

6. Every person who shall lay out a new street shall lay it out throughout its entire length at such level as will afford the easiest practicable gradients, having regard to the intended use of the land abutting on the street, for the purpose of securing means of communication with any street or intended street with which it may be connected.

7. Every person who shall construct a new street shall cause the level of the surface of such street to be in every part not less than ten feet above Ordnance Datum.

8. Every person who shall lay out for use as a carriage-road a new street intended to be the principal approach or means of access to any building shall except as hereinafter provided lay out the street of the width of forty feet at the least :

Provided that he may lay out the street of the width of :

(1) thirty feet at the least if the following conditions are satisfied :—

(*a*) the street together with any street of which it forms a direct continuation shall not exceed six hundred feet in length ;

(*b*) every main wall of any building in the street shall be distant not less than thirty feet from the centre ne of the street :

(2) twenty-six feet at the least if the following conditions are satisfied :—

(*a*) the street, together with any street of which it forms a direct continuation, shall not exceed six hundred feet in length ;

(*b*) every main wall of any building in the street shall be distant not less than thirty feet from the centre line of the street ;

(*c*) there shall be domestic buildings only in the street ;

(*d*) either (i) the erection of buildings on one side of the street is impracticable or prohibited by reason of the configuration of the ground or the permanent appropriation of the land as a recreation ground or as gardens, or

(ii) there are no buildings on one side of the street and either the land on both sides of the street is in the same ownership or the land on the side of the street on which there are no buildings is in the ownership of the council.

9. Every person who shall lay out a new street intended to be the principal approach or means of access to any building shall except as hereinafter provided lay it out for use as a carriage-road :

Provided that he may lay out the street for use otherwise than as a carriage-road and of the width of twenty-four feet at the least if the street does not exceed one hundred feet in length.

10. Every person who shall lay out for use as a carriage-road a new street intended to form the secondary means of access to any premises for the removal therefrom of house refuse and other matters shall lay out the street of the width of ten feet at the least.

11. Every person who shall construct a new street for use as a carriage-road shall comply with the following requirements :—

(1) (*a*) If the street is required by the byelaw in that behalf to be of the width of forty feet at the least, the width of the carriage-way shall be twenty-six feet at the least.

(*b*) If the street may, in pursuance of the byelaw in that behalf, be laid out of the width of thirty feet at the least or twenty-six feet at the least, the width of the carriage-way shall be twenty feet at the least ;

(2) The surface of the carriage-way shall curve or fall from the centre or crown to channels at the sides, the height of the crown above the level of the side channels being calculated at the rate of not less than one quarter of an inch and not more than three-quarters of an inch for every foot of the width between the centre or crown and the channels.

(3) (*a*) If the street is required by the byelaw in that behalf to be of the width of forty feet at the least, a footway not less than seven feet in width shall be constructed on each side of the street ;

(*b*) If the street may, in pursuance of the byelaw in that behalf, be laid out of the width of thirty feet at the least, a footway not less than five feet in width shall be constructed on each side of the street ;

(*c*) If the street may, in pursuance of the byelaw in that behalf, be laid out of the width of twenty-six feet at the least, a footway not less than five feet in width shall be constructed on that side of the street on which there may be buildings ;

(4) Every footway shall slope or fall towards the kerb or outer edge at the rate of not less than one-half of an inch and not more than three-quarters of an inch for every foot of width, if the footway be not paved, flagged, or asphalted, and at the rate of not less than a quarter of an inch and not more than one-half of an inch for every foot of width, if the footway be paved, flagged or asphalted.

(5) Every footway shall be so constructed that the height of the kerb or outer edge above the channel (except where there is a crossing for the use of foot passengers) shall be not less than three inches at the highest part of such channel and not more than seven inches at the lowest.

(6) Notwithstanding anything contained in the foregoing byelaws :—

(*a*) If the width of the street is forty-five feet or more, but is less than fifty feet, the width of the carriage-way of the street may be not less than twenty-two feet and a footway not less than eight feet in width shall be constructed on each side of the street ;

(*b*) If the width of the street is fifty feet or more, but is less than fifty-five feet, the width of the carriage-way of the street may be not less than twenty-one feet, and a footway not less than eight feet in width shall be constructed on each side of the street ;

(*c*) If the width of the street is fifty-five feet or more, but is less than sixty feet, the width of the carriage-way of the street may be not less than twenty feet, and a footway not less than eight feet in width shall be constructed on each side of the street ;

(*d*) If the width of the street is sixty feet or more, the width of the carriage-way of the street may be not less than nineteen feet, and a footway not less than eight feet in width shall be constructed on each side of the street ;

Provided that the following conditions are complied with :—

(i) The street shall communicate at one or both ends with a street constructed for use as a carriage-road and not less than forty feet in width ;

(ii) The carriage-way shall be centrally placed in the street ;

(iii) The space, if any, between the carriage-way and either footway of the street or between either footway and the boundary of the street shall be level with the crown of the carriage-way, and shall be gravelled or covered with grass ;

(iv) The street shall not be constructed in direct continuation of a street forty feet or more in width with a carriage-way twenty-four feet or more in width.

12. Every person who shall lay out a new street shall provide that one end, at least, shall be open from the ground upwards to the full width of the street.

13. Every person who shall construct a new street shall make proper and sufficient provision for carrying off the surface water from the street.

14. Every person who shall construct a sewer for the sewerage of a new street, shall lay the same at such depth and inclination as shall effectually serve for the houses or buildings with which it is, or shall be, connected, and as shall form the best practicable continuous gradient along the entire length of such sewer to the point of discharge, and shall construct such sewer in a good and workmanlike manner, and so as to be watertight and in such form, and of such size, and materials, and with such manholes, junctions and appurtenances as shall be necessary, having regard to the use, or intended, or probable use of such sewer.

With respect to the provision, in connection with the laying out of new streets, of secondary means of access where necessary for the purpose of the removal of house refuse and other matters.

15. Every person who shall lay out a new street intended to form the principal approach or means of access

to any building shall, in connection with the laying out of such street, provide secondary means of access where necessary for the purpose of the removal of house refuse and other matters.

With respect to the structure of walls, foundations, roofs, and chimneys of new buildings for securing stability and the prevention of fires, and for purposes of health.

16. Every person who shall erect a new domestic building shall cause the whole ground surface within the external walls of such building to be properly asphalted or covered with a layer of good cement concrete, at least six inches thick or four inches thick if properly grouted.

17. Where the intended site of a new building has been or has formed part of a clay-pit, or where by reason of excavation and the removal of earth, gravel, stones, or other materials from such site, the whole or any part of the surface thereof is at such a depth below the level of the surface of the ground immediately surrounding and adjoining such site as may render the elevation of the whole or part of the existing surface of such site necessary for the prevention of damp in any part of any building to be erected thereon :—

The person who shall erect such building shall properly deposit upon such site or upon such part thereof as, for the purpose aforesaid, may require elevation, a layer or layers of sound and suitable material sufficient to elevate so much of the site as shall be within the external walls of the building to an adequate height.

18. Where the intended site of a new building is at a height less than ten feet above ordnance datum, the person who shall erect such building shall properly deposit upon the site a layer or layers of sound and suitable material sufficient to elevate so much of the site as shall be within the external walls of the building to a height of at least ten feet above the ordnance datum.

19 Every person who shall erect a new building shall, except in such cases as are hereinafter specified, cause the external and party walls (including piers) thereof, and every cross wall thereof which, in pursuance of the byelaw in that behalf, may as a return wall be deemed a means of determining the length of any external or party wall thereof, to be constructed :

(1) of good whole bricks, or stone, properly bonded and solidly put together :—

(i) With good mortar compounded of not less than one part by measure of good lime to three parts by measure of clean sharp sand, or other suitable material ; or

(ii) With good cement ; or

(iii) With one part by measure of good cement mixed with not more than four parts by measure of clean sharp sand ; or

(2) of other good, hard, and suitable incombustible material properly and solidly put together.

Provided always—

(*a*) That such person may construct any external wall or any part of an external wall of such building as a hollow wall, or part hollow and part solid, if such wall be constructed in accordance with the following rules :—

(i) The inner and outer parts of the wall shall be separated by a cavity, which shall throughout be of a width not exceeding three inches, and shall be properly drained and ventilated.

(ii) The inner and outer parts of the wall shall be securely tied together with suitable bonding ties of adequate strength formed of galvanized iron, of iron tarred and sanded, or of glazed stoneware. Such ties shall be placed at distances apart not exceeding three feet horizontally and eighteen inches vertically.

(iii) The thickness of each part of the wall shall throughout be not less than four inches. Provided that where the wall does not exceed twenty-five feet in length and twenty feet in height each part of the wall may be of a thickness of not less than three inches throughout.

(iv) All woodwork which may be intended to form the head of a door-frame or window-frame, a lintel, or other similar structure, and may be inserted in the wall so as to project into or extend across the intervening cavity, shall be covered throughout on the upper side thereof with a layer of sheet lead or other suitable material impervious to moisture in such a manner as effectually to protect such woodwork from any moisture that may enter the cavity.

(*b*) That such person may construct any external wall or any part of an external wall of such building of hollow blocks, if such wall be constructed in accordance with the following rules :—

(i) Every such block shall be constructed of good cement concrete or other material not inferior to good cement concrete in strength and impermeability.

(ii) The cavity or cavities in any such block shall not exceed in horizontal sectional area in the aggregate one-third of the horizontal sectional area of such block, nor shall any such cavity be of greater width than four inches.

(iii) The aggregate thickness of any such block including the width of any cavity shall be not less than nine inches, and the substance at the sides of any cavity in any such block shall be not less than three inches in thickness.

(iv) All woodwork which may be intended to form the head of a door frame or window frame, a lintel, or other similar structure, and may be inserted in the wall so as to project into or extend across any cavity, shall be covered throughout on the upperside thereof with a layer of sheet lead or other suitable material impervious to moisture in such a manner as effectually to protect such woodwork from any moisture that may enter the cavity.

(*c*) That where a new domestic building shall be distant not less than fifteen feet from any other building not being in the same curtilage, and not less than seven feet six inches from the boundary of any lands or premises adjoining such curtilage, not being a street, the person erecting such new building may construct any external wall thereof from a height not less than six inches above the level of the ground adjoining such wall with timber framework, subject to compliance with the following conditions, that is to say :—

(i) The framework shall be of sufficient size and strength to secure due stability and shall be properly framed together, and the spaces between the timbers shall be filled in completely with brickwork or other solid and incombustible material.

(ii) A thickness of at least four inches of brickwork or other solid and incombustible material shall be placed at the back of every portion of timber.

(iii) So much of any external wall as is below that portion which may be constructed with framework shall be constructed of the same thickness and in other respects subject to the same conditions as would be applicable if the wall had been constructed throughout its whole height of good whole bricks or stone, or other good hard and suitable incombustible material.

(*d*) That where a new domestic building forms or is intended to form part of a block of new domestic buildings not exceeding four in number, each of which shall be distant not less than fifteen feet from any other building, not being in the same curtilage and not forming part of the same block, and not less that seven feet six inches from the boundary of any lands or premises adjoining the curtilage of any building forming part of such block and not being a street, the person erecting such new building may construct any external wall thereof from a height not less that six inches above the level of the ground adjoining such wall with timber framework, subject to compliance with the following conditions, that is to say :—

(i) The several buildings shall be separated by party walls, each of which shall be constructed in accordance with the requirements of the byelaws in that behalf, and shall project at least to the external face of any timber-framing in any adjoining external wall.

(ii) The framework shall be of sufficient size and strength to secure due stability and shall be properly framed together, and the spaces between the timbers shall be filled in completely with brickwork or other solid and incombustible material.

(iii) A thickness of at least four inches of brickwork or other solid and incombustible material shall be placed at the back of every portion of timber.

(iv) So much of any external wall as is below that portion which may be constructed with framework shall be constructed of the same thickness and in other respects subject to the same conditions as would be applicable if the wall had been constructed throughout its whole height of good whole bricks or stone, or other good hard and suitable incombustible material.

(*e*) That where a new domestic building which comprises not more than three storeys shall be distant not less than fifteen feet from any other building not being in the same curtilage, and not less than seven feet six inches from the boundary of any lands or premises adjoining such curtilage, not being a street, or forms, or is intended to form, part of a block of new domestic buildings not exceeding three in number, each of which shall be distant not less than fifteen feet from any other building, not being in the same curtilage and not forming part of the same block, and not less than seven feet six inches from the boundary of any lands or premises adjoining the curtilage of any building

forming part of such block and not being a street, the person erecting such new building may construct any external wall of such building from a height of not less than six inches above the level of the ground adjoining such wall, if the building comprises not more than two storeys, and any external wall of the topmost two storeys, if the building comprises more than two storeys with timber, iron or steel framework covered with tiles, slates, or other suitable incombustible material, subject to compliance with the following conditions, that is to say :—

(i) The framework shall be of sufficient size and strength to secure due stability and shall be properly framed together, with sufficient braces, ties, plates, and sills, so far as may be necessary, and the spaces between the framework shall be filled in completely with a sufficient thickness of brickwork or other solid and incombustible material.

