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OF THE
COLONY AND PROTECTORATE OF KENYA.
(SUPPLEMENT.)

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IN EXERCISE OF THE POWERS CONFERRED UPON THEM
BY THE MUNICIPAL CORPORATIONS ORDINANCE, 1922
THE MUNICIPAL COUNCIL OF NAIROBI WITH THE
CONSENT OF HIS EXCELLENCY THE GOVERNOR IN
COUNCIL HAVE MADE THE FOLLOWING BYE-LAWS.

PART I.

1. These Bye-laws may be cited as the Nairobi Township
Bye-laws of 1926.

2. The following Township Rules and Bye-laws in so far as they
are applicable to Nairobi are hereby repealed. Provided that nothing
herein contained shall be held to revive bye-laws previously
repealed:—

TOWNSHIP RULES.

Dated:

- 27th September, 1917 (Government Notice 353 of 1917).
- 14th October, 1917 (Government Notice 354 of 1917).
- 7th November, 1917 (Government Notice 389 of 1917).
- 7th November, 1917 (Government Notice 390 of 1917).
- 21st November, 1917 (Government Notice 401 of 1917).
- 23rd December, 1917 (Government Notice 424 of 1917).
- 28th December, 1917 (Government Notice 425 of 1917).
- 10th April, 1918 (Government Notice 113 of 1918).
- 10th June, 1918 (Government Notice 175 of 1918).
- 11th June, 1918 (Government Notice 184 of 1918).
- 11th June, 1918 (Government Notice 185 of 1918).
- 11th June, 1918 (Government Notice 186 of 1918).
- 11th June, 1918 (Government Notice 187 of 1918).
- 12th July, 1918 (Government Notice 212 of 1918).
- 8th August, 1918 (Government Notice 236 of 1918).
- 16th August, 1918 (Government Notice 245 of 1918).
- 16th August, 1918 (Government Notice 246 of 1918).
- 19th August, 1918 (Government Notice 252 of 1918).
- 19th October, 1918, (Government Notice 322 of 1918).
- 2nd December, 1918 (Government Notice 378 of 1918).
- 2nd December, 1918 (Government Notice 385 of 1918).
- 27th December, 1918 (Government Notice 399 of 1918).
- 21st January, 1919 (Government Notice 11 of 1919).
- 21st January, 1919 (Government Notice 19 of 1919).
- 7th February, 1919 (Government Notice 40 of 1919).
- 24th February, 1919 (Government Notice 61 of 1919).
- 7th June, 1919 (Government Notice 197 of 1919).
- 17th June, 1919 (Government Notice 198 of 1919).
- 16th March, 1920 (Government Notice 103 of 1920).
- 4th August, 1920 (Government Notice 267 of 1920).

BYE-LAWS.

Dated:

- 8th August, 1919 (General Notice 1134 of 1919).
- 10th October, 1919 (General Notice 1453 of 1919).
- 13th December, 1919 (General Notice 75 of 1920).
- 31st December, 1919 (General Notice 76 of 1920).
- 3rd December, 1919 (General Notice 2 of 1920).
- 3rd March, 1920 (General Notice 364 of 1920).
- 9th April, 1920 (General Notice 456 of 1920).
- 7th May, 1920 (General Notice 662 of 1920).
- 3rd September, 1920 (General Notice 1047 of 1920).
- 26th November, 1920 (General Notice 1426 of 1920).
- 6th December, 1920 (General Notice 1427 of 1920).
- 23rd December, 1920 (General Notice 102 of 1921).
- 15th January, 1921 (General Notice 103 of 1921).
- 5th February, 1921 (General Notice 517 of 1921).
- June, 1921 (General Notice 740 of 1921).
- 1st September, 1921 (General Notice 1130 of 1921).
- 5th October, 1921 (General Notice 1157 of 1921).
- 5th October, 1921 (General Notice 1158 of 1921).
- 23rd November, 1921 (General Notice 181 of 1922).
- 13th February, 1922 (General Notice 182 of 1922).
- 18th January, 1922 (General Notice 204 of 1922).
- 5th January, 1922 (General Notice 229 of 1922).
- 6th March, 1922 (General Notice 230 of 1922).
- 13th February, 1922 (General Notice 294 of 1922).
- 4th February, 1922 (General Notice 383 of 1922).
- 15th May, 1922 (General Notice 474 of 1922).
- May, 1922 (General Notice 473 of 1922).

21st March, 1922 (General Notice 536 of 1922).
 4th July, 1922 (General Notice 617 of 1922).
 11th July, 1922 (General Notice 634 of 1922).
 15th July, 1922 (General Notice 653 of 1922).
 18th July, 1922 (General Notice 652 of 1922).
 26th June, 1922 (General Notice 673 of 1922).
 25th July, 1922 (General Notice 736 of 1922).
 10th August, 1922 (General Notice 738 of 1922).
 25th September, 1922 (General Notice 856 of 1922).
 30th October, 1922 (General Notice 960 of 1922).
 22nd December, 1922 (General Notice 1133 of 1922).
 3rd January, 1923 (General Notice 34 of 1923).
 16th January, 1923 (General Notice 54 of 1923).
 20th January, 1923 (General Notice 135 of 1923).
 6th February, 1923 (General Notice 309 of 1923).
 23rd March, 1923 (General Notice 427 of 1923).
 30th May, 1923 (General Notice 532 of 1923).
 1st June, 1923 (General Notice 533 of 1923).
 13th June, 1923 (General Notice 569 of 1923).
 28th June, 1923 (General Notice 592 of 1923).
 12th July, 1923 (General Notice 618 of 1923).
 1st July, 1923 (General Notice 619 of 1923).
 8th August, 1923 (General Notice 685 of 1923).
 23rd August, 1923 (General Notice 746 of 1923).
 7th September, 1923 (General Notice 747 of 1923).
 20th September, 1923 (General Notice 931 of 1923).
 7th November, 1923 (General Notice 932 of 1923).
 30th August, 1923 (General Notice 957 of 1923).
 12th March, 1924 (General Notice 247 of 1924).
 14th May, 1924 (Government Notice 224 of 1924).
 12th June, 1924 (Government Notice 252 of 1924).
 16th October, 1924 (General Notice 985 of 1924).
 30th October, 1924 (General Notice 986 of 1924).
 17th April, 1924 (General Notice 987 of 1924).
 13th November, 1924 (General Notice 1019 of 1924).
 18th October, 1924 (General Notice 26 of 1925).
 28th November, 1924 (General Notice 70 of 1925).
 21st January, 1925 (General Notice 107 of 1925).
 Undated, (General Notice 248 of 1925).
 9th March, 1925 (General Notice 268 of 1925).
 5th June, 1925 (General Notice 537 of 1925).
 18th July, 1925 (General Notice 630 of 1925).
 18th July, 1925 (General Notice 779 of 1925).
 28th August, 1925 (General Notice 921 of 1925).
 5th November, 1925 (General Notice 49 of 1926).
 5th November, 1925 (General Notice 50 of 1926).
 26th November, 1925 (General Notice 51 of 1926).