(ii) So much of any external wall as is below that portion which may be constructed with framework covered with tiles, slates, or other suitable incombustible material shall be constructed of the same thickness and in other respects subject to the same conditions as would be applicable if the wall had been constructed throughout its whole height of good whole bricks, stone, or other good hard and suitable incombustible materials.

(iii) Every party wall in any such block of buildings shall be carried out at least to the external face of any framing in any adjoining external return wall.

(*f*) That where any part of an external wall of a domestic building is constructed in the form of a gable or of a bay for a bay window, and, in the case of a bay, is above the level of the sill of the lowest window opening in such bay, and, in the case of a gable, is above the level of the floor of the topmost storey in such building such part of the wall may be constructed with timber, iron, or steel framework, subject to compliance with the following conditions, that is to say :—

(i) The framing shall be covered externally with felt or with some other equally suitable material, unless the spaces between the framework be filled in completely with a sufficient thickness of brickwork or other solid material.

(ii) If the spaces between the framework be filled in, any material used for such filling shall be of good quality and of sufficient thickness and stability.

(iii) The framing shall be covered externally with slates, tiles, or other suitable incombustible material and shall be protected on the inside with a sufficient thickness of plaster or other suitable incombustible material.

(iv) The framework shall be of sufficient size and strength to secure due stability and shall be properly framed together.

(v) In the case of a bay such bay shall not comprise more than three storeys.

(vi) Any portion of the wall of the bay or of the gable which is below that portion which may be constructed with framework shall be constructed of the same thickness and in all other respects subject to the same conditions as would be applicable if the top of such first-mentioned portion were the top of the wall.

20. A person who shall erect a new building shall not construct any wall of such building so that any part of such wall, not being a part properly corbelled out or supported, or a projection intended solely for the purposes of architectural ornament, shall overhang any part beneath it.

21. Every person who shall erect a new building shall cause every wall or pier of such building which may be built at an angle with another wall to be properly bonded therewith.

22. Every person who shall erect a new building shall construct every wall or pier of such building so as to rest upon solid undisturbed rock or upon proper footings, or upon a sufficient bressummer, or, if the thickness of such wall do not exceed nine inches, upon a layer of good cement concrete of a sufficient thickness projecting not less than six inches on each side of the wall and laid on the solid ground or upon a raft of reinforced cement concrete at least nine inches in thickness or upon some other solid and sufficient substructure as a foundation.

He shall cause the projection at the widest part of the footings (if any) of every wall, on each side thereof, to be at least equal to one half of the thickness of such wall at its base, unless an adjoining wall or pier interferes, in which case the projection may be omitted where that wall or pier adjoins.

He shall also cause the diminution of the footings to be in regular offsets, or in one offset at the top of the footings, and he shall cause the height from the bottom of the footings to the base of the wall to be at least equal to two thirds of the thickness of the wall at its base.

He shall cause the footings (if any) of every pier on every side thereof to be constructed in all respects in accordance with the same conditions as are applicable to the footings of the wall adjoining such pier.

23. Every person who shall erect a new building shall cause the footings (if any) of every wall or pier of such building to rest on the solid ground, or upon good concrete of sufficient width and thickness, or to rest upon some solid and sufficient substructure, as a foundation.

24. Every person who shall erect a new public building or a new domestic building shall cause every wall (including any pier forming part of a wall) of such building to have a proper damp-proof course of sheet lead, asphalte, or slates laid in cement, or of other not less durable material impervious to moisture, beneath the level of the lowest timbers and in the case of a solid floor not higher than the upper surface of the concrete or other similar solid material forming the structure of the floor and in any case at a height of not less than six inches above the surface of the ground adjoining such wall or pier.

Provided always that where any part of a floor of the lowest storey of such building, not being a cellar adapted and intended to be used for storage purposes only, shall be intended to be below the level of the surface of the ground immediately adjoining the exterior of such storey, and so that the ground will be in contact with the exterior of any wall, he shall cause such storey, or such part thereof as will be so in contact to be constructed with walls impervious to moisture or with hollow walls, constructed in accordance with the requirements of the byelaw in that behalf, and extending from the base of such walls to a height of six inches at least above the surface of the ground immediately adjoining the exterior of such storey.

He shall also cause a proper damp-proof course of sheet lead, asphalte, or slates laid in cement, or of other not less durable material impervious to moisture, to be inserted in every such wall at the base of such wall and likewise at a height of six inches above the surface of the ground immediately adjoining.

25. For the purpose of the byelaws with respect to the structure of walls of new buildings, the measurement of height of storeys and of height and length of walls shall be determined by the following rules :—

(i) The height of a storey shall be measured in the case of the lowest storey from the base of the wall, and in the case of any other storey from the level of the under side of the floor-structure of the storey up to the level of the underside of the floor-structure of the storey next above it ; or if there be no such storey then up to the highest part of the wall ; or in the case of a wall of a storey comprising a gable to half the height of the gable.

(ii) The height of a wall shall be measured from the base to the highest part of the wall, or in the case of a wall comprising a gable, to half the height of the gable : Provided that in the case of a party wall comprising a gable the measurement shall be from the base of the wall to the level of the base of the gable.

(iii) Walls shall be deemed to be divided into distinct lengths by return walls or piers, provided that (*a*) the return walls are external walls, party walls, or cross walls, of the thickness prescribed by the byelaws, and are bonded into the walls so deemed to be divided : and (*b*) each pier is of a breadth equal to not less than twice the thickness of the wall so deemed to be divided, and projects on each side of the wall for a distance at least equal to the thickness of the wall or projects on one side of the wall for a distance at least equal to twice the thickness of the wall.

The length of a wall shall be measured from the centre of one return wall or pier to the centre of another.

For the purpose of this rule, a wall shall not be deemed a cross wall unless it is carried up to the top of the wall so deemed to be divided (or in the case of a wall comprising a gable to the level of the base of the gable), and unless in each storey the aggregate extent of the vertical faces or elevations of all the recesses and that of all the openings therein, taken together, shall not exceed one half of the whole extent of the vertical face or elevation of the wall in such storey.

26. Every person who shall erect a new domestic building shall construct every external wall and every party wall of such building in accordance with the following rules, and in every case the thickness prescribed shall be the minimum thickness of which any such wall may be

constructed, and the several rules shall apply only to walls built of good bricks, or of suitable stone, or other blocks of hard and incombustible material, the beds or courses being horizontal.

(*a*) Where the wall does not exceed fifteen feet in height it shall be eight-and-a-half inches thick for its whole height.

(*b*) Where the wall exceeds fifteen feet but does not exceed twenty-five feet in height its thickness shall be as follows :—

If the wall does not exceed thirty feet in length, it shall be eight-and-a-half inches thick for its whole height :

If the wall exceeds thirty feet in length, it shall be thirteen-and-a-half inches thick from the base for the height of the lowest storey, and eight-and-a-half inches thick for the rest of its height.

(*c*) Where the wall exceeds twenty-five feet but does not exceed thirty feet in height its thickness shall be as follows :—

If the wall does not exceed twenty-five feet in length it shall be eight-and-a-half inches thick for its whole height.

If the wall exceeds twenty-five feet but does not exceed thirty-five feet in length, it shall be thirteen-and-a-half inches thick from the base for the height of one storey, and eight-and-a-half inches thick for the rest of its height.

If the wall exceeds thirty-five feet in length it shall be thirteen-and-a-half inches thick from the base for the height of two storeys, and eight-and-a-half inches thick for the rest of its height.

(*d*) Where the wall exceeds thirty feet but does not exceed forty feet in height its thickness shall be as follows :—

If the wall does not exceed thirty-five feet in length it shall be thirteen-and-a-half inches thick from the base for the height of two storeys, and eight-and-a-half inches thick for the rest of its height :

If the wall exceeds thirty-five feet in length it shall be eighteen inches thick from the base for the height of one storey, then thirteen-and-a-half inches thick for the height of two storeys, and eight-and-a-half inches thick for the rest of its height.

(*e*) Where the wall exceeds forty feet but does not exceed fifty feet in height its thickness shall be as follows :—

If the wall does not exceed thirty-five feet in length it shall be eighteen inches thick from the base for the height

of one storey, then thirteen-and-a-half inches thick for the height of two storeys, and then eight-and-a-half inches thick for the rest of its height :

If the wall exceeds thirty-five feet but does not exceed forty-five feet in length it shall be eighteen inches thick from the base for the height of two storeys, and thirteen-and-a-half inches thick for the rest of its height :

If the wall exceeds forty-five feet in length it shall be twenty-two inches thick from the base for the height of one storey, then eighteen inches thick for the height of the next storey, and then thirteen-and-a-half inches thick for the rest of its height.

(*f*) Where the wall exceeds fifty feet but does not exceed sixty feet in height its thickness shall be as follows :—

If the wall does not exceed forty-five feet in length it shall be eighteen inches thick from the base for the height of two storeys and thirteen-and-a-half inches thick for the rest of its height :

If the wall exceeds forty-five feet in length it shall be twenty-two inches thick from the base for the height of one storey, then eighteen inches thick for the height of the next two storeys, and then thirteen-and-a-half inches thick for the rest of its height.

(*g*) Where the wall exceeds sixty feet but does not exceed seventy feet in height its thickness shall be as follows :

If the wall does not exceed forty-five feet in length it shall be twenty-two inches thick from the base for the height of one storey, then eighteen inches thick for the height of the next two storeys, and then thirteen-and-a-half inches thick for the rest of its height :

If the wall exceeds forty-five feet in length it shall be increased in thickness in each of the storeys below the uppermost two storeys by four inches (subject to the provision hereinafter contained respecting distribution in piers).

(*h*) Where the wall exceeds seventy feet but does not exceed eighty feet in height its thickness shall be as follows :

If the wall does not exceed forty-five feet in length it shall be twenty-two inches thick from the base for the height of one storey, then eighteen inches thick for the height of the next three storeys, and then thirteen-and-a-half inches thick for the rest of its height :

If the wall exceeds forty-five feet in length it shall be increased in thickness in each of the storeys below the uppermost two storeys by four inches (subject to the provision hereinafter contained respecting distribution in piers).

(*i*) Where the wall exceeds eighty feet but does not exceed ninety feet in height its thickness shall be as follows :

If the wall does not exceed forty-five feet in length it shall be twenty-six inches thick from the base for the height of one storey, then twenty-two inches thick for the height of the next storey, then eighteen inches thick for the height of the next three storeys, and then thirteen-and-a-half inches thick for the rest of its height :

If the wall exceeds forty-five feet in length it shall be increased in thickness in each of the storeys below the uppermost two storeys by four inches (subject to the provision hereinafter contained respecting distribution in piers).

(*j*) Where the wall exceeds ninety feet but does not exceed one hundred feet in height its thickness shall be as follows :—

If the wall does not exceed forty-five feet in length it shall be twenty-six inches thick from the base for the height of one storey, then twenty-two inches thick for the height of the next two storeys, then eighteen inches thick for the height of the next three storeys, and then thirteen-and-a-half inches thick for the rest of its height :

If the wall exceeds forty-five feet in length it shall be increased in thickness in each of the storeys below the uppermost two storeys by four inches (subject to the provision hereinafter contained respecting distribution in piers).

Provided that notwithstanding anything contained in the foregoing rules (*a*) to (*j*) inclusive.

(i) Any portion of a wall which shall be recessed or chased, or constructed so as to form part of any chimney shall be constructed in accordance with the provisions of the byelaws applicable thereto.

(ii) Every external and party wall of any storey which measured from the level of the under side of the floor-structure of that storey to the level of the under side of the floor-structure of the storey next above it, if any, exceeds eleven feet six inches in height shall be not less than thirteen-and-a-half inches in thickness ; and

(iii) If any storey exceeds in height sixteen times the thickness hereinbefore prescribed for its walls, the thickness of each external and party wall throughout that storey shall be increased to one-sixteenth part of the height of

the storey, and the thickness of each external wall and of each party wall below that storey shall be proportionately increased (subject to the provision hereinafter contained respecting distribution in piers).

(iv) Any wall built of good whole bricks or of suitable stone or other blocks of hard and incombustible material properly reinforced and properly bonded and solidly put together, with good cement or with good cement mixed with clean sharp sand, may be reduced in thickness by not more than four inches, but not so as in any case to be of less thickness than eight-and-a-half inches.

(v) Any wall of any outbuilding not intended to be used for human habitation which shall not exceed eight feet in height or twelve feet in length, and shall be properly put together with good cement or with good cement mixed with clean sharp sand may be four inches thick.

Provided further that where in accordance with the requirements of this byelaw an increase of thickness is required in the case of a wall exceeding sixty feet in height and forty-five feet in length, or in the case of a storey exceeding in height sixteen times the thickness prescribed for its walls, or in the case of a wall below that storey, the increased thickness may be confined to piers properly distributed, of which the collective widths amount to one-fourth part of the length of the wall. The width of the piers may nevertheless be reduced if the projection is proportionately increased, the horizontal sectional area not being diminished ; but the projection of any such pier shall in no case exceed one-third of its width.

Provided further that in any case where in accordance with the requirements of this byelaw a greater thickness than eight-and-a-half inches is required in the case of any wall the additional thickness may be confined to piers, subject to the following conditions :—

(i) Piers shall be placed at the ends of the wall, and shall be properly distributed throughout its length.

(ii) The wall shall not be less in any part than eight-and-a-half inches in thickness.

(iii) The mean thickness of the wall, including the piers, shall not be less in any storey than the thickness hereinbefore prescribed for such wall for such storey.

Provided further that the foregoing requirements of this byelaw shall not be deemed to apply to any part of an external wall of a new building which may be constructed as a gable or as a bay for a bay window, of suitable blocks

of hard and incombustible material of such thickness as shall be necessary to secure due stability properly and solidly put together with good cement, or with good cement mixed with clean sharp sand, and shall be, in the case of a bay above the level of the sill of the lowest window opening in such bay and, in the case of a gable, above the level of the floor of the topmost storey in such building.

Provided further that the foregoing byelaw shall not apply in any case in which an offence is committed against Section 225 of the Act 7 and 8, Vict. Cap. LXXV.

27. Every person who shall erect a new public building or a new building of the warehouse class shall construct every external wall and every party wall of such building in accordance with the following rules; and in every case the thickness prescribed shall be the minimum thickness of which any such wall may be constructed, and the several rules shall apply only to walls built of good whole bricks, or of suitable stone or other blocks of hard and incombustible material, the beds or courses being horizontal.

(*a*) Where the wall does not exceed twenty-five feet in height (whatever is its length) it shall be thirteen-and-a-half inches thick at its base.

(*b*) Where the wall exceeds twenty-five feet but does not exceed thirty feet in height it shall be at its base of the thickness following :—

If the wall does not exceed forty-five feet in length it shall be thirteen-and-a-half inches thick at its base :

If the wall exceeds forty-five feet in length it shall be eighteen inches thick at its base.

(*c*) Where the wall exceeds thirty feet but does not exceed forty feet in height it shall be at its base of the thickness following :—

If the wall does not exceed thirty-five feet in length it shall be thirteen-and-a-half inches thick at its base :

If the wall exceeds thirty-five feet but does not exceed forty-five feet in length it shall be eighteen inches thick at its base :

If the wall exceeds forty-five feet in length it shall be twenty-two inches thick at its base.

(*d*) Where the wall exceeds forty feet but does not exceed fifty feet in height it shall be at its base of the thickness following :—

If the wall does not exceed thirty feet in length it shall be eighteen inches thick at its base :

If the wall exceeds thirty feet but does not exceed forty-five feet in length it shall be twenty-two inches thick at its base :

If the wall exceeds forty-five feet in length it shall be twenty-six inches thick at its base.

(*e*) Where the wall exceeds fifty feet but does not exceed sixty feet in height it shall be at its base of the thickness following :—

If the wall does not exceed forty-five feet in length it shall be twenty-two inches thick at its base :

If the wall exceeds forty-five feet in length it shall be twenty-six inches thick at its base.

(*f*) Where the wall exceeds sixty feet but does not exceed seventy feet in height it shall be at its base of the thickness following :—

If the wall does not exceed forty-five feet in length it shall be twenty-two inches thick at its base :

If the wall exceeds forty-five feet in length it shall be increased in thickness from the base up to within sixteen feet from the top of the wall by four inches (subject to the provision hereinafter contained respecting distribution in piers).

(*g*) Where the wall exceeds seventy feet but does not exceed eighty feet in height it shall be at its base of the thickness following :—

If the wall does not exceed forty-five feet in length it shall be twenty-two inches thick at its base :

If the wall exceeds forty-five feet in length it shall be increased in thickness from the base up to within sixteen feet from the top of the wall by four inches (subject to the provision hereinafter contained respecting distribution in piers).

(*h*) Where the wall exceeds eighty feet but does not exceed ninety feet in height it shall be at its base of the thickness following :—

If the wall does not exceed forty-five feet in length it shall be twenty-six inches thick at its base :

If the wall exceeds forty-five feet in length it shall be increased in thickness from the base up to within sixteen feet from the top of the wall by four inches (subject to the provision hereinafter contained respecting distribution in piers).

(*i*) Where the wall exceeds ninety feet but does not exceed one hundred feet in height it shall be at its base of the thickness following :—

If the wall does not exceed forty-five feet in length it shall be twenty-six inches thick at its base :

If the wall exceeds forty-five feet in length it shall be increased in thickness from the base up to within sixteen feet from the top of the wall by four inches (subject to the provision hereinafter contained respecting distribution in piers).

(*j*) The thickness of the wall at the top, and for sixteen feet below the top, shall be thirteen-and-a-half inches, and the intermediate parts of the wall between the base and sixteen feet below the top shall be built solid throughout the space between straight lines drawn on each side of the wall and joining the thickness at the base to the thickness at sixteen feet below the top.

Provided that notwithstanding anything contained in the foregoing rules (*a*) to (*j*) inclusive,

(i) Any portion of a wall which shall be recessed or chased or constructed so as to form part of any chimney shall be constructed in accordance with the provisions of the byelaws applicable thereto.

(ii) A wall not exceeding eleven feet six inches in height may be of thickness not less than eight-and-a-half inches and a wall not exceeding thirty feet in height may be eight-and-a-half inches thick at the top and for eleven feet six inches below the top.

(iii) Every external and party wall of any storey which measured from the level of the underside of the floor-structure of that storey to the level of the underside of the floor-structure of the storey next above it, if any, exceeds eleven feet six inches in height shall be not less than thirteen-and-a-half inches in thickness ; and

(iv) If any storey exceeds in height fourteen times the thickness hereinbefore prescribed for its walls the thickness of each external and party wall throughout that storey shall be increased to one-fourteenth part of the height of the storey, and the thickness of each external wall and of each party wall below that storey shall be proportionately increased (subject to the provision hereinafter contained respecting distribution in piers).

(v) Any wall built of good whole bricks or of suitable stone or other blocks of hard and incombustible material properly reinforced and properly bonded and solidly put

together with good cement or with good cement mixed with clean sharp sand, may be reduced in thickness by not more than four inches but not so as in any case to be of a less thickness than eight-and-a-half inches.

Provided further that where in accordance with the requirements of this byelaw an increase of thickness is required in the case of a wall exceeding sixty feet in height and forty-five feet in length, or in the case of a storey exceeding in height fourteen times the thickness prescribed for its walls, or in the case of a wall below that storey, the increased thickness may be confined to piers properly distributed, of which the collective widths amount to one-fourth part of the length of the wall. The width of the piers may nevertheless be reduced if the projection is proportionately increased, the horizontal sectional area not being diminished ; but the projection of any such pier shall in no case exceed one-third of its width.

Provided further that in any case where in accordance with the requirements of this byelaw a greater thickness than eight-and-a-half inches is required in the case of any wall the additional thickness may be confined to piers, subject to the following conditions :—

(i) Piers shall be placed at the ends of the wall, and shall be properly distributed throughout its length.

(ii) The wall shall not be less in any part than eight-and-a-half inches in thickness.

(iii) The mean thickness of the wall, including the piers, shall not be less in any storey than the thickness hereinbefore prescribed for such wall for such storey.

Provided further that the foregoing requirements of this byelaw shall not be deemed to apply to any part of an external wall of a new building which may be constructed as a gable or as a bay for a bay window, of suitable blocks of hard and incombustible material of such thickness as shall be necessary to secure due stability properly and solidly put together with good cement, or with good cement mixed with clean sharp sand, and shall be, in the case of a bay, above the level of the sill of the lowest window opening in such bay, and, in the case of a gable, above the level of the floor of the topmost storey in such building.

Provided further that the foregoing byelaw shall not apply in any case in which an offence is committed against Section 225 of the Act 7 and 8, Vict. Cap. LXXV.

28. Every person who shall erect a new building shall construct in accordance with the following rules, every cross wall which, in pursuance of the byelaw in that behalf may, as a return wall, be deemed a means of determining the length of any external wall or party wall of such building; and in every case the thickness prescribed shall be the minimum thickness of which any such wall may be constructed; and the several rules shall apply only to walls built of good whole bricks, or of suitable stone or other blocks of hard and incombustible substance, the beds or courses being horizontal :—

The thickness of every such cross wall shall be at least two-thirds of the thickness prescribed by the byelaw in that behalf for an external wall or party wall of the same height and length and belonging to the same class of building as that to which such cross wall belongs, but shall in no case be less than eight-and-a-half inches :—

But if such cross wall supports a superincumbent external wall the whole of such cross wall shall be of the thickness prescribed by the byelaw in that behalf for an external wall or a party wall of the same height and length and belonging to the same class of building as that to which such cross wall belongs.

29. Every person who shall erect a new building and shall construct any external wall or party wall thereof, or any cross wall thereof which, in pursuance of the byelaw in that behalf, may as a return wall be deemed a means of determining the length of any external wall or any party wall thereof, of any material other than good whole bricks or suitable stone or other blocks of hard and incombustible material, the beds or courses being horizontal, shall comply with the following rules with respect to the thickness of such wall :—

(*a*) Where a wall is built of stone or of clunches of bricks, or other burnt or vitrified material, the beds or courses not being horizontal, or of flintwork, the thickness of such wall shall be one-third greater than that prescribed by the byelaw in that behalf for a wall built of bricks, but in other respects of the same description, height, and length, and belonging to the same class of building.

(*b*) A wall built of cement concrete, shall be of such thickness as shall be necessary to secure due stability.

(*c*) A wall built of brickwork and flintwork, in which the proportion of brickwork is equal to at least one-fifth of the entire content of the wall and is properly distri-

buted in piers and horizontal courses, or of half-timber work, or of other suitable material not specifically mentioned in this byelaw, shall be deemed to be of sufficient thickness if constructed of the thickness prescribed by the byelaw in that behalf for a wall built of bricks, but in other respects of the same description, height, and length, and belonging to the same class of building.

Provided that, in case of a wall which, in accordance with the requirements of this byelaw, would be required to be of greater thickness than the minimum thickness prescribed by this byelaw for any wall, such additional thickness may be confined to piers, subject to the following conditions :—

(i) Piers shall be placed at the ends of the wall, and shall be properly distributed throughout its length ;

(ii) The wall shall not be less in any part than the minimum thickness prescribed by this byelaw for any wall ;

(iii) The mean thickness of the wall, including the piers, shall not be less in any storey than the thickness hereinbefore prescribed for such wall for such storey.

Provided always that this byelaw shall not be deemed to apply to any part of an external wall of a new building which may, in accordance with the provisions of the byelaw in that behalf, be constructed with timber, iron or steel framework as a gable or as a bay window, or with timber, iron or steel framework covered with tiles, slates or other suitable incombustible material, or which shall be constructed as a gable or as a bay for a bay window of suitable blocks of hard and incombustible material of such thickness as shall be necessary to secure due stability, properly and solidly put together with good cement or with good cement mixed with clean sharp sand, the beds or courses being horizontal, and shall be in the case of a bay, above the level of the sill of the lowest window opening in such bay, and, in the case of a gable, above the level of the floor of the topmost storey in such building.

Provided further that the foregoing byelaw shall not apply in any case in which an offence is committed against Section 225 of the Act 7 and 8, Vict. Cap. LXXV.

30. Every person who shall erect a new building and shall leave in any storey or storeys of such building an extent of opening in any external wall which shall be

greater than one half of the whole extent of the vertical face or elevation of the wall or walls of the storey or storeys in which the opening is left shall construct—

(*a*) Sufficient piers of brickwork or other sufficient supports of incombustible material so disposed as to carry the superstructure; and

(*b*) A sufficient pier or piers or other sufficient supports of that description at or within three feet of the corner or angle of the building.

31. Every person who shall erect a new building shall cause every party wall of such building to be carried up at least as high as the underside of the slates or other covering of the roof of such building; and if such party wall be carried up only to the underside of such slates or other covering he shall cause such slates or other covering to be properly and solidly bedded in mortar or cement on the top of the wall.

32. Every person who shall erect a new building shall cause every wall of such building, when carried up above any roof, flat or gutter, so as to form a parapet, to be properly coped or otherwise protected, in order to prevent water from running down the sides of such parapet, or soaking into any wall.

33. A person who shall erect a new building shall not construct any party wall of such building so that any opening shall be made or left in such wall.

34. A person who shall erect a new building shall not make any recess in any external wall or party wall of such building:—

(*a*) Unless the back of such recess be at the least eight-and-a-half inches thick;

(*b*) Unless a sufficient arch be turned or a lintel of incombustible material placed in every storey over every such recess;

(*c*) Unless in each storey the aggregate extent of recesses having backs of less thickness than the thickness prescribed by any byelaw in that behalf for the wall in which such recesses are made do not exceed one-half of the superficial extent of such wall;

(*d*) Unless that side of any such recess which is the nearer to the inner face of any return external wall is distant at the least thirteen-and-a-half inches therefrom.