3. Throughout these Bye-laws the following words and expressions shall have the meanings assigned to them except where the context otherwise requires:—

(1) “*Owner*” shall as regards immovable property include any person other than His Majesty receiving the rent or profits of any lands or premises from any tenant or occupier thereof or who would receive such rent or profits if such land or premises were let whether on his own account or as agent for any person other than His Majesty entitled thereto or interested therein. The term includes any lessee from the Crown holding under a longer tenure than a tenancy from year to year and any Superintendent, Overseer or Manager of such lessee residing on the holding.

(2) “*Occupier*” shall include any person in actual occupation of land or premises without regard to the title under which he occupies and in case of premises subdivided and let to lodgers or various tenants the person receiving the rent payable by the lodgers or tenants whether on his own account or as an agent for any person entitled thereto or interested therein.

(3) “*Street*” shall mean any highway, road or sanitary lane or strip of land reserved for a highway, road or sanitary lane, but shall not include any passage or alley of a less width than 10 feet.

(4) “*Width*” applied to a street means the whole extent of space reserved to be used or laid out so as to admit of being used as a public way.

(5) “*Plot*” means any area of land being the subject of a separate lease or conveyance from the Crown.

(6) “*Subplot*” means any portion of a plot, such portion being the subject of a separate registered conveyance, assignment or sublease, provided that for the purpose of Part II. hereof the

term " subplot " shall also extend to and include any portion of a plot being the subject of a separate sublease or upon which any self-contained building is erected where such building is let or adapted to be let to a separate tenant.

(7) "*Commercial Area*" shall mean that part of the township bounded by a line running as follows, *viz.*: from Ainsworth Bridge in an easterly direction along the Nairobi River as far as Swamp Road, thence along the centre line of Swamp Road to its junction with Ngara Road, thence along the centre line of Ngara Road to the southmost point of the Protectorate subordinate quarters, thence at right angles to Ngara Road in a north-easterly direction to the road forming the north-eastern boundary of the Protectorate subordinate quarters, thence in a south-easterly direction along the centre line of the Quarry Road, to its junction with Racecourse Road: thence along the centre line of Racecourse Road to Racecourse Road Bridge: thence along the centre line of Nairobi River to the point at which it is crossed by Quarry Road extension: thence along the centre line of Quarry Road extension to the point where it meets the Township boundary: thence along the Township boundary to its south-eastern extremity: thence along the said boundary in a south-westerly direction to the Western Irrigation Channel, thence along the said Channel north-westward to Whitehouse Road Bridge, thence in an east by north-easterly direction along the centre line of Whitehouse Road to the point where it crosses the Uganda Railway line, thence in a north north-westerly direction along the north-eastern side of the Railway to the point where the road leading in a northerly direction between plots 843 and 1015 bifurcates, thence across the Railway following the north-western and northern boundaries of plot 1208 as far as Clement Road, thence along the centre line of Clement Road as far as the bridge across the Gara River, and thence along the said Gara River back to Ainsworth Bridge; all as the said area is delineated and shown within a red line upon the general plan of the town deposited in the Office of the Town Clerk and signed by him as relative to these Bye-laws.

4. Notwithstanding anything hereinbefore contained all licences, registrations and permits current at the date hereof under the Bye-laws specified in Bye-law 2 hereof shall be deemed to have been issued under these Bye-laws: and nothing contained in these Bye-laws shall be held prejudicially to affect any rights or claims or actions competent to the Corporation or Government as at the date hereof under any of the Bye-laws so specified.

SERVING OF NOTICES, ETC.

5. With regard to the service of every order or notice which the Town Clerk or Medical Officer of Health is authorised to give or issue under these or any Bye-laws made or which may hereafter be made under the Municipal Corporations Ordinance, 1922, the following provisions shall apply:

(1) Such order or notice shall if practicable be served personally upon the person to whom it is addressed by delivering to him a true copy thereof and showing him the original and every person upon whom an order or notice is so served shall sign a receipt therefor upon the original if so required by the serving officer.

(2) When the addressee cannot by the exercise of due diligence be found the order or notice may be served by leaving a true copy thereof with some adult male member of his family or household and the person with whom the same is so left shall if so required by the serving officer, and unless illiterate, sign a receipt therefor on the original order or notice.

(3) If service as above provided for cannot by the exercise of due diligence be effected, the serving officer may (1) affix a copy of the order or notice to some conspicuous part of the house in which the addressee ordinarily resides; or if the order or notice is made in respect of any house, building, premises or area he may affix a copy of such order or notice on a conspicuous part of the house, building, premises or area: and in addition (2) send a copy of the order or notice by registered letter posted to the addressee's last known place of abode: and thereupon the order or notice shall be deemed to have been duly served.

PART II.**BUILDING.**

6. In construing this Part the following words and expressions shall have the meanings hereinafter respectively assigned to them unless the context otherwise requires:

(1) "*Domestic Building*" includes any building not being a public building or of the warehouse class, and any portion of a building such portion being used or designed to be used otherwise than for the purposes specified in Clauses (2) and (3) below.

(2) "*Public Building*" means a building used or constructed or adapted to be used either ordinarily or occasionally as a place of public worship or as a hospital, college, school, theatre, public hall or as a public place of assembly for persons admitted by ticket or otherwise, or used or adapted to be used for any other public purpose.

(3) "*Building of the Warehouse class*" means a warehouse, shop-building, factory, manufactory, brewery or distillery and also any building exceeding in cubical content 150,000 cubic feet, which is neither a public building nor a domestic building: and includes a store or godown.

(4) "*Store*" means a building which according to the original application and plans therefor shall be designed for the storage of foodstuffs or such other material as shall in the opinion of the Medical Officer of Health be liable to harbour rats.

(5) "*Foundation*" applied to a wall having footings means the solid ground or artificially formed support on which the footings of the wall rest, but in the case of a wall carried by a bressummer means such bressummer.

(6) "*External Wall*" means an outer wall or vertical enclosure of a building, and not being a party wall, even though adjoining a wall of another building.

(7) "*Party Wall*" means:—

(a) A wall being used or constructed to be used in any part of the height or length thereof for separation of adjoining buildings, and which if one of such buildings were removed, would be the external wall of the other. For the purposes of this definition every self-contained building occupied or adapted to be occupied by a different tenant and having a separate entrance on the ground floor shall be deemed to be a separate building.

(b) A wall being used or constructed to be used wholly or in any part thereof as a dividing wall between contiguous buildings upon separate plots or sub-plots: provided that where such buildings are not of the same height such wall shall only be deemed to be a party wall up to the level of nine inches above the point where the roof of the lower of such buildings joins it.

(8) "*Cross Wall*" means a wall used or constructed to be used in any part of its height as an inner wall of a building for separation of one part from another part of the building, that building being wholly in, or being constructed or adapted to be wholly in, one occupation.

(9) "*To Erect a Building*" means to erect a new building or to re-erect any building, any two external walls of which are pulled down to the level of the ground floor, or to convert into a dwelling house any building not originally intended according to the original application and plans therefor for human habitation, or to convert into more than one dwelling house a building originally constructed as one dwelling, and a building so erected, re-erected or converted is called a new building.

(10) "*Base*" applied to a wall means the underside of such wall immediately above the footings, if any, or in the case of a wall wholly carried by a bressummer the underside of the wall immediately above the bressummer.

(11) "*Bressummer*" means a wooden beam or a metallic or concrete girder which carries a wall.