35. A person who shall erect a new building shall not make in any wall of such building any chase which shall be wider than fourteen inches or more than four inches deep from the face of such wall, or shall leave less than eight-and-a-half inches in thickness at the back or opposite side thereof, or which shall be within thirteen-and-a-half inches from any other chase, or within seven feet from any other chase on the same side of such wall, or within thirteen-and-a-half inches from any return wall.

36. A person who shall erect a new building shall not place in any party wall of such building any wooden bressummer, beam, joist, purlin, or plate, or any bond timber, and shall not construct the roof of such building so that any timber or woodwork may extend upon or across any party wall thereof:

Provided always—

(*a*) That laths and slate battens properly embedded in good cement, in good mortar compounded of good lime and clean sharp sand or other suitable material or in good cement mixed with clean sharp sand, or in other equally suitable incombustible material may extend upon or across such party wall.

(*b*) That the end of any wooden bressummer, beam, joist, purlin, or plate, or of any bond timber, may be placed in a party wall of such building if it do not extend beyond the centre line of such party wall and either be encased in brickwork or other solid and incombustible material not less than four inches in thickness, or have every part which is placed in such party wall properly encased in an iron beam box with a solid back.

37. Every person who shall erect a new building shall cause every bressummer to be borne by a sufficient template of stone, iron, terra-cotta, or vitrified stone-ware of the full breadth of the bressummer, and to have a bearing in the direction of its length of four inches at least at each end.

He shall also, if necessary, cause such bressummer to have such storey posts, iron columns, stanchions, or piers of brick, stone, or other equally suitable material on a solid foundation under the same as may be sufficient to carry the superstructure.

38. Every person who shall erect a new building shall cause every chimney of such building to be constructed

(1) Of good whole bricks or stone properly bonded and solidly put together :—

(i) With good mortar compounded of not less than one part by measure of good lime to three parts by measure of clean sharp sand, or other suitable material ; or

(ii) With good cement ; or

(iii) With one part by measure of good cement mixed with not more than four parts by measure of clean sharp sand ; or

(2) Of other good hard and suitable incombustible material properly and solidly put together.

39. Every person who shall erect a new building shall cause every chimney of such building to be properly bonded into the wall against which such chimney is built and, except in such case as is hereinafter provided, to be built on solid foundations and with proper footings :

He shall cause such footings to be constructed in all respects in accordance with the same conditions as are or would be applicable to the footings of the wall against which such chimney is built :

Provided, nevertheless, that such person may cause any chimney of such building to be built on a metal girder, or on sufficient corbels of brick, stone, or other hard and incombustible materials if the work so corbelled out does not project from the wall more than the thickness of the wall measured immediately below the corbel.

40. Every person who shall erect a new building shall cause the inside of every flue of such building to be properly rendered or pargeted as such flue is carried up, unless the whole flue shall be lined with fireproof piping of stoneware at least one inch thick, and unless the spandril angles shall be filled in solid with brickwork or other incombustible material.

Such person shall also cause the back or outside of such flue, which shall not be constructed so as to form part of the outer face of an external wall, to be properly rendered in every case where the brickwork or other material of which such back or outside may be constructed is less than eight-and-a-half inches thick.

41. Every person who shall erect a new building shall cause every flue in such building which may be intended for use in connexion with any furnace, cockle, steam boiler, or close-fire, constructed for any purpose of trade, business

or manufacture or which may be intended for use in connexion with any cooking range or cooking apparatus of such building when occupied as a hotel, tavern, or eating house, to be surrounded with brickwork or other solid and incombustible material at least eight-and-a-half inches thick for a distance of ten feet at the least in height from the floor on which such furnace, cockle, steamboiler, close-fire cooking range, or cooking apparatus may be constructed or placed.

42. Every person who shall erect a new building shall cause a sufficient arch of brick or stone, or a sufficient lintel of stone or other hard and suitable incombustible material, or a sufficient bar of steel or wrought iron to be built over the opening of every chimney of such building to support the breast of such chimney; and if the breast projects more than four-and-a-half inches from the face of the wall, and the jamb on either side is of less width than thirteen-and-a-half inches, he shall cause the abutments to be tied in by a bar or bars of steel or wrought iron of sufficient strength, eighteen inches longer than the opening, turned up and down at the ends, and built into the jambs on each side.

43. Every person who shall erect a new building shall cause the jambs of every chimney of such building to be at least eight-and-a-half inches wide on each side of the opening of such chimney.

44. Every person who shall erect a new building shall cause the breast of every chimney of such building and the brickwork or other material surrounding every smoke flue and every copper flue of such building to be at least four inches in thickness.

45. Every person who shall erect a new building shall cause the back of every chimney opening in an external wall and the back common to any two chimney openings built back-to-back in a wall other than a party wall to be at least four inches thick and shall cause the back of every other chimney opening to be at least eight-and-a-half inches thick.

He shall cause the thickness hereinbefore required to extend for a height of twelve inches at the least above the chimney opening, and if in any room constructed for occupation as a kitchen the chimney opening be in a party wall he shall cause such thickness to extend up the back of the flue for a height of nine feet at the least above the level of the hearth.

46. Every person who shall erect a new building shall cause the upperside of every flue of such building when the course of such flue makes with the horizon an angle of less than forty-five degrees, to be at least eight-and-a-half inches in thickness.

47. Every person who shall erect a new building shall cause every chimney shaft or smoke flue of such building to be carried up in brickwork or other equally suitable material all round at least four inches thick to a height of not less than two feet above the roof, flat or gutter adjoining thereto, measured at the highest point in the line of junction with such roof, flat or gutter. Provided that if the shaft or flue is in a party wall and not back-to-back with another shaft or flue he shall cause the material surrounding such part of the shaft or flue as is below the roof flat or gutter to be at least eight-and-a-half inches thick.

48. A person who shall erect a new building shall not cause the brickwork or other material of any chimney shaft of such building, other than a chimney shaft of the furnace of any steam engine, brewery, distillery, or manufactory, to be built higher above the roof, flat or gutter adjoining such chimney shaft, measured from the highest point in the line of junction with such roof, flat or gutter, than a height equal to six times the least width of such chimney shaft at the level of such highest point, unless such chimney shaft shall be built with and bonded to another chimney shaft not in the same line with such first-mentioned chimney shaft, or shall be otherwise made secure.

Every person who shall erect a new building shall cause a proper damp-proof course of sheet lead, asphalte or slates laid in cement to be inserted in every chimney immediately below the roof covering adjoining the chimney.

49. A person who shall erect a new building shall not place any iron holdfast or other metal fastening nearer than two inches to the inside of any flue or chimney opening in such building.

50. A person who shall erect a new building shall not place any timber or woodwork :—

(*a*) In any wall or chimney breast of such building nearer than nine inches to the inside of any flue or chimney opening :

(*b*) Under any chimney opening of such building within ten inches from the upper surface of the hearth thereof.

A person who shall erect a new building shall not drive any wooden plug into any wall or chimney breast of such building nearer than six inches to the inside of any flue or chimney opening.

51. Every person who shall erect a new building shall cause the face of the brickwork or other material about any flue or chimney opening of such building, where such face is at a distance of less than two inches from any timber or woodwork, and where the substance of such brickwork or other material is less than eight-and-a-half inches thick, to be properly rendered.

52. A person who shall erect a new building shall not construct any chimney of such building so as to make or leave in such chimney any opening for the insertion of any pipe for conveying smoke or other products of combustion or for the insertion of a ventilating valve, or for any other purpose, unless such opening be at least nine inches distant from any timber or other combustible substance.

53. Every person who shall erect a new building shall cause the flat and roof of such building, and every turret, dormer, lantern-light, skylight, or other erection forming part of the flat or roof of such building to be externally covered with slates, tiles, metal or other incombustible materials, except as regards any door, door frame, window or window frame of any such turret, dormer, lantern-light, skylight, or other erection.

He shall cause such flat and roof to be so constructed as to be watertight and where any such roof or flat abuts on any wall, chimney, or other erection he shall cause the junction to be properly stopped, filled in solid, or covered with lead, zinc or other suitable impervious materials so as to be watertight.

With respect to the structure of Roofs of New Buildings for securing stability.

54. Every person who shall erect a new building and shall construct the roof of such building :—

With rafters and purlins of good sound fir, or pine, laid and fixed on edge in the ordinary way ;

The rafters being laid at a distance of fifteen inches apart, measured from the middle of one rafter to the middle of the next, or to the nearest wall ; provided that the roof being covered with asbestos tiles the rafters may be laid

at a distance not exceeding eighteen inches apart, measured from the middle of one rafter to the middle of the next, or to the nearest wall ; if the rafters be laid at a less distance apart than that specified in this byelaw, they may be of proportionately less strength than is required by the bye-law.

The purlins being laid at a distance of not more than nine feet apart, measured from the middle of one purlin to the middle of the next, or to the ridge or to the wall plate ; and

The roof being covered with slates or tiles of the usual kind ; shall cause the several common rafters and purlins in such roof to be, in every part, of not less depth and thickness than are hereinafter prescribed :

Common Rafters.

(1) Subject as hereinafter provided such person shall cause every common rafter to be of not less depth and thickness than the following, that is to say :—

Length up to 6ft.

(*a*) If the length of such rafter be not more than six feet, its depth shall be three inches and its thickness two inches.

Length 6ft. to 7ft. 6in.

(*b*) If the length of such rafter be more than six feet, but not more than seven feet six inches, its depth shall be four inches and its thickness two inches.

Length 7ft. 6in. to 9ft.

(*c*) If the length of such rafter be more than seven feet six inches, but not more than nine feet, its depth shall be four and a half inches and its thickness two inches.

Purlins.

(2) Subject as hereinafter provided, such person shall cause every purlin to be of not less depth and thickness than the following, that is to say :—

Length up to 6ft. 6in.

(*a*) Where the length of such purlin is not more than six feet six inches—

(i) If the distance of the purlins apart be not more than six feet the depth of the purlin shall be five inches and its thickness two-and-a-half inches.

(ii) If the distance of the purlins apart be more than six feet, but not more than nine feet, the depth of the purlin shall be five and-a-half inches and its thickness three inches.

Length 6ft. 6in. to 8ft. 6in.

(*b*) Where the length of such purlin is more than six feet six inches, but not more than eight feet six inches—

(i) If the distance of the purlins apart be not more than six feet, the depth of the purlin shall be six inches and its thickness three inches.

(ii) If the distance of the purlins apart be more than six feet, but not more than nine feet, the depth of the purlin shall be seven inches and its thickness three-and-a-half inches.

Length 8ft. 6in. to 10ft. 6in.

(*c*) Where the length of such purlin is more than eight feet six inches, but not more than ten feet six inches—

(i) If the distance of the purlins apart be not more than six feet, the depth of the purlin shall be seven inches and its thickness four inches.

(ii) If the distance of the purlins apart be more than six feet but not more than nine feet the depth of the purlin shall be eight inches and its thickness four inches.

Length 10ft. 6in. to 12ft. 6in.

(*d*) Where the length of such purlin is more than ten feet six inches but not more than twelve feet six inches—

(i) If the distance of the purlins apart be not more than six feet, the depth of the purlin shall be eight inches and its thickness four inches.

(ii) If the distance of the purlins apart be more than six feet, but not more than nine feet, the depth of the purlin shall be nine inches and its thickness four inches.

Length 12ft. 6in. to 14ft. 6in.

(*e*) Where the length of such purlin is more than twelve feet six inches, but not more than fourteen feet six inches—

(i) If the distance of the purlins apart be not more than six feet, the depth of the purlin shall be nine inches and its thickness four inches.

(ii) If the distance of the purlins apart be more than six feet, but not more than nine feet, the depth of the purlin shall be ten inches and its thickness four-and-a-half inches.

Length 14ft. 6in. to 16ft. 6in.

(*f*) Where the length of such purlin is more than fourteen feet six inches, but not more than sixteen feet six inches—

(i) If the distance of the purlins apart be not more than six feet the depth of the purlin shall be ten inches, and its thickness four-and-a-half inches.

(ii) If the distance of the purlins apart be more than six feet, but not more than nine feet, the depth of the purlins shall be eleven inches and its thickness five inches.

Length over 16ft. 6ins.

(*g*) Where the length of such purlin is more than sixteen feet six inches, such purlin shall be of greater strength as shall be sufficient to secure proper stability, having regard to the distance of the purlins apart.

Provided that—

Roofs (Common rafters and purlins) Proviso for timbers of the same strength.

(1) The foregoing requirements of this Byelaw as regards the depth and thickness of rafters and purlins shall be deemed to be complied with if the person erecting the new building shall cause the several rafters and purlins to be of at least the same strength as is required by the Byelaw:

And for timbers of a less strength.