(12) "*Internal Open Space*" means a space which is, or is in the opinion of the Municipal Council liable to become, surrounded with buildings or erections of any description either wholly or to such an extent that in the opinion of the Municipal Council the free passage of air throughout such space is or may be insufficiently provided for.

7. The following buildings shall be exempt from the operation of Bye-laws 14 to 34 and 48 to 63 hereof inclusive:—

(a) Any building erected and used or designed according to the original application and plans therefor to be used exclusively as a conservatory or plant house.

(b) Any building erected and used or constructed or designed according to the original application and plans therefor to be used exclusively for a poultry house, garden tool house, cycle or rickshaw shed, summer house, or aviary which shall not exceed in capacity eight hundred cubic feet. Provided that this exemption shall apply to detached buildings only.

8. Any building hereinafter described shall be exempt from the operation of the Bye-laws numbered 14, 17, 18, 19, 20, 21, 22, 24 and 25 hereinafter, that is to say:

Any building comprising not more than two storeys, each wall of which shall be provided with a proper damp course as required by the Bye-laws in that behalf and

(A) the external walls of which shall be constructed of timber framing composed of timbers not less than 4 in. by 2 in. in section for a one storey building and 4 in. by 2½ in. for a two storey building properly framed and covered externally with some impervious fireproof material.

(B) (i) which shall to a height of not less than 12 in. above the surface of the adjoining ground be carried upon either

(a) sufficient piers, constructed of

- (i) good cement concrete 9 inches wide; or
- (ii) good stone, bricks or other hard and suitable materials at least 9 inches wide, properly bonded and solidly put together: or

(b) metal standards of sufficient strength.

Every such pier or standard shall be covered with a metal cap projecting 3 inches at least beyond the face of such pier on every side:—

or:—

(ii) the external wall of which shall to a height of not less than 12 inches above the surface of the ground adjoining such wall be constructed of

- (i) good cement concrete at least 9 inches wide: or,
- (ii) good stone, bricks or other hard and suitable materials at least 9 inches wide and properly bonded and solidly put together.

(C) the distance of any part of which from the boundary of any adjoining plot or sub plot shall not be less than 10 feet.

Provided that where any building such as is hereinbefore described forms or is intended to form part of a block of new dwelling houses the dwellings shall be separated by party walls which shall notwithstanding anything hereinbefore contained be constructed in accordance with the requirements of the Bye-laws in that behalf.

Provided further that a building at and over a height of 12 inches above the surface of the ground adjoining such walls may have all or any of its external walls covered on the outside partly or wholly with combustible material, if such building is at least 60 feet, or in the case of a building of not more than two storeys, at least 40 feet, distant from any part of any other building and from the boundary of any adjoining plot or sub-plot.

9. Every building, subject to the exceptions stated hereinafter erected on any plot or sub-plot abutting on any of the streets named in the Schedule to this bye-law shall be constructed as to the external walls thereof wholly of stone, brick or concrete:—

Exceptions:—

- (1) Any building the plans for which were approved within the period of two years before the date hereof.
- (2) Any building designed to be used exclusively as a conservatory or plant house.
- (3) Any building designed to be used exclusively for a poultry house, garden tool house, cycle, rickshaw or motor shed or temporary clerk of works office.
- (4) Any building designed to be used exclusively as a workshop, and not covering more than 600 square feet of surface, and not divided internally by partitions or walls.

SCHEDULE.

1. Sixth Avenue.
2. Government Road.
3. Victoria Street (between Duke Street and River Road).
4. Bazaar Road.
5. Sadler Street.
6. Stewart Street.
7. Eliot Street.

- 8. Hardinge Street.
- 9. Fifth Avenue.
- 10. Y.M.C.A. Street.
- 11. Standard Street.
- 12. River Road, and
- 13. Tenth Avenue.

SITES OF BUILDINGS.

10. The foundations of any new building shall not be constructed on any site which has been filled up by or has been used as a place for the deposit of excrementitious matter or the carcases of dead animals or other filthy or offensive matter until such matter shall have been properly removed or otherwise dealt with to the satisfaction of the Medical Officer of Health.

STRUCTURE OF BUILDINGS.

11. Every person who shall erect a store or a building of the warehouse class shall cause the whole of the ground floor within the external walls to be constructed either (a) of cement concrete, stone or bricks well grouted in cement in such a manner as to make the building proof against rats, or (b) of wood, provided that the level of any such wooden floor shall not be less than 2 feet above the mean level of the ground thereunder.

12. A person who shall construct a balcony or bay window shall construct such balcony so that it shall not project more than 2 feet 6 inches over any unalienated Crown land or any public street and shall not be less than 15 feet above ground level: and no balcony or bay window shall be so constructed as to project over a street or public passage of a less width than 30 feet.

13. The Town Clerk may give permission upon such terms as he may think fit to any person to erect a verandah upon Crown land but only in accordance with the dimensions approved in that behalf by the Municipal Council.

14. Subject to Bye-law 8 hereof, every wall of a new building that may be built at an angle with another wall shall be properly bonded therewith to the satisfaction of the Municipal Council.

15. Every person who shall erect a new building shall construct every wall thereof so as to rest upon proper footings.

He shall cause the projection at the widest part of the footing of every wall on each side of such wall to be at least equal to one half of the thickness of the wall at its base, except where an adjoining wall interferes.

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 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.

16. The foundations of the walls of every house or building other than native quarters shall be formed of a bed of good concrete, not less than nine inches thick, and projecting at least four inches on each side of the lowest course of footings of such walls. If the site be upon a natural bed of murrum or rock, concrete may be omitted from the foundations of the walls, with the approval of the Municipal Council.

The concrete must be composed of clean gravel, broken hard brick, properly burnt ballast, or other hard material to be approved by the Municipal Council, well mixed with freshly burnt lime or cement in the proportions of at least one of lime to six, and at least one of cement to eight of the other material.

17. Subject to Bye-law 8 hereof, every wall of a house or building shall have a damp course composed of materials impervious to moisture to be approved by the Municipal Council, extending throughout its whole thickness at the level of not less than 6 inches below the level of the lowest floor: provided that this Bye-law shall not apply to native quarters except where the floor thereof is of timber.

Every cellar and every wall abutting wholly or partly upon earth and being the wall of a room shall be so constructed as to be watertight.

18. Subject to Bye-law 8 hereof, every person who shall erect a new building shall cause the external and party walls thereof to be constructed of concrete, good stone or bricks properly bonded and solidly put together.

Provided always that such person may construct any external walls of such building of timber framing subject to compliance with the following conditions:—

(i) The timber framing shall be properly put together, and the spaces between the timbers shall be filled in completely with stone or other solid and incombustible material.

(ii) A thickness of at least 6 inches of stone or other solid and incombustible material shall be placed at the back of every portion of timber and shall be properly bonded to the stonework or other material filling the spaces between the timbers excepting in the case of timber framing in gables properly filled in with stone or other solid and incombustible material.

19. For the purposes of these bye-laws with respect to the structure of walls of new buildings, the measurement of height of storeys in walls and of height and length of walls shall be determined by the following provisions:—

(i) The height of a storey in a wall shall be measured in the case of the lowest storey from the base of the wall to the upper surface of the floor next above or if there be no such floor above, then up to the highest part of the wall.

(ii) The height of a wall shall be measured from the base to the highest part of a wall, or in the case of a wall, comprising a gable, to the base of the gable.

(iii) Walls shall be deemed to be divided into distinct lengths by return walls. The length of a wall shall be measured from the centre of one return wall to the centre of another provided that the return walls are external party or cross walls and bonded into the walls so deemed to be divided.

A wall shall not for the purpose of this Bye-law be deemed a cross wall unless it is carried up to the top of the wall so divided or in the case of a gable wall to the level of the base of the gable and unless the aggregate extent of the vertical faces or elevation of all 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.

20. Subject to Bye-law 8 hereof when the external wall or the party wall of a domestic building is constructed of stone and does not exceed 15 feet in height its minimum thickness shall be 15 inches for its whole length.

When the wall exceeds 15 feet but does not exceed 28 feet in height its minimum thickness shall be 18 inches up to 15 feet and 15 inches thereafter.

Where the wall exceeds 28 feet but does not exceed 40 feet in height its minimum thickness shall be 24 inches up to the height of one storey, 20 inches thick second storey and 15 inches thereafter.

The minimum of the walls of Public Buildings and buildings of the warehouse class constructed of stone shall be as follows:—

Where the wall does not exceed 25 feet in height it shall be 18 inches thick.

Where the wall exceeds 25 feet but does not exceed 40 feet, it shall be 24 inches thick.

Where the wall exceeds 40 feet in height and does not exceed 55 feet, it shall be 24 inches thick to a height of 33 feet and 20 inches thick for the rest of its height.

When the unsupported length of any wall exceeds 30 feet clear of cross walls or partitions the thickness thereof shall be increased by 3 inches beyond the minima given above.

Provided that the external walls or the party walls of a domestic building not exceeding one storey in height may be constructed of stone to a minimum thickness of 9 inches if the stones extend throughout the full thickness of the wall and are squarely and evenly dressed to a rectangular shape and are built in Portland cement mortar no weaker than one part of cement to four parts of clean sharp sand to the satisfaction of the Municipal Council.

21. (a) Subject to Bye-Law 8 hereof, where an external wall or a party wall of a domestic building constructed of good bricks not less than $8\frac{1}{2}$ inches long or of solid concrete does not exceed twenty five feet in height its thickness shall be as follows:

If the wall does not exceed 35 feet in length, it shall be $8\frac{1}{2}$ inches thick for its whole height;

If the wall exceeds 35 feet in length, it shall be 13 inches thick from the base for the height of the lowest storey, and $8\frac{1}{2}$ inches thick for the rest of its height.

(b) Where the wall exceeds 25 feet but does not exceed 35 feet in height, its thickness shall be as follows:—

If the wall does not exceed 35 feet in length it shall be 13 inches thick from the base for the height of one storey, and 9 inches thick for the rest of its height.

If the wall exceeds 35 feet in length it shall be 13 inches thick from the base for the height of two storeys, and $8\frac{1}{2}$ inches thick for the rest of its height.

(c) Where the wall exceeds 35 feet but does not exceed 45 feet in height its thickness shall be as follows:—

If the wall does not exceed 35 feet in length it shall be 13 inches thick from the base for the height of two storeys and $8\frac{1}{2}$ inches thick for the rest of its height.

If the wall exceeds 35 feet in length it shall be $17\frac{1}{2}$ inches thick from the base for the height of one storey, then 13 inches thick for the height of two storeys, and $8\frac{1}{2}$ inches thick for the rest of its height.

(d) Where the wall exceeds 45 feet but does not exceed 55 feet in height, its thickness shall be as follows:—

If the wall does not exceed 35 feet in length it shall be $17\frac{1}{2}$ inches thick from the base for the height of one storey, then 13 inches thick for the height of two storeys, and then $8\frac{1}{2}$ inches thick for the rest of its height.

If the wall exceeds 35 feet but does not exceed 45 feet in length, it shall be $17\frac{1}{2}$ inches thick from the base for the height of two storeys and 13 inches thick for the rest of its height.

If the wall exceeds 45 feet in length it shall be $22\frac{1}{2}$ inches thick from the base for the height of one storey, then $17\frac{1}{2}$ inches thick for the height of the next storey, and then 13 inches thick for the rest of its height.

(e) Where the wall exceeds 55 feet but does not exceed 65 feet in height its thickness shall be as follows:—

If the wall does not exceed 45 feet in length it shall be $17\frac{1}{2}$ inches thick from the base for the height of two storeys and 13 inches thick for the rest of its height.

If the wall exceeds 45 feet in length it shall be $22\frac{1}{2}$ inches thick from the base for the height of one storey, then $17\frac{1}{2}$ inches thick for the height of the next two storeys, and then 13 inches thick for the rest of its height.

(f) Where the wall exceeds 65 feet but does not exceed 75 feet in height, its thickness shall be as follows:—

If the wall does not exceed 45 feet in length it shall be $22\frac{1}{2}$ inches thick from the base for the height of one storey, then $17\frac{1}{2}$ inches thick for the height of the next two storeys, and then 13 inches thick for the rest of the height.

If the wall exceeds 45 feet in length it shall be increased in thickness in each of the storeys below the uppermost two storeys by $4\frac{1}{2}$ inches.

(g) Where the wall exceeds 75 feet but does not exceed 85 feet in height, its thickness shall be as follows:—

If the wall does not exceed 45 feet in length it shall be $22\frac{1}{2}$ inches thick from the base for the height of one storey, then $17\frac{1}{2}$ inches thick for the height of the next three storeys, and then 13 inches thick for the rest of its height.

If the wall exceeds 45 feet in length, it shall be increased in thickness in each of the storeys by $4\frac{1}{2}$ inches.

22. Every person who shall erect a new public building or a new building of the warehouse class or a new building designed to be used as a hotel, lodging house or boarding house shall construct every external wall and every wall of such building being a wall of concrete or brick in accordance with the following conditions and in every case the thickness prescribed shall be the minimum thickness of which any such wall may be constructed, and such wall shall be built of good bricks not less than 9 inches long or of solid concrete:—

In the case of a store or godown of one storey only, all the walls of which are constructed of solid cement concrete, and are not more than 12 feet in height, and the span of the roof of which is not more than 12 feet in width, such walls shall be 6 inches thick.

In all other cases

(a) Where the wall does not exceed 25 feet in height (whatever is its length) it shall be 13 inches thick at its base.

(b) Where the wall exceeds 25 feet but does not exceed 35 feet in height it shall be at its base of the thickness following:—

If the wall does not exceed 45 feet in length it shall be 13 inches thick at its base:

If the wall exceeds 45 feet in length it shall be $17\frac{1}{2}$ inches thick at its base.

(c) Where the wall exceeds 35 feet, but does not exceed 45 feet in height, it shall be at its base of the thickness following:—

If the wall does not exceed 35 feet in length, it shall be 13 inches thick at its base:

If the wall exceeds 35 feet but does not exceed 45 feet in length, it shall be $17\frac{1}{2}$ inches thick at its base:

If the wall exceeds 45 feet in length, it shall be $22\frac{1}{2}$ inches thick at its base.