(2) If the rafters be laid at a less distance apart than that specified in this Byelaw, they may be of proportionately less strength than is required by the Byelaw.

Timbers of certain roofs not within the preceding bye-law.

55. Every person who shall erect a new building and who shall construct the roof of such building with rafters and purlins laid at a greater distance apart than that specified in the foregoing Byelaw but otherwise in the manner specified in such Byelaw, or who shall cause such roof to be covered with lead, shall cause such rafters and purlins to be of proportionately greater strength than is required by such Byelaw.

Roof battens.

56. Every person who shall erect a new building, and shall cause the roof of such building (not being a boarded roof) to be covered with slates, shall cause the slates to be secured to sawn battens not less than two inches in depth and three-quarters of an inch in thickness.

Laying and fixing of slates or tiles.

57. Every person who shall erect a new building, and shall cause the roof of such building to be covered with slates or tiles, shall cause such slates or tiles to be properly laid so as to break joint, and so that each course of slates shall overlap the course next but one below it to the extent of not less than two and a half inches.

If he shall cause such roof to be covered with slates, he shall cause every slate to be secured by not less than two strong copper, galvanized, or other suitable nails, at least one-and-a-quarter inches in length.

With respect to the structure of floors, hearths, and staircases, and the height of rooms intended to be used for human habitation.

FLOORS.

Timbers of floors of ordinary construction.

58. Every person who shall erect a new building, and shall construct any floor in such building, with joists of good sound fir or pine, laid on edge in the ordinary way, the joists being laid at a distance of twelve inches apart, measured between the timbers, one at least of the outside joists in every floor being fixed at not more than two clear inches from the inner face of the nearest wall, and the joists being covered with boards, shall cause the several common joists in such floor to have a sufficient bearing at each end, and to be, in every part, of not less depth and thickness than are hereinafter described.

Common Joists (domestic buildings).

(1) Subject as hereinafter provided, such person shall, if such building be a domestic building, cause every common joist to be of not less depth and thickness than the following, that is to say:—

Length up to 5 feet.

(*a*) If the length of such joist be not more than five feet, its depth shall be four inches, and its thickness two inches.

Length 5ft. to 6ft.

(*b*) If the length of such joist be more than five feet, but not more than six feet its depth shall be four-and-a-half inches, and its thickness two inches.

Length 6ft. to 7ft.

(*c*) If the length of such joist be more than six feet, but not more than seven feet, its depth shall be five inches and its thickness two inches.

Length 7ft. to 8ft.

(*d*) If the length of such joist be more than seven feet but not more than eight feet, its depth shall be six inches and its thickness two inches.

Length 8ft. to 9ft.

(*e*) If the length of such joist be more than eight feet, but not more than nine feet, its depth shall be six-and-a-half inches and its thickness two inches.

Length 9ft. to 10ft.

(*f*) If the length of such joist be more than nine feet, but not more than ten feet, its depth shall be seven inches, and its thickness two inches.

Length 10ft to 11ft.

(*g*) If the length of such joist be more than ten feet, but not more than eleven feet, its depth shall be seven-and-a-half inches and its thickness two inches.

Length 11ft. to 12ft.

(*h*) If the length of such joist be more than eleven feet, but not more than twelve feet, its depth shall be eight inches and its thickness two inches.

Length 12ft to 13ft.

(*i*) If the length of such joist be more than twelve feet, but not more than thirteen feet, its depth shall be eight-and-a-half inches, and its thickness two inches.

Length 13ft. to 14ft.

(*j*) If the length of such joist be more than thirteen feet, but not more than fourteen feet, its depth shall be nine inches, and its thickness two inches.

Length 14ft. to 15ft.

(*k*) If the length of such joist be more than fourteen feet, but not more than fifteen feet, its depth shall be ten inches, and its thickness two inches.

Length 15ft. to 17ft.

(*l*) If the length of such joist be more than fifteen feet, but not more than seventeen feet, its depth shall be ten inches, and its thickness two-and-a-half inches.

Length 17ft. to 19ft.

(*m*) If the length of such joist be more than seventeen feet, but not more than nineteen feet, its depth shall be ten inches, and its thickness three inches.

Length 19ft. to 21ft.

(*n*) If the length of such joist be more than nineteen feet, but not more than twenty-one feet its depth shall be eleven inches, and its thickness three inches.

Length 21ft. to 23ft.

(*o*) If the length of such joist be more than twenty-one feet, but not more than twenty-three feet, its depth shall be eleven inches and its thickness three-and-a-half inches.

Length over 23ft.

(*p*) If the length of such joist be more than twenty-three feet, such joist shall be of such greater strength as shall be sufficient to secure proper stability.

Provided that—

(i) Joists not less than six inches in depth by two inches in thickness may be used where the span does not exceed ten feet, if a row of solid strutting not less than six inches in depth by two inches in thickness be fixed across the centre of the span.

(ii) Joists not less than seven inches in depth by two inches in thickness may be used where the span does not exceed twelve feet if a row of solid strutting not less than seven inches in depth by two inches in thickness be fixed across the centre of the span; and

(iii) Joists not less than eight inches in depth by two inches in thickness may be used where the span does not exceed thirteen feet, if a row of solid strutting not less than eight inches in depth by two inches in thickness be fixed across the centre of the span.

Common Joists (warehouse buildings).

(2) Subject as hereinafter provided, such person shall if such building be a building of the warehouse class, cause every common joist to be of not less depth and thickness than the following, that is to say:—

Length up to 4ft.

(*a*) If the length of such joist be not more than four feet, its depth shall be five inches, and its thickness two-and-a-half inches.

Length 4ft. to 6ft.

(*b*) If the length of such joist be more than four feet, but not more than six feet, its depth shall be six inches, and its thickness two-and-a-half inches.

Length 6ft. to 9ft.

(*c*) If the length of such joist be more than six feet, but not more than nine feet, its depth shall be eight inches, and its thickness three inches.

Length 9ft. to 12ft.

(*d*) If the length of such joist be more than nine feet, but not more than twelve feet, its depth shall be ten inches, and its thickness three inches.

Length 12ft. to 15ft.

(*e*) If the length of such joist be more than twelve feet, but not more than fifteen feet, its depth shall be eleven inches, and its thickness three inches.

Length 15ft. to 18ft.

(*f*) If the length of such joist be more than fifteen feet, but not more than eighteen feet, its depth shall be twelve inches, and its thickness four inches.

Length 18ft. to 20ft.

(*g*) If the length of such joist be more than eighteen feet, but not more than twenty feet, its depth shall be thirteen inches, and its thickness four inches.

Length over 20ft.

(*h*) If the length of such joist be more than twenty feet, such joist shall be of such greater strength as shall be sufficient to secure proper stability.

Trimmer and Trimming joists (domestic buildings).

(3) Subject as hereinafter provided, such person shall, if such building be a domestic building, cause every trimmer joist receiving or carrying not more than six common joists, and every trimming joist receiving or carrying such trimmer joist at a distance not greater than three feet from its bearing on the wall, to be of a depth not less than the depth and of a thickness at least half an inch greater than the thickness hereinbefore required in the case of a domestic building for a common joist of the same length.

He shall not cause the extra thickness to be added in a separate scantling, but shall cause such trimmer or trimming joists to be solid throughout.

He shall not cause any trimmer joist for an opening in connection with a flue or fireplace to receive or carry more than six common joists.

He shall cause every trimmer joist receiving or carrying more than six common joists, and every trimming joist receiving or carrying such trimmer, to be of such greater strength as shall be sufficient to secure proper stability.

Trimmer and Trimming joists (warehouse buildings).

(4) Subject as hereinafter provided, such person shall, if such building be a building of the warehouse class, cause every trimmer joist receiving or carrying not more than six common joists, to be of a depth not less than a depth and of a thickness at least one-quarter

of an inch greater for each common joist which it receives or carries, than the thickness hereinbefore required in the case of a building of the warehouse class for a common joist of the same length.

He shall cause every trimming joist receiving or carrying any such trimmer joist, at a distance not greater than three feet from its bearing on the wall, to be of a depth not less than the depth and of a thickness at least one-inch and a half greater than the thickness hereinbefore required, in the case of a building of the warehouse class for a common joist of the same length.

He shall not cause the extra thickness to be added in a separate scantling, but shall cause such trimmer or trimming joist to be solid throughout.

Provided that—

Floors (joists). Proviso for timbers of the same strength.

(1) The foregoing requirements of this Byelaw as regards the depth and thickness of joists shall be deemed to be complied with if the person erecting the new building shall cause the several joists to be of at least the same strength as is required by the Byelaw; and the thickness of the joist be in no case less than two-thirds of the thickness hereinbefore specified:

And for timbers of a less strength.

(2) If the joists be laid at a less distance apart than that specified in this Byelaw, they may be of proportionately less strength than is required by the Byelaw; but the thickness of the several joists shall in no case be less than two-thirds of the thickness hereinbefore specified.

Timbers of certain floors not within the preceding bye-law.

59. (1) Every person who shall erect a new building, and shall construct any floor in such building, with joists laid at a greater distance apart than that specified in such Byelaw, shall cause such joists to be of proportionately greater strength than is required by such Byelaw; and

(2) Every person who shall erect a new building and shall construct any floor in such building—

As a framed floor, or—

As a floor formed with beams at short distances apart, and covered with battens, deals or planks,

without joists, or with joists covered with boards, where the joists or joists and beams or girders are of any kind of wood not being good sound fir or pine, shall cause the several timbers of such floor to be of such depth and thickness as to secure proper stability.

Floors Public and Warehouse Buildings.

60. Every person who shall erect a new public building, or a new building of the warehouse class, shall cause every floor of such building not being a floor to which any of the foregoing Byelaws apply, to be properly constructed of sound and suitable materials and of adequate strength.

He shall, in the case of a public building, cause the floor of every lobby, passage, corridor or landing therein which is not intended solely as a means of access to any private apartment, to be constructed of incombustible materials, and carried by supports of incombustible material.

Bridging or strutting.

61. Every person who shall erect a new building and shall construct any floor in such building of joists covered with boards, shall, where the length of the joists exceeds seven feet and does not exceed twelve feet, cause at least one row of square bridging or herring-bone strutting to be constructed between the joists.

Where the length of the joists exceeds twelve feet and does not exceed eighteen feet he shall cause at least two rows of square bridging or herring-bone strutting to be so constructed; and

Where the length of the joists exceeds eighteen feet he shall for every six feet, or part of six feet, over eighteen feet, cause at least one additional row of square bridging or herring-bone strutting to be so constructed.

He shall cause any such bridging to be formed of good sound and suitable timber, and to be of a depth equal to the depth of the joists, and of a thickness not less than one-and-a-half inch.

He shall cause any such strutting to be formed of good sound and suitable timber of a depth not less than two inches, and of a thickness not less than one-and-a-quarter inch.

62. Every person who shall erect a new domestic building, and shall in such building construct any boarded floor, shall cause such floor to be laid with boards not less than seven-eighths of an inch in actual thickness, provided that in the case of a room which is intended to be used as a sleeping room only, the floor may be laid with boards not less than three-quarters of an inch in actual thickness.

With respect to the structure of hearths.

63. Every person who shall construct a hearth in connection with a chimney opening in a building shall cause it to be placed and fixed under and in front of such chimney opening and to be properly constructed of stone, slate, bricks, tiles, or other incombustible substance properly and securely supported. He shall cause the hearth to be at least six inches in thickness, and to extend at least six inches at each end beyond the chimney opening, and at least sixteen inches from the chimney breast.

He shall also cause the upper surface of the hearth to be at or above the level of the floor of the room in which such chimney opening is situated.

With respect to Staircases.

64. Every person who shall erect a new domestic building, and shall construct any staircase therein, shall comply with the following requirements, that is to say :—

(1) He shall cause the woodwork of every flight of stairs in such staircase to be of not less than the following thicknesses, namely :—

(*a*) The strings shall be not less than one-and-an-eighth inches in actual thickness.

(*b*) The treads shall be not less than seven-eighths of an inch in actual thickness.

(*c*) The risers shall be not less than five-eighths of an inch in actual thickness.

(2) He shall cause such staircase to be provided, where necessary, with a sufficient handrail properly and securely fixed.

65. Every person who shall erect a new public building, or a new building of the warehouse class, and shall construct any staircase therein, shall cause every flight of stairs in such staircase to be properly constructed of sound and suitable materials, and to be securely fixed, and of adequate strength.

He shall, in the case of a public building, cause every flight of stairs in such staircase which is not intended solely as a means of access to any private apartment, to be constructed of incombustible or fire resisting materials and carried by supports of incombustible or fire resisting material, and to be furnished where necessary with a sufficient handrail properly and securely fixed.

He shall, in the case of a public building, cause every flight of stairs in such staircase which is intended solely as a means of access to any private apartments, to be provided where necessary with a sufficient handrail properly and securely fixed.

With respect to the height of rooms intended to be used for human habitation.