(d) Where the wall exceeds 45 feet but does not exceed 55 feet in height, it shall be at its base of the thickness following:—

If the wall does not exceed 35 feet in length, it shall be $17\frac{1}{2}$ inches thick at its base:

If the wall exceeds 35 feet but does not exceed 45 feet in length it shall be $22\frac{1}{2}$ inches thick at its base:

If the wall exceeds 45 feet in length it shall be 27 inches thick at its base.

(e) Where the wall exceeds 55 but does not exceed 65 feet in height it shall be at its base of the thickness following:—

If the wall does not exceed 45 feet in length it shall be $22\frac{1}{2}$ inches thick at its base:

If the wall exceeds 45 feet in length it shall be 27 inches thick at its base.

(f) Where the wall exceeds 65 feet but does not exceed 75 feet in height it shall be at its base of the thickness following:—

If the wall does not exceed 45 feet in length it shall be $22\frac{1}{2}$ inches thick at its base:

If the wall exceeds 45 feet in length it shall be increased in thickness from the base up to within 16 feet from the top of the wall by $4\frac{1}{2}$ inches.

(g) Where the wall exceeds 75 feet but does not exceed 85 feet in height it shall be at its base of the thickness following:—

If the wall does not exceed 45 feet in length it shall be $22\frac{1}{2}$ inches thick at its base:

If the wall exceeds 45 feet in length it shall be increased in thickness from the base up to within 16 feet from the top of the wall by $4\frac{1}{2}$ inches.

(h) The thickness of the wall at the top, and for 16 feet below the top shall be 13 inches and the intermediate parts of the wall between the base and 16 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 16 feet below the top. Nevertheless in walls not exceeding 30 feet in height the walls of the topmost storey may be $8\frac{1}{2}$ inches thick, provided the height of that storey does not exceed 11 feet.

(i) If any storey exceeds in height fourteen times the thickness prescribed for its walls the thickness of each external wall and of each 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.

(j) Every external wall and every party wall of any storey which exceeds 11 feet in height shall be not less than 13 inches in thickness.

(k) Where by any of the foregoing bye-laws relating to the thickness of walls and of new buildings a certain thickness is required; this thickness may, with the consent of the Municipal Council, be confined to piers properly distributed, of which the collective widths shall amount to one-seventh 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.

23. Nothing contained in these bye-laws shall prevent the erection of concrete, brick or stone walls of lesser thickness if supported by steelwork or other adequate supports or of concrete

walls of lesser thickness provided that they are sufficiently reinforced to the satisfaction of the Municipal Council.

24. Subject to Bye-law 8 hereof, the thickness of every cross wall shall be at least two-thirds the thickness prescribed by these bye-laws for an external wall or party wall of the same height and length and belonging to the same class of building but, subject to Bye-law 22 (k) shall in no case be less than six inches or in the case of a brick wall $8\frac{1}{2}$ inches.

If such wall shall support any superincumbent external wall the whole of such cross wall shall be of the thickness prescribed by the bye-law 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.

25. Subject to Bye-law 8 hereof, 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 stone or 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 3 feet of the corner of the building.

26. Subject to Bye-law 8 every building shall be separated either by an external wall or by a party wall from the adjoining building or buildings (if any). Such external wall or party wall shall be constructed of stone, concrete or brick in accordance with the requirements of the bye-laws in that behalf. Provided that the Municipal Council in its discretion may allow of such party walls being constructed of such fireproof materials and of such thickness and in such a manner as it may think fit for the internal division of property under one ownership but always so that the maximum extent of the frontage or depth of the rooms enclosed within stone, concrete or brick party walls as aforesaid but sub-divided by party walls of other material shall not exceed (a) in the case of buildings of the warehouse class, 50 feet; (b) in the case of domestic buildings, 35 feet.

27. Every party wall dividing two adjoining buildings shall be carried up to the extent of 9 inches above the external surface of the roofs of such buildings, or if they are of different heights, of the roof of the lower of such buildings, measured at right angles to such surface.

28. A party wall as defined in Clause 7 (a) of Bye-law 6 shall not have any opening in such part thereof as shall be within the roof nor, except with the written consent of the Town Clerk, in any other part.

29. A person who shall erect a new building shall not place in any party wall of such building bond timber or any plate, block, brick or plug of wood.

30. A person who shall erect a new building shall not place the end of any bressummer beam or joist, purlin, wall plate, ridge or batten, in any party wall unless the end of such bressummer, beam, joist, purlin, wall plate, ridge, or batten be at least six inches from the centre line of such party wall.

31. Every person who shall erect a new building shall cause every bressummer to be borne by a sufficient template of stone, iron, or good concrete, 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.

32. He shall also cause such bressummer to have, if necessary, such storey posts, iron columns, stanchions or piers of stone on a solid foundation under the same as may be sufficient to carry the superstructure. At each end of every metallic bressummer a space shall be left equal to one quarter of an inch for every ten feet and also for any fractional part of ten feet of the length of such bressummer to allow for expansion.

33. A person who shall erect a new building shall not fix in such building any pipe for the purpose of conveying smoke or other products of combustion unless such pipe be so fixed at the distance of 12 inches at least from any combustible substance.

34. Every person who shall erect a new building shall cause the roof of such building and every turret, dormer or other erection placed on the flat or roof of such building to be externally covered with tiles, metal, or other incombustible material, except as regards any door, window, lantern light or sky light.

No person shall be prohibited under this Bye-law from using shingles as a roof covering provided that any part of such building so covered shall be at least 60 feet, or in the case of a building of not more than two storeys, at least 40 feet, distant from any part of any other building or from the boundary of any adjoining plot or sub-plot.

OPEN SPACES, ETC.

35. A building erected upon a plot or sub-plot which abuts upon a street and having its frontage or back upon such street shall be so erected that any straight line drawn in the direction of such building from any point on the farther boundary of such street whether front or back (such point being taken on the same level as the mean ground level of the nearest wall of such building) so as to form an angle of 45 degrees with a straight line drawn from such point to the base of such nearest wall shall pass entirely above the whole of such building.

Provided that notwithstanding anything in this Bye-law contained it shall be lawful upon any of the plots and sub-plots mentioned in Schedule II. to this Part being the plots or sub-plots laid out before the 1st day of June, 1915, and abutting upon streets laid out before the said date to erect buildings backing upon the streets named therein to a height not exceeding 15 feet.

In interpreting this Bye-law if a building is situated on a corner plot so as to abut upon more than one street, the height of the building shall be regulated by the widest of such streets so far as such building will abut or abuts upon such widest street, and also so far as it will abut or abuts upon any narrower street to a distance of 40 feet from such widest street, and the building shall be deemed to front upon such widest street, and the back of such building shall be deemed to be the side thereof which lies to the rear of and parallel or most nearly parallel with its frontage.

For the purposes of this Bye-law a building shall be held to have a frontage or back upon a street if a line drawn at right angles to the frontage or back line of such building from any point thereon so as not to pass through or over such building but in the opposite direction would if produced towards such street cross the same without passing over any plot or sub-plot except that upon which such building stands.

36. A building used or designed to be used whether wholly or partially for human habitation shall not be so erected, added to or altered that more than one half of the plot or sub-plot on which it stands or is to stand shall be built over; and no erection of any kind whatever shall be so erected, added to or altered upon any plot or sub-plot upon which a dwelling house stands, that more than one half of such plot or sub-plot shall be built over: Provided that notwithstanding anything contained in these Bye-laws, any such building erected before the 15th day of November, 1913 and occupying more than one half of the plot or sub-plot on which it stands may be added to or altered provided that such addition or alteration shall not extend beyond the site occupied by such dwelling house on the 15th day of November, 1913.