66. Every person who shall erect a new building, and shall construct therein any room intended to be used for human habitation, shall comply with the following requirements :—

(*a*) If such room be not a room wholly or partly in the roof of such building, he shall so construct such room that it shall be in every part thereof eight feet at the least in height from the floor to the ceiling.

(*b*) If such room be a room wholly or partly in the roof of such building, he shall so construct such room that it shall be eight feet at the least in height from the floor to the ceiling over not less than one half of the area of the floor and so that it shall be not less in any part thereof than four feet in height from the floor to the ceiling.

With respect to the sufficiency of the space about buildings to secure a free circulation of air, and with respect to the ventilation of buildings.

67. Every person who shall erect a new domestic building intended to be used wholly or partly for human habitation shall provide in front of such building an open space, which, measured to the boundary of any lands or premises immediately opposite, or to the opposite side of any street upon which such building may front, shall, throughout the whole line of frontage of such building, extend to a distance of twenty-four feet at the least ; such distance being measured in every case at right angles to the external face of any wall of such building which shall front or abut on such open space :

Provided that where such building is intended to front on a street laid out before the confirmation of these byelaws, and of a less width than twenty-four feet, the person who shall erect such building shall provide in front thereof an open space, which measured to the opposite side of such street throughout the whole line of frontage of such building, shall extend to a distance equal at least to the width of such street, together with one-half of the difference between such width and twenty-four feet.

Any open space provided in pursuance of this byelaw shall be free from any erection thereon above the level of the ground, except any portico, porch, step, or other like projection from such building, or any gate, fence, or wall not exceeding seven feet in height.

A person who shall make any alteration in or addition to any building or who shall erect any new building shall not, by such alteration, addition or erection diminish the extent of open space provided in front of a building in pursuance of this byelaw or of any byelaw in that behalf which may have been in force in the district at the time of the erection of such building, or in any other respect fail to comply with any provision of this byelaw.

68. (1) Every person who shall erect a new domestic building intended to be used wholly or partly for human habitation shall provide in the rear of such building an open space exclusively belonging to such building, and of an aggregate extent of not less than one hundred and fifty square feet.

He shall cause such open space to extend throughout the entire width of such building, and he shall cause the distance across such open space from the line of the rearmost wall of such building to the boundary of any lands or premises immediately in the rear of the site of such building, to be not less in any part than fifteen feet.

If the height of such building is not less than twenty-five feet but is less than thirty-five feet he shall cause such distance to be twenty feet at the least.

If the height of such building is not less than thirty-five feet he shall cause the distance to be twenty-five feet at the least.

He shall cause such open space at least for the distance hereinbefore required to be free from any erection thereon above the level of the ground, except a watercloset, earth-closet, or privy, and an ashpit, constructed respectively in accordance with the byelaws in that behalf.

In any case where by reason of the exceptional shape of the site of such building the minimum distance across the open space required by this byelaw cannot be obtained throughout the entire width of such building, it shall suffice if the mean distance across such open space be not less than the minimum distance so required :

Provided that—

(i) where it is intended to erect any such new domestic building on a site abutting on two or more streets ; or

(ii) where it is intended to re-erect any such domestic building in a street laid out before the confirmation of these byelaws ;

and it is impracticable to comply with the preceding requirements of this byelaw, the said requirements shall be deemed to be satisfied by the provision at the rear or on one side of the site other than the front of such building of an open space exclusively belonging to such building of an extent of at least one hundred and fifty square feet, or in the case of a re-erection of a domestic building, of an extent not less than that of any open space previously provided in connection with such building, and in no case less than one hundred square feet, which shall be free from any erection thereon except a watercloset or earthcloset and an ashpit, and subject to the following conditions :—

(*a*) The open space shall extend throughout at least ten feet of the width or depth of such building and the mean distance across such open space measured from the opposite part of such building, to the nearest boundary of any street, lands, or premises immediately adjoining such open space shall be in no case less than ten feet ; and

(*b*) if the said open space does not abut on a street it shall be connected with a street by means of a passage or other similar opening so arranged as to be capable at all times of affording a free circulation of air between the open space and such street.

Provided further that where in any street laid out before the confirmation of these byelaws, a domestic building may be intended to be erected upon a site which, at the time of such confirmation or at a time not exceeding six months previously to the time of such confirmation, shall have been occupied by another domestic building, this byelaw shall not be deemed to prevent the erection upon such site of a domestic building other than a dwelling-house and having no basement storey, the ground floor of which may wholly or partially cover such site, and where any such

building is so erected the open space required by this bye-law to be provided in rear of such building shall be provided free from any erection thereon above the level of the floor line of the first floor, except a skylight for the purpose of lighting and ventilating the ground floor, the height of which shall not exceed two feet as measured to the projection of the eaves, and three feet six inches as measured to the highest part of the roof of such skylight.

(2) Every person who shall erect a new domestic building intended and adapted to be used exclusively as a stable shall provide an open space adjoining and exclusively belonging thereto of an aggregate extent of not less than one hundred and fifty square feet, and free from any erection thereon above the level of the ground except a suitably constructed receptacle for dung.

(3) A person who shall make any alteration in or addition to any building, or who shall erect any new building, shall not, by such alteration, addition, or erection diminish the extent of open space provided in the rear or at the side of a building in pursuance of this byelaw or of any byelaw in that behalf which may have been in force in the district at the time of the erection of such building, or in any other respect fail to comply with any provision of this byelaw.

(4) For the purposes of this byelaw the height of a building shall be the height of the highest portion of the building measured upwards from the level of the ground over which the open space shall extend to the level of half the vertical height of the roof, or to the top of the parapet, whichever may be the higher.

69. Every person who shall erect a new domestic building shall construct in the wall of each storey of such building which shall immediately front or abut on such open spaces as, in pursuance of the byelaws in that behalf, shall be provided in connexion with such building, a sufficient number of suitable windows, in such a manner and in such a position that each of such windows shall afford effectual means of ventilation by direct communication with the external air.

70. Every person who shall erect a new domestic building shall so construct the whole of the floor in the lowest storey of such building, if such floor be a boarded floor, that there shall be, for the purpose of ventilation between the under side of every joist on which such floor may be laid, and the upper surface of the asphalte or con-

crete with which, in pursuance of the byelaw in that behalf, the ground surface or site of such building may be covered, a clear space of three inches at the least in every part, and he shall cause such space to be thoroughly ventilated by means of suitable and sufficient air-bricks, or by some other effectual method:

Provided that the foregoing requirement shall not apply to any part of the lowest storey which is provided with a solid floor composed of boards, planks or wood blocks, laid or bedded directly upon concrete or other similar dry and impervious foundation, but if he shall construct the floor in the lowest storey partly in accordance with the first paragraph of this byelaw and partly in accordance with this proviso, he shall so construct that part of the floor which is solid that there shall be an air channel through the concrete or other foundation.

71. Every person who shall erect a new building shall construct in every habitable room of such building one window, at the least, opening directly into the external air. He shall cause the total area of such window, or, if there be more than one, of the several windows, clear of the sash frames, to be equal at the least to one-tenth of the floor area of such room. He shall cause such window or windows to be so constructed that a total area thereof equal at the least to one-twentieth of the floor area of such room may be opened, and so that the opening may extend in every case to the top of the window.

72. Every person who shall erect a new domestic building shall cause every habitable room of such building which is without a fireplace, and a flue properly constructed and properly connected with such fireplace, to be provided with special and adequate means of ventilation by a sufficient aperture or air shaft which shall provide an unobstructed sectional area of eighty square inches at the least.

73. Every person who shall erect a new public building shall cause such building to be provided with adequate means of ventilation.

With respect to the drainage of buildings.

74. Every person who shall erect a new building shall cause the subsoil of the site of such building to be effectually drained by means of suitable earthenware field pipes properly laid to a suitable outfall, wherever the dampness of the site renders such a precaution necessary.

He shall not lay any such pipe in such a manner or in such a position as to communicate directly with any sewer or cesspool, or with any drain constructed or adapted to be used for conveying or receiving sewage where any other means of drainage shall be available. He shall not in any case cause such pipe to communicate directly with any such sewer, cesspool or drain but where communication with such sewer, cesspool or drain is necessary he shall provide a suitable trap, with a ventilating opening, at a point in the line of the subsoil drain as near as may be practicable to such trap.

75. Every person who shall erect a new building shall provide suitable gutters, shoots, or troughs for the purpose of receiving all water which may fall on the roof or flat of such building, and shall cause such gutters, shoots or troughs to be connected with a suitable downspout, pipe, or trunk, which shall be constructed in such a manner as to carry away all such water without causing dampness in any part of any wall or foundation of any building.

76. Every person who shall erect a new building shall construct the lowest storey of such building at such level as will allow of the effectual drainage of such building, and of the provision of the requisite communication with any sewer into which any drain for the purpose may lawfully empty, at a point in the upper half diameter of such sewer, or with any other means of drainage with which such drain may lawfully communicate :

Provided that this byelaw shall not be deemed to apply to a cellar intended for storage purposes only and constructed in a dry soil or so as to be impervious to water.

77. (1) Every person who shall erect a new building shall, in the construction of every drain of such building, other than a drain constructed in pursuance of the byelaw in that behalf for the drainage of the subsoil of the site of such building, use good sound pipes formed of glazed stoneware, heavy cast iron or other equally suitable material.

(2) He shall cause such drain to be of adequate size, and, if constructed or adapted to be used for conveying sewage, to have an internal diameter not less than four inches, and to be laid with a proper fall, and with socketed or other suitable water-tight joints.

(3) If he shall construct such drain of iron pipes, he shall cause such drain to be laid on a bed of good concrete or to be otherwise properly and suitably supported.

(4) If he shall construct such drain otherwise than of iron pipes, he shall cause such drain to be properly supported, and if such drain is constructed or adapted to be used for conveying sewage, or the nature of the soil renders such a precaution necessary, he shall cause such drain to be laid on a bed of good concrete.

(5) He shall not construct such drain so as to pass under any building, except in any case where any other mode of construction may be impracticable.

If he shall construct such drain so as to pass under any building, he shall cause such drain to be so laid in the ground that there shall be a distance equal at the least to the full diameter thereof between the top of such drain at its highest point and the surface of the ground under such building.

He shall also cause such drain to be laid in a direct line for the whole distance beneath such building, and if constructed otherwise than of iron pipes to be completely embedded in and covered with good and solid concrete, at least six inches thick, all round.

He shall likewise cause adequate means of access to be provided in connexion with such drain at each end of such portion thereof as is beneath such building.

(6) He shall cause every inlet to such drain, not being an inlet provided in pursuance of the byelaw in that behalf as an opening for the ventilation of such drain, to be properly trapped.

78. Every person who shall erect a new building shall provide, within the curtilage thereof, in every main drain or other drain of such building, intended to be used for conveying sewage, a suitable trap at a point as distant as may be practicable from such building and as near as may be practicable to the point at which such drain may be connected with the sewer or other means of drainage into which it shall empty.

He shall provide in connexion with such trap proper means of access for the purpose of cleansing.

79. A person who shall erect a new building shall not construct the several drains of such building in such a manner as to form in such drains any right-angled junction.

He shall cause every branch drain or tributary drain to join another drain obliquely in the direction of the flow of such drain.

80. Every person who shall erect a new building shall, for the purposes of securing efficient ventilation of the several drains of such building constructed or adapted to be used for conveying sewage, comply with the following requirements :—

(i) He shall provide at least two untrapped openings to such drains, of which openings one shall be situated as near as may be practicable to the trap which, in pursuance of the byelaw in that behalf, shall be provided between the main drain or other drain of the building, and the sewer or other means of drainage with which such drain may lawfully communicate, and on that side of the trap which is the nearer to the building ; and the second opening shall be as far distant as may be practicable from the point at which the first-mentioned opening shall be situated.

One of the aforesaid openings shall be at or near the level of the surface of the ground adjoining such opening, and shall communicate with the drains by means of a suitable pipe, shaft, or disconnecting chamber.

The other opening shall be obtained by carrying up a pipe or shaft, vertically, to such a height and in such a manner as effectually to prevent any escape of foul air, from such pipe or shaft into any building in the vicinity thereof, and in no case to a less height than ten feet :

Provided always, that the soil pipe of any watercloset, in every case where the situation, sectional area, height, and mode of construction of such soil pipe shall be in accordance with the requirements applicable to the pipe or shaft to be carried up from the drains, may be deemed to provide the necessary opening for ventilation which would otherwise be obtained by means of such last-mentioned pipe or shaft.

(ii) He shall cause every opening provided in accordance with the arrangements hereinbefore specified to be furnished with a suitable grating or other suitable cover for the purpose of preventing any obstruction in or injury to any pipe or drain by the introduction of any substance through any such opening. He shall, in every case, cause such grating or cover to be so constructed and fitted as to secure the free passage of air through such grating or cover by means of a sufficient number of apertures, of which the aggregate extent shall be not less than the sectional area of the pipe or drain to which such grating or cover may be fitted.