And provided further that in the case of business premises where the residence of a caretaker is in the opinion of the Municipal Council necessary such residence shall not be deemed to constitute human habitation for the purpose of this Bye-law. And provided further that this Bye-law shall not apply to buildings appearing in the opinion of the Municipal Council to be constructed or adapted to be used entirely as offices, counting houses, hotels or residential clubs.

37. Where any room used or (according to the plans passed in respect of the building containing such room) designed to be used for human habitation or as a place of habitual occupation for any person shall contain any window opening upon an internal open space, and shall not contain other windows opening elsewhere than upon such internal open space sufficient to comply with the requirements of Bye-law 50 hereof, the height of the external wall in which such window is set (measured from the floor level of the room containing such window to the highest point of such wall) shall not be greater than the width of such internal open space measured from the base of and at right angles to the wall containing such window: and such internal open space above such floor level shall be kept free of all erections whatever.

38. The minimum width of passages between

- (a) buildings erected on one plot or sub-plot; and
 - (b) buildings erected on adjoining plots or sub-plots;
- shall be 4 feet.

39. The Town Clerk may by written notice call upon the owner of any plot or sub-plot on which there may be a passage between

buildings of a less width than 8 feet to surface or pave such passage to his satisfaction, or if such passage debouches upon a street to provide suitable gates at the point of debouchment to his satisfaction: and such owner shall comply with such notice within the time specified therein.

VENTILATION, ETC.

40. Every person who shall erect a new domestic building shall provide in front of such building an open space which shall be free from any erections 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 4 feet in height and which measured to the boundary of any lands or premises immediately opposite shall throughout the whole line of frontage of such building extend to a distance of 24 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. A person who shall make any alteration in or addition to such building shall not by such alteration or addition diminish the extent of open space provided in pursuance of this Bye-law in connection with such building and no person shall erect any building upon any open space provided under this Bye-law.

DENSITY OF BUILDINGS.

41. Bye-laws 43, 44 and 45 of these Bye-laws shall apply to the Commercial Area only.

42. For the purpose of Bye-laws 43, 44, 45 and 46 hereof "dwelling" means a building or any part or portion of a building used, or constructed, adapted or designed to be used for human habitation, as a separate tenancy, or by one family only, whether detached, semi-detached, or separated by party walls or by floors from adjoining buildings; together with such outbuildings as are reasonably required to be used or enjoyed therewith.

43. No person shall so erect, add to or alter a building so that on the plot or sub-plot on which such building stands such plot or sub-plot being not greater than one thirty-fifth of an acre, there shall be more than one dwelling, or so that there shall be any dwelling on such plot or sub-plot which is of less extent than one thirty-fifth of an acre or so that the number of dwellings over the whole area of such plot or sub-plot shall exceed the number yielded by a ratio of thirty-five dwellings to one acre.

In coming to a determination as to the number of dwellings which shall be permitted upon any plot or sub-plot in accordance with the foregoing provisions, no regard shall be had to any open spaces, streets or passages reserved or agreed to be reserved and abutting upon or in the vicinity of such plot or sub-plot.

44. No person shall erect a building intended, adapted or designed to be used wholly or partially for human habitation on any plot or sub-plot the area of which is less than 1,250 square feet in extent, or on any plot or sub-plot which has not a frontage of at least 14 feet 6 inches upon a street such street not being a sanitary lane or passage as defined in Bye-law 102 hereof.

45. No person shall so erect, add to or alter a building intended, adapted or designed to be used wholly or partially for human habitation so that any portion thereof which constitutes a dwelling shall be without separate and independent access to a street such street not being a sanitary lane or passage as defined in Bye-law 102 hereof.

46. No person shall so erect, add to, alter or use any building so that on the plot or sub-plot on which such building stands, such plot or sub-plot being not greater than one twenty-fifth of an acre, there shall be more than one dwelling, or so that there shall be any dwelling on such plot or sub-plot which is of less extent than one twenty-fifth of an acre, or so that the number of dwellings over the whole area of such plot or sub-plot shall exceed the number yielded by a ratio of twenty-five dwellings to one acre.

In coming to a determination as to the number of dwellings which shall be permitted upon any plot or sub-plot in accordance with the foregoing provisions, no regard shall be had to any open spaces, streets or passages reserved or agreed to be reserved and abutting upon or in the vicinity of such plot or sub-plot.

The provisions of this Bye-law shall not apply to the Commercial Area or to any area which is or shall be gazetted as a Native Location.

47. Nothing contained in Bye-laws 43 and 46 hereof shall be deemed to apply to any building which in the opinion of the Municipal Council, is constructed, adapted or designed to be used as an hotel or residential club and which in their opinion is unlikely, on account

of the manner in which it may be used, to become a menace either to the health of the inhabitants thereof or of the community.

48. Every person who shall erect a new domestic building shall construct in a wall of each storey of such building which shall immediately front or abut on such open spaces as, in pursuance with the Bye-laws in that behalf, shall be provided in connection with such building, a sufficient number of suitable windows directly communicating with the external air.

49. Every person who shall construct a new domestic building shall so construct every floor of a room therein as to be effectually protected against damp. No building shall contain any basement or cellar or any room or part of a room below ground floor level without the special sanction of the Municipal Council which may be granted subject to such conditions as to making the same damp-proof, water-proof, rat-proof and mosquito-proof, and provided with efficient means of preventing flooding from surface water as the Municipal Council may think fit.

50. Every person who shall erect a new domestic building shall construct in every habitable room of such building one glazed window, at the least, opening directly into the external air.

Such person shall cause the total area of such window, or, if there be more than one, of the several windows, clear of the frames to be equal at the least to one-tenth of the floor area of such room. Such person shall also construct every such window so that one-half at the least may be opened, and so that the opening may extend in every case to the top of the window.

A window shall not be deemed to open upon the external air, unless the space opposite such window shall for a distance of at least 8 feet from such window measured at right angles from any part thereof, be space, which shall be proved to the satisfaction of the Municipal Council to be reserved as an open space: or in the case of a window opening upon an internal open space, unless there shall be opposite such window a space forming a square based upon a line 12 feet in length taken on the same level as the base or underside of such window, and so that the said window shall be in the centre of such line, such space being measured horizontally outwards from such line, which space shall be unobstructed and wholly open to the sky except as hereinafter provided and shall be proved to the satisfaction of the Municipal Council to be reserved as an open space:

Provided that no internal open space shall be considered as wholly open to the sky if eaves or any other structures project over any side of it to a greater distance than 18 inches.

51. 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, to be provided with adequate means of ventilation to the satisfaction of the Municipal Council.

52. Every person who shall erect a new domestic building shall so construct every room which shall be situated in the lowest story of such building, and shall be provided with 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 ground or of the asphalt or concrete with which such ground is covered a clear space of nine inches at the least in every part, and he shall cause such space to be thoroughly ventilated by means of suitable and sufficient ventilators to the satisfaction of the Municipal Council. He shall also cause the surface of the ground beneath any floor to be effectually protected against the lodgment of water thereon.

53. Every person who shall erect a new public building shall cause such building to be provided with means of ventilation which shall be adequate in the opinion of the Municipal Council.

54. Every person who shall erect a new domestic building which is designed to be used partly for human habitation and partly for storage or sale of foodstuffs shall so erect the same either that the part designed for storage or sale of foodstuffs shall be sufficiently floored, walled and ceiled so as in the judgment of the Municipal Council effectually to prevent the passage of rats, or that the respective parts of the building shall be in the judgment of the Municipal Council so separated from each other as effectually to prevent the passage of rats from one to the other.

SIZE AND HEIGHT OF ROOMS.

55. Every room designed for human habitation or designed to be used as a place of habitual employment of any person (except a kitchen) shall taken over its entire area be of a mean average height of at least 10 feet from floor to ceiling or underside of roof and no part thereof (other than a part not exceeding in all 15 per cent. of

the whole in extent and forming an ingle, alcove or recess) shall be less than 8 feet in height from the floor to the ceiling or underside of roof.

56. Every room designed for human habitation shall have a superficial area, in the case of native quarters, of at least 50 square feet and in all other cases, of at least 100 square feet.

STRUCTURE OF FLOORS.

57. Every person who shall erect a new building, shall, as regards the structure of every floor of such building comply with such of the conditions contained in Schedule I. to this Part as may be applicable to such building.

GENERAL RULES.

58. The requirements of the preceding Bye-law and relative Schedule relating to the structure of floors shall be subject to the following conditions, that is to say:—

(1) The sizes prescribed for the timbers mentioned in the foregoing rule shall represent the least size and strength which any such timber may have at any part.

(2) Every beam and joist shall be laid and fixed on edge, its greatest side being in a vertical position or as nearly so as may be requisite, and when laid and fixed in such position, the distance between the upper and lower surface thereof shall for the purposes of this rule be deemed to be the depth thereof.

(3) In calculating the size and strength required for any beam or other timber intended to be of a strength equal to or greater than that of any particular beam or other timber of the same length and of dimensions specified in the rule in that behalf, the following method shall be adopted:—

In both cases the number of inches in the depth of such beam or other timber shall be multiplied by itself and the product shall be multiplied by the number of inches in the breadth. The number thus obtained shall be taken to represent the proportionate strength of such beam or other timber.

(4) The Bye-laws relating to the joists and beams in floors are applicable only to floors formed or joists laid on edge in the ordinary way, and covered with boards.

(5) In the case of a framed floor or of a floor formed with beams at short distances apart, and covered with battens, deals or planks, without joists, the several timbers of such floors shall be of such size and strength as to secure due stability.

(6) The Bye-laws relating to joists and beams in floors are applicable only to joists laid at distances of not more than 15 inches apart, measured from the middle of one joist to the middle of the next, and to beams laid at a distance of not more than 10 feet apart, measured from the middle of one beam to the middle of the next.

(i) Provided that in the case of a floor formed of beams of greater dimensions than the respective dimensions specified, such beams may be laid and fixed at a proportionately greater distance apart than 10 feet, and

(ii) In the case of a floor formed of joists or beams of less dimensions than the respective dimensions specified, or of timber of inferior quality, such joists or beams shall be laid and fixed at a proportionately less distance apart than 15 inches and 10 feet respectively.

(7) All joists which exceed 8 feet in span shall have herringbone or solid strutting constructed between them.

FLOORS AND STAIRCASES OF BUILDINGS.

59. Every person who shall erect a new public building shall construct the floor of every lobby, corridor, passage and landing, and every flight of stairs, of stone or other incombustible or fire resisting material, to the satisfaction of the Municipal Council, and of adequate strength.

Provided always that the foregoing requirements shall not apply to the floor of a lobby, corridor or passage, or landing, or to any flight of stairs designed to be used otherwise than as means of access to any part of a public building intended to be used for any public purpose.

60. Concrete floors of public buildings formed of armoured concrete shall be supported by steel, iron or reinforced concrete girders or, in the case of a ground floor, upon dwarf walls and in all

cases full particulars of the system of reinforcement shall be submitted.

This Bye-law applies to Portland cement concrete floors with gravel or broken stone aggregates in which the volume of cement is not less than one seventh of the whole and which are strengthened by steel rods, wire netting or expanded metal placed not more than one sixth of the depth from the lower side.

61. Where temporary shoring or centreing is used it shall not be struck until the concrete is thoroughly set.

DRAINAGE OF BUILDINGS.

62. Every person who shall erect a new building shall cause the sub-soil of the site of such building to be effectually drained to a suitable outfall where such exists, wherever the dampness of the site renders such a precaution necessary in the opinion of the Medical Officer of Health.

63. Subject to Bye-law 490 hereof, every person who shall erect a new building shall for the purpose of carrying from the roof or flat of such building all water which may fall thereon, provide suitable gutters and shall cause a suitable pipe or trunk, extending from the roof to the ground to be fixed in such a manner as to receive all water that may fall on the roof, and shall cause such water to be carried by means of an approved drain to the nearest public drain if within 20 yards.

64. A rain water pipe or waste pipe must deliver into the open air above a trapped gully so that the water shall pass into the gully before going into a closed drain: and a waste pipe must deliver on to a cement channel at least 18 inches long so that the water shall flow through the channel before passing into the trapped gully.

65. A person shall not so construct a building or drain that an open drain shall run beneath a building or any part thereof, provided that nothing herein contained shall be held to apply to an open drain carried under any covered way over a passage, such covered way being 7 feet or more in height at its lowest point. No cesspool shall be constructed under any building.

66. Except as hereinafter mentioned and then only where other means of drainage are impracticable a person shall not construct a drain or a building so that the drain shall pass under the building.

(a) Where a building is supported upon piers or metal standards and so constructed as to satisfy the conditions specified in (B) of Rule 8 hereof and where there is a clear space of at least two feet between the upper surface of the ground and the underside of the floor of such building a drain may be constructed beneath such building but so that there shall be a distance equal to at least the full diameter of the drain between the top of the drain at the highest point and the surface of the ground under such building.

(b) Where a building has a floor of concrete a drain may be made under such floor subject to the provisions of these rules and provided that the length of such drain shall not exceed 18 feet and that such drain shall be open at both ends in such a manner that cleaning rods may be passed thereto for the purpose of cleaning it out.

67. Such person shall cause such drain to be laid in a direct line for the whole distance beneath such building and if not made in concrete to be completely embedded in and covered with good and solid concrete at least 4 inches thick all round.

68. Such person shall cause adequate ventilation by means of approved ventilation shafts to be provided in connection with such drain and approved inspection chambers to be provided.

SPECIAL SANITARY PROVISIONS.

69. The Town Clerk shall have power upon conviction of the owner or of an occupier of any plot or sub-plot which may have been built upon for any nuisance in connection therewith, or upon the written advice of the Medical Officer of Health, to call upon the owner of such plot or sub-plot to pave any open space therein with stone or cement concrete to the satisfaction of the Municipal Council and that within a period to be specified in the notice, and any person failing to comply with the terms of such notice, shall be guilty of an offence against these Bye-laws, and upon conviction of such person the Town Clerk may enter upon the premises and undertake the prescribed work and may recover all expenses connected therewith from the person in default.