(iii) Every pipe or shaft which may be used in connexion with the arrangements hereinbefore specified shall be of a sectional area not less than that of the drain with which such pipe or shaft may communicate. Provided that where such pipe or shaft communicates with a drain of an internal diameter of four inches the internal diameter of such pipe or shaft may be not less than three-and-a-half inches.

(iv) No bend or angle shall (except where unavoidable) be formed in any pipe or shaft used in connexion with the arrangements hereinbefore specified.

(v) Provided always, that the requirements of this byelaw shall not apply to a drain which shall not be more than thirty feet in length and shall be constructed so as not to have any internal communication with any building other than a watercloset which cannot be entered except from the external air.

81. A person who shall erect a new building shall not construct any drain of such building in such a manner as to allow any inlet to such drain (except such inlet as may be necessary from the apparatus of any watercloset or any slop sink constructed or adapted to be used for receiving within such building any solid or liquid filth) to be made within such building.

He shall cause the soil pipe from every watercloset in such a building to be at least four inches in diameter.

He shall cause such soil pipe and the waste pipe from every such slop sink to be fixed outside such building, and he shall cause such waste pipe to be continued upwards without diminution of its diameter, and (except where unavoidable) without any bend or angle being formed in such waste pipe to such a height and in such a position as to afford, by means of the open end of such waste pipe, an outlet for foul air, at a safe distance from windows, chimneys, and other openings.

He shall so construct such soil pipe that there shall not be any trap between such soil pipe and the drains, or any trap (other than such as may necessarily form part of the apparatus of any watercloset) in any part of such soil pipe.

He shall also cause the waste pipe from every bath, sink (not being a slop sink constructed or adapted to be used for receiving any solid or liquid filth), or lavatory, and every pipe in such building for carrying off foul waste water to be properly trapped and to be taken through

an external wall of such building, and to discharge in the open air over a channel leading to a trapped gulley with a proper grating, and not communicating with any sewer or other means of drainage for the reception of subsoil or surface water only, or over such a gulley, or into such a gulley beneath the grating but above the level of the water in the trap thereof.

He shall cause the overflow pipe from any cistern and from every safe under any bath or watercloset to be taken through an external wall of such building and to discharge in the open air.

With respect to waterclosets, earthclosets, privies, ashpits and cesspools in connexion with buildings.

82. Every person who shall construct a watercloset or earthcloset in a building shall construct such watercloset or earthcloset in such a position that one of its sides at the least shall be an external wall.

83. Every person who shall construct a watercloset or earthcloset within a building shall construct in one of the walls of such watercloset or earthcloset a window of not less dimensions than two feet by one foot, exclusive of the frame, and opening directly into the external air.

He shall, in addition to such window, cause such watercloset or earthcloset to be provided with adequate means of constant ventilation by at least one air-brick built in an external wall of such watercloset or earthcloset, or by an air shaft, or by some other effectual method or appliance.

84. Every person who shall construct a watercloset or an earthcloset in connexion with but not within a building shall provide such watercloset or earthcloset with a sufficient opening for light and ventilation, as near to the top as convenient, and communicating directly with the external air.

85. Every person who shall construct a watercloset in connexion with a building shall furnish such watercloset with a separate cistern or flushing box of adequate capacity, which shall be so constructed, fitted, and placed as to admit of the supply of water for use in such watercloset without any direct connexion between any service pipe upon the premises and any part of the apparatus of such watercloset, other than such cistern or flushing box.

He shall furnish such watercloset with a suitable apparatus for the effectual application of water to any pan, basin, or other receptacle with which such apparatus may be connected and used, and for the effectual flushing and cleansing of such pan, basin, or other receptacle, and for the prompt and effectual removal therefrom of any solid or liquid filth which may from time to time be deposited therein.

He shall furnish such watercloset with a pan, basin, or other suitable receptacle of non-absorbent material and of such shape, of such capacity, and of such mode of construction as to receive and contain a sufficient quantity of water, and to allow the filth which may from time to time be deposited in such pan, basin, or receptacle to fall free of the sides thereof, and directly into the water received and contained in such pan, basin, or receptacle.

He shall not construct or fix under such pan, basin, or receptacle any " container " or other similar fitting.

He shall not construct or fix in or in connexion with the watercloset apparatus any trap of the kind known as a " D " trap.

If he shall construct such watercloset in connexion with a soil pipe, which is itself in connexion with any other watercloset, he shall cause the trap of such watercloset to be ventilated into the open air at a point as high as the top of the soil pipe, or into the soil pipe at a point above the highest watercloset connected with such soil pipe, by means of a pipe which shall have in all parts an internal diameter of not less than two inches, and shall be connected with the arm of the soil pipe, at a point not less than three and not more than twelve inches from the highest part of the trap, and on that side of the water seal which is nearest to the soil pipe.

86. Every person who shall construct an earthcloset in connexion with a building shall furnish such earthcloset with a reservoir of suitable construction and of adequate capacity, for dry earth or other deodorizing substance, and he shall construct and fix such reservoir in such a manner and in such a position as to admit of ready access to such reservoir for the purpose of depositing therein the necessary supply of dry earth or other deodorizing substance.

He shall construct or fix in connexion with such reservoir suitable means or apparatus for the frequent and effectual application of a sufficient quantity of dry earth

or other deodorizing substance to any filth which may from time to time be deposited in any pan, pit, or other receptacle for filth constructed, fitted, or used in or in connexion with such earthcloset.

87. Every person who shall construct an earthcloset in connexion with a building, and shall provide in or in connexion with such earthcloset a fixed receptacle for filth, shall construct such earthcloset outside such building, and shall construct or fix the receptacle of such earthcloset in such a manner and in such a position as to admit of the frequent and effectual application of a sufficient quantity of dry earth or other deodorizing substance to any filth which may from time to time be deposited in such receptacle, and in such a manner and in such a position as to admit of ready access to such receptacle for the purpose of removing the contents thereof.

He shall not construct such receptacle of a capacity greater than may be sufficient to contain such filth and dry earth or other deodorizing substance as may be deposited therein during a period not exceeding three months, or in any case of a capacity exceeding forty cubic feet.

He shall construct such receptacle of such material or materials, and in such a manner, as to prevent any absorption by any part of such receptacle of any filth deposited therein, or any escape, by leakage or otherwise, of any part of the contents of such receptacle.

He shall construct or fix such receptacle so that the bottom or floor thereof shall be at least three inches above the level of the surface of the ground immediately adjoining the earthcloset, and so that the contents of such receptacle may not at any time be exposed to any rainfall or to the drainage of any waste water or liquid refuse.

88. Every person who shall construct an earthcloset in connexion with but not within a building and shall provide in or in connexion with such earthcloset a movable receptacle for filth, shall construct such earthcloset so that the position and mode of fitting of such receptacle may admit of the frequent and effectual application of a sufficient quantity of dry earth or other deodorizing substance to any filth which may from time to time be deposited in such receptacle, and may also admit of ready access to that part of the earthcloset in which such receptacle may be placed or fitted, and of the convenient removal of such receptacle or of the contents thereof.

He shall also construct such earthcloset so that the contents of such receptacle may not at any time be exposed to any rainfall or to the drainage of any waste water or liquid refuse.

89. Every person who shall construct an earthcloset within a building shall construct such earthcloset for use in combination with a movable receptacle for filth.

He shall construct such earthcloset so as to admit of a movable receptacle for filth of a capacity not exceeding two cubic feet being placed and fitted beneath the seat in such a manner and in such a position as may effectually prevent the deposit upon the floor or sides of the space beneath such seat, or elsewhere than in such receptacle, of any filth which may from time to time fall or be cast through the aperture in such seat.

He shall construct such receptacle in such a manner and in such a position as to admit of the frequent and effectual application of a sufficient quantity of dry earth or other deodorizing substance to any filth which may from time to time be deposited in such receptacle, and in such a manner and in such a position as to admit of ready access for the purpose of removing the contents thereof.

90. Every person who shall construct a privy in connexion with a building shall construct such privy at a distance of ten feet at the least from a dwelling-house or public building, or any building in which any person may be or may be intended to be employed in any manufacture, trade or business.

91. A person who shall construct a privy in connexion with a building shall not construct such privy within the distance of one hundred feet from any well, spring, or stream of water used or likely to be used by man for drinking or domestic purposes, or for manufacturing drinks for the use of man, or otherwise in such a position as to render any such water liable to pollution.

92. Every person who shall construct a privy in connexion with a building shall construct such privy in such a manner and in such a position as to afford ready means of access to such privy, for the purpose of cleansing such privy, and of removing filth therefrom, and in such a manner and in such a position as to admit of all filth being removed from such privy, and from the premises to which such privy may belong without being carried through any dwelling-house or public building, or any building in which any person may be, or may be intended to be employed in any manufacture, trade, or business.

93. Every person who shall construct a privy in connexion with a building shall provide such privy with a sufficient opening for ventilation, as near to the top as practicable, and communicating directly with the external air.

He shall cause the floor of such privy to be flagged or paved with hard tiles or other non-absorbent material, and he shall construct such floor so that it shall be in every part thereof at a height of not less than six inches above the level of the surface of the ground adjoining such privy, and so that such floor shall have a fall or inclination towards the door of such privy of half-an-inch to the foot.

94. Every person who shall construct a privy in connexion with a building, and shall construct such privy for use in combination with a movable receptacle for filth, shall construct over the whole area of the space immediately beneath the seat of such privy a flagged or asphalted floor, at a height of not less than three inches above the level of the surface of the ground adjoining such privy; and he shall cause the whole extent of the containing walls of such space between the floor and the seat, except such opening as may be necessary for the purpose of affording access to such space, to be constructed of flagging, slate, or good brickwork, at least eight-and-a-half inches thick, and rendered in good cement or asphalted.

He shall construct the seat of such privy, the aperture in such seat, and the space beneath such seat, of such dimensions as to admit of a movable receptacle for filth of a capacity not exceeding two cubic feet being placed and fitted beneath such seat in such a manner and in such a position as may effectually prevent the deposit, upon the floor or sides of the space beneath such seat or elsewhere than in such receptacle, of any filth which may from time to time fall or be cast through the aperture in such seat.

He shall construct the seat of such privy, so that the whole of such seat, or a sufficient part thereof, may be readily removed or adjusted in such a manner as to afford adequate access to the space beneath such seat for the purpose of cleansing such space, or of removing therefrom or placing and fitting therein the appropriate receptacle for filth or shall otherwise provide adequate means of access to such space for the purpose aforesaid.

95. Every person who shall construct a privy in connexion with a building, and shall construct such privy for use in combination with a fixed receptacle for filth,

shall construct or fix in or in connexion with such privy suitable means or apparatus for the frequent and effectual application of ashes, dust, or dry refuse to any filth which may from time to time be deposited in such receptacle.

He shall construct such receptacle so that the contents thereof may not at any time be exposed to any rainfall or the drainage of any waste water or liquid refuse.

He shall construct such receptacle of such material or materials and in such a manner as to prevent any absorption by any part of such receptacle of any filth deposited therein or any escape, by leakage or otherwise, of any part of the contents of such receptacle.

He shall construct such receptacle so that the bottom or floor thereof shall be in every part at least three inches above the level of the surface of the ground adjoining such receptacle.

He shall not in any case construct such receptacle of a capacity exceeding eight cubic feet.

He shall construct the seat of such privy so that the whole of such seat, or a sufficient part thereof, may be readily removed or adjusted in such a manner as to afford adequate access to such receptacle for the purpose of removing the contents thereof, and of cleansing such receptacle, or shall otherwise provide in or in connexion with such privy adequate means of access to such receptacle for the purpose aforesaid.

96. A person who shall construct a privy in connexion with a building shall not cause or suffer any part of the space under the seat of such privy, or any part of any receptacle for filth in or in connexion with such privy to communicate with any drain.

97. Every person who shall construct an ashpit in connexion with a building shall construct such ashpit at a distance of six feet at the least from a dwelling-house or public building, or any building in which any person may be, or may be intended to be, employed in any manufacture, trade or business.

98. A person who shall construct an ashpit in connexion with a building shall not construct such ashpit within the distance of fifty feet from any well, spring, or stream of water used or likely to be used by man for drinking or domestic purposes, or for manufacturing drinks for the use of man, or otherwise in such a position as to render any such water liable to pollution.

99. Every person who shall construct an ashpit in connexion with a building shall construct such ashpit in such a manner and in such a position as to afford ready means of access to such ashpit for the purpose of cleansing such ashpit, and of removing the contents thereof, and, so far as may be practicable, in such a manner and in such a position as to admit of the contents of such ashpit being removed therefrom, and from the premises to which such ashpit may belong, without being carried through any dwelling-house or public building, or any building in which any person may be, or may be intended to be, employed in any manufacture, trade, or business.

100. Every person who shall construct an ashpit in connexion with a building shall construct such ashpit of a capacity not exceeding in any case six cubic feet.

101. Every person who shall construct an ashpit in connexion with a building shall construct such ashpit of flagging, or of slate, or of good brickwork, at least eight-and-a-half inches thick, and rendered inside with good cement or properly asphalted, or shall otherwise construct such ashpit of suitable non-absorbent materials.

He shall construct such ashpit so that the floor thereof shall be at a height of not less than three inches above the surface of the ground adjoining such ashpit, and he shall cause such floor to be properly flagged or asphalted.

He shall cause such ashpit to be properly roofed over and ventilated, and to be furnished with a suitable door in such a position and so constructed and fitted as to admit of the convenient removal of the contents of such ashpit, and to admit of being securely closed and fastened for the effectual prevention of the escape of any of the contents of such ashpit.

102. A person who shall construct an ashpit in connexion with a building shall not cause or suffer any part of such ashpit to communicate with any drain.

103. A person shall not provide in connexion with a building any movable ashpit unless such ashpit be constructed of galvanized iron or other suitable impervious material of a sufficient strength and thickness and be otherwise such as to satisfy the requirements of the following rules.

(*a*) Such ashpit shall be provided with suitable handles and a properly fitting cover.

(*b*) Such ashpit shall be of a capacity not exceeding six cubic feet.

104. Every person who shall construct a cesspool in connexion with a building shall construct such cesspool at a distance of fifty feet at the least from a dwelling-house or public building, or any building in which any person may be, or may be intended to be, employed in any manufacture, trade or business.

105. A person who shall construct a cesspool in connexion with a building shall not construct such cesspool within the distance of sixty feet from any well, spring, or stream of water used or likely to be used by man for drinking or domestic purposes, or for manufacturing drinks for the use of man, or otherwise in such a position as to render any such water liable to pollution.

106. Every person who shall construct a cesspool in connexion with a building shall construct such cesspool in such a manner and in such a position as to afford ready means of access to such cesspool for the purpose of cleansing such cesspool, and of removing the contents thereof, and in such a manner and in such a position as to admit of the contents of such cesspool being removed therefrom, and from the premises to which such cesspool may belong, without being carried through any dwelling-house or public building, or any building in which any person may be, or may be intended to be, employed in any manufacture, trade or business.

He shall not in any case construct such cesspool so that it shall have, by drain or otherwise, any outlet into or means of communication with any sewer.

107. Every person who shall construct a cesspool in connexion with a building shall construct such cesspool of good brickwork in cement properly rendered inside with cement, and with a backing of at least nine inches of well puddled clay, or of at least six inches of good cement concrete around and beneath such brickwork, or shall otherwise construct such cesspool of suitable material, and so as to be impervious to liquid.

He shall also cause such cesspool to be arched or otherwise properly covered over, and to be provided with adequate means of ventilation.

108. The foregoing byelaws with respect to waterclosets, earthclosets, privies, ashpits and cesspools, shall apply to waterclosets, earthclosets, privies, ashpits and cesspools in connexion with buildings erected either before or after the times mentioned in section 157 of the Public Health Act, 1875.

With respect to the keeping of waterclosets supplied with sufficient water for flushing.

109. The occupier of any premises shall, throughout any period during which any person may inhabit the premises, or may be employed therein in any manufacture, trade, or business, cause every watercloset provided on or in connexion with the premises to be supplied with a sufficient quantity of water for the proper flushing of such watercloset:

Provided that, where there are two or more occupiers of the premises on or in connexion with which any such watercloset is provided, the foregoing requirement shall apply to such one or more of the said occupiers as, according to the terms and conditions of his or their occupation of the premises, may have the exclusive or joint control of the watercloset.

This byelaw shall apply to any building in or for which a watercloset is for the time being provided, whether such building is a building erected before or after the times mentioned in section 157 of the Public Health Act, 1875.

As to the giving of notices, as to the deposit of plans and sections by persons intending to lay out streets or to construct buildings, and as to inspection by the Council.

110. Every person who shall intend to lay out a street shall give to the Council notice in writing of such intention, which shall be delivered or sent to the Town Clerk at his office, or to their surveyor at his or their office, and shall at the same time deliver or send, or cause to be delivered or sent to the Town Clerk at his office, or to their surveyor at his or their office, a plan and sections of such intended street, drawn to a scale of not less than one inch to every forty-four feet.

Such person shall show 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, the points of the compass, the intended mode of construction, the intended provision for carrying off the surface water from such street, the intended name of such street, and its intended position in relation to the streets nearest thereto, the size and number of the intended building lots, and the intended sites, height, class, and nature of the buildings to be erected therein, and the intended height of the division and fence walls thereon, and the name and address of the person intending to lay out such street.

Such person shall sign such plan or cause the same to be signed by his duly authorised agent.

Such person shall show 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 the intended buildings.

III. Every person who shall intend to erect a building shall deliver or send, or cause to be delivered or sent to the Town Clerk at his office, or to the surveyor to the Council at his or their office, complete plans and sections of every floor of such intended building, which shall be drawn in duplicate in ink on tracing cloth or otherwise in a suitable manner on suitable material 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 watercloset, earthcloset, privy, ashpit, cesspool, well, and all other appurtenances, 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.

Such person shall at the same time deliver or send, or cause to be delivered or sent to the Town Clerk at his office, or to the surveyor to the Council at his or their office, 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 and means of water supply.

Such person shall at the same time deliver or send, or cause to be delivered or sent to the Town Clerk at his office, or to the surveyor to the Council at his or their office, 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 buildings and appurtenances of the properties immediately adjoining, the width and level of the street in front, and of the street, if any, at the rear of such building, the level of the lowest floor of such building, and of any yard or open space belonging thereto.

Such person shall likewise show on such plan the intended lines of drainage of such building, and the intended size, depth, and inclination of each drain; and the details of the arrangement proposed to be adopted for the ventilation of the drains.

112. Every person who shall intend to lay out or construct a street, or to erect a building, or otherwise to execute any work to which any of the byelaws relating to new streets and buildings may apply, shall, before beginning to lay out or construct such street, or to erect such building, or to execute such work, deliver or send, or cause to be delivered or sent to the surveyor of the Council at his or their office notice in writing, in which shall be specified the date on which such person will begin to lay out or construct such street, or to erect such building, or to execute such work.

Such person shall also, before proceeding to cover up any foundation of a building, deliver or send, or cause to be delivered or sent to the surveyor of the Council at his or their office notice in writing, in which shall be specified the date on which such person will proceed to cover up such foundation.

Such person shall also before proceeding to cover up any sewer or drain of a building, deliver or send, or cause to be delivered or send to the Medical Officer of Health of the Council at his office twenty-four hours' notice in writing, in which shall be specified the date upon which such sewer or drain will be ready for testing and inspection.

If such person neglect or refuse to deliver or send any such notice, or to cause any such notice to be delivered or sent to such surveyor, or to such medical officer of health, as the case may be, and if such surveyor or medical officer of health or other person duly authorised in that behalf on inspecting any work in connexion with such street or building, or such other work as aforesaid, finds that such work is so far advanced that he cannot ascertain whether anything required by any byelaw relating to new streets or buildings has been done contrary to such byelaw, or whether anything required by such byelaw to be done has been omitted to be done, and if, within a reasonable time after such survey or inspection, such person shall, by notice in writing under the hand of such surveyor or medical officer of health, be required within a reasonable time which shall be specified in such notice, to cause so much of such work as prevents such surveyor or medical officer of health from ascertaining whether anything has been done or omitted to be done as aforesaid to be cut into, laid open, or pulled down to a sufficient extent to enable such surveyor to ascertain whether anything has been done or omitted to be done as aforesaid, such person shall within the time specified in such notice cause such work to be so cut into, laid open, or pulled down.

113. In every case :—

Where a person who shall lay out or construct a street, or shall erect a building, or shall execute any other work to which the byelaws relating to new streets and buildings may apply, shall, at any reasonable time during the progress, or after the completion of the laying out or construction of such street, or the erection of such building, or the execution of such work, receive from the surveyor of the Council notice in writing specifying any matters in respect of which the laying out or construction of such street, the erection of such building, or the execution of such work may be in contravention of any byelaw relating to new streets or buildings, and requiring such person within a reasonable time, which shall be specified in such notice, to cause anything done contrary to any such byelaw to be amended, or to do anything which by any such byelaw 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, the erection of such building, or the execution of such work may be in contravention of any such byelaw.

Such person, within a reasonable time after the completion of any work which may have been executed in accordance with any such requirement, shall deliver or send, or cause to be delivered or sent, to the surveyor of the Council at his or their office notice in writing of the completion of such work, and shall, at all reasonable times within a period of seven days after such notice shall have been so delivered or sent, afford such surveyor free access to such work for the purpose of inspection.

114. Every person who shall lay out or construct a street, or shall erect a building, or shall execute any other work to which any of the byelaws relating to new streets and buildings shall apply, shall, at all reasonable times, during the laying out or construction of such street, or the erection of such building, or the execution of such work, afford the surveyor of the Council free access to such street, building, or work for the purpose of inspection.

115. Every person who shall lay out or construct a street shall, within a reasonable time after the completion of the laying out or construction of such street, deliver or send, or cause to be delivered or sent to the surveyor of the Council, at his or their office, notice in writing of the com-

pletion of the laying out or construction of such street, and shall, at all reasonable times, within a period of seven days after such notice shall have been so delivered or sent, afford such surveyor free access to such street for the purpose of inspection.

116. Every person who shall erect a building shall, within a reasonable time after the completion of the erection of such building, deliver or send, or cause to be delivered or sent, to the surveyor of the Council, at his or their office, notice in writing of the completion of the erection of such building, and shall, at all reasonable times within a period of seven days after such notice shall have been so delivered or sent, and before such building shall be occupied, afford such surveyor free access to every part of such building for the purpose of inspection.

Alterations of and additions to existing buildings.

117. In any case where a person executes any work which under paragraphs (*d*) and (*e*) of Section 23 of the Public Health Acts Amendment Act, 1907, is deemed to be the erection of a new building, the foregoing byelaws shall apply so far only as regards the work so executed:

Provided that this byelaw shall not impose any requirement or permit any work which would not have been required or permitted if the existing building and the new work were being erected together as one building:

Provided further that in addition to the plans of the work required to be submitted to the Council there shall be submitted a block plan of the site of the existing building and plans and sections of the existing building, so far as may be necessary for the purpose of showing the relation and attachment of the work to the existing building.

Penalties.

118. Every person who shall offend against any of the foregoing byelaws shall be liable for every such offence to a penalty of five pounds, and in the case of a continuing offence to a further penalty of forty shillings for each day after written notice of the offence from the Council:

Provided, nevertheless, that the justices or court before whom any complaint may be made or any proceedings may be taken in respect of any such offence may if they think fit, adjudge the payment as a penalty of any sum less than the full amount of the penalty imposed by this byelaw.

Maximum penalty increased to £20 - S.92(2), Criminal Justice Act 1967

As to the power of the Council to remove, alter, or pull down any work begun or done in contravention of the byelaws.

119. If any work to which any of the foregoing byelaws may apply be begun or done in contravention of any such byelaw, the person by whom such work shall be so begun or done, by a notice in writing, which shall be signed by the Town Clerk, and shall be duly served upon or delivered to such person, shall be required on or before such day as shall be specified in such notice by a statement in writing under his hand or under the hand of an agent duly authorized in that behalf, and addressed to and duly served upon the Council, to show sufficient cause why such work shall not be removed, altered, or pulled down; or shall be required on such day and at such time and place as shall be specified in such notice to attend personally or by an agent duly authorized in that behalf before the Council and show sufficient cause why such work shall not be removed, altered or pulled down.

If such person shall fail to show sufficient cause why such work shall not be removed, altered, or pulled down, the Council shall be empowered, subject to any statutory provision in that behalf, to remove, alter, or pull down such work.

Repeal of Byelaws.

120. From and after the date of the confirmation of these byelaws, the byelaws relating to new streets and buildings which were made on the twenty-fifth day of September, in the year one thousand nine hundred and one, by the Mayor, Aldermen and Burgesses of the Borough of Southampton, acting by the Council, and were confirmed on the twenty-fourth day of December, in the year one thousand nine hundred and one by the Local Government Board, shall be repealed, except as regards any work commenced before the date of the confirmation of this byelaw, or any work not so commenced, but of which plans shall either have been approved by the Council before such date, or have been sent to the Surveyor to the Council or Town Clerk one month at least before such date, and shall not have been disapproved by the Council:

Provided that this exception shall not be deemed to prohibit any such work from being executed in accordance with or so as not to contravene the foregoing byelaws.

The Corporate Seal of the said Mayor, Aldermen, and Burgesses was affixed hereto by order of the Council this Fifteenth day of April, One thousand nine hundred and twenty-five, in the presence of

(*Signed*) T. McDONNELL,
Mayor.

(*Signed*) R. R. LINTHORNE,
Town Clerk.

L.S.

The foregoing byelaws with respect to New Streets and Buildings are hereby allowed by the Minister of Health this Twelfth day of June, 1925.

(*Signed*) E. TUDOR OWEN,
Assistant Secretary, Ministry of Health.

L.S.

of the
Ministry of Health.