70. The following provisions shall apply to any area of the Township to which the Governor of the Colony and Protectorate may

declare the same to be applicable and that from the date of notice to that effect published in the *Gazette*, and so long as such notice shall remain in force, with respect to every building that shall be erected after the date of such notice, *viz*:—

(a) The foundation walls of every building shall be of concrete or of brick or of stone laid in cement mortar or some equally rat-proof material, shall extend at least 1 foot above the surface soil, and shall be at least 8 inches thick at the top; and where openings are necessary for ventilation or other purposes, such openings shall be made rat-proof by suitable metal screens.

(b) The full floor area under all buildings shall be entirely covered by concrete at least $1\frac{1}{2}$ inches thick, except where and in so far as the surface of the soil is composed of rock, or where the soil is of the variety known as black cotton, in which latter case such floor area shall be entirely covered with slabs either of good cement concrete at least 3 inches in thickness of the following composition, *viz*: Good Portland cement, sand and broken stone or washed murrum gauged in the proportion of 1, 2 and 4 respectively, the aggregate to be broken to a gauge of not more than $\frac{3}{4}$ inch; or of good cement concrete at least $1\frac{1}{2}$ inches in thickness of the same composition and reinforced with good wire netting with a mesh not exceeding 1 inch in diameter. Such slabs shall in no case be larger than 2 feet square and shall be capable in every case of resisting a crushing load of 900 lbs. to the square inch.

SITING OF OUT-BUILDINGS.

71. All new buildings and all additions to existing buildings, in the Municipal area, and particularly all outbuildings, latrines, and all drains and sanitary apparatus of any kind pertaining thereto shall be so situated on such plot, sub-plot or other piece of land on which they may be built, as to ensure the best practicable hygienic and sanitary conditions for the owner of such plot, sub-plot or other piece of land, and the owner or owners of all or any plots, sub-plots or other land adjoining, considered collectively, and to avoid as far as possible nuisance or annoyance of any such owners from the position and appearance of such latrines or outbuildings or from noise caused by the occupants of such outbuildings, or from any other cause whatsoever.

72. The Town Clerk may disapprove of any plans on the ground that they do not comply with the foregoing Bye-law: provided that any decision by the Town Clerk under this Bye-law shall be subject to review by the Municipal Council on written notice of appeal given to them through their Chairman within 14 days of delivery of intimation of such decision.

EARTH CLOSETS.

73. A person who shall construct an earth closet shall not construct such earth closet within 10 feet of any kitchen. He shall construct such earth closet if practicable so as to back on a sanitary lane, and in such manner and in such a position as to afford ready means of access to such earth closet, for the purpose of cleansing such earth closet 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 earth closet, and from the premises to which it may belong, without being carried through any dwelling-house or public building, or any building in which any person may be, or which may be intended to be employed in any manufacture, trade or business.

74. Every person who shall construct an earth closet in connection with a building shall provide such earth closet with an opening for light and ventilation of not less than $1\frac{1}{2}$ square feet as near to the top as convenient, and communicating directly with the external air.

75. No person shall construct an earth closet otherwise than in accordance with a standard pattern approved by the Municipal Council or with plans and specifications submitted to and approved by it.

76. Every person who shall construct an earth closet shall construct the seat, if any, of such earth closet, the aperture in such seat, and the space beneath such seat, of such dimensions as to admit of a moveable receptacle for filth of a capacity not exceeding 2 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. For this purpose every closet shall be provided with stops to keep the bucket in its correct position beneath the aperture.

77. Every person who shall construct an earth closet shall construct the seat, if any, of such earth closet to rest upon iron brackets or piers formed of non-absorbent material and so that the whole of such seat or a sufficient part thereof may be lifted into a vertical position so 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 purposes aforesaid.

WATER CLOSETS, Etc.

78. A person shall not instal in any premises any water closet, sink, or other contrivance designed to facilitate the passage of liquid matter into a drain or sewer or on to the ground nor any septic tank, or cesspool, except with the written permission of the Town Clerk and upon such conditions as he may prescribe.

NATIVE QUARTERS.

79. Every person who shall erect a building designed to be occupied by natives shall construct such building so that it shall comply with the following provisions:—

(a) Such building shall not be erected within 10 feet of any domestic building or building of the warehouse class.

(b) Where the walls and roof of such quarters shall be covered with combustible materials they shall be at least 40 feet from any domestic building or building of the warehouse class, or from the boundary of any adjoining plot or sub-plot.

(c) The upper surface of the floor shall be at least 12 inches above the mean level of the surrounding ground.

(d) The height of such building shall not be less than 10 feet measured from the upper surface of the floor to half the vertical height of the roof except in the case of a grass hut.

(e) Each compartment shall have a superficial area of not less than 50 square feet and be provided with windows of an aggregate area equal to not less than one-eighth of the superficial floor area, and opening on to the external air.

GIVING OF NOTICES, DEPOSIT OF PLANS, Etc.

80. Every person who shall intend to erect a building or to alter or to make any addition to a building shall give to the Town Clerk notice in writing in the prescribed form of such intention which shall be delivered or sent to him at his office and shall at the same time deliver or send or cause to be delivered or sent to him complete plans and sections of every floor and the front elevation of such intended building, which shall be drawn and coloured on tracing linen to a scale of not less than one inch to every eight feet, and shall show the position, form and dimensions of the several parts of such building, alteration or addition and of every closet, 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, and shall furnish any further particulars that the Town Clerk may deem necessary. Any plans deposited in compliance with this bye-law shall remain the property of the Municipal Council.

81. Such person shall at the same time deliver or send, or cause to be delivered or sent to the Town Clerk 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.

82. Such person shall at the same time deliver or send or cause to be delivered or sent to the Town Clerk a coloured block plan of such building or addition which shall be drawn on tracing linen to a scale of not less than one inch to every forty feet, and shall show the position of the buildings, additions and appurtenances and of the properties immediately adjoining, the width of the streets, if any, in front and at the rear of such building or passages, and the width of all streets and passages abutting on the plot.

83. Such person shall likewise show on such plan the intended lines of drainage of such building and of any public sewer or drain to which such drainage is intended to connect.

84. Such person shall sign such plans and sections or cause the same to be signed by his duly authorised agent.

85. So soon as the Town Clerk is satisfied that such plans do not contravene any of the conditions set forth in these Bye-laws, and are in other respects satisfactory, he shall signify the aproval of the Municipal Council in writing under his hand.

86. The Town Clerk may disapprove of any plans on any of the following grounds:—

- (a) That they show a contravention of any bye-laws or ordinances.
- (b) That the system of drainage of the plot or sub-plot upon which the building is to stand is not satisfactory.
- (c) That sufficient facilities for access of sanitary carts are not, in the opinion of the Municipal Council, shown.
- (d) In the case of a new building to be erected on a plot on which a building or buildings already stand, that no scheme of sub-division has been sanctioned by Government, or that such new building is not in conformity with a scheme of sub-division which has been so sanctioned.
- (e) That the site upon which it is proposed to build is unfit for human habitation.
- (f) Where latrine accommodation or native servants' quarters are considered necessary by the Municipal Council, that no provision or inadequate provision is shown therefor.

87. In any case where the Town Clerk is satisfied that any building, though the plan thereof is not open to disapproval on any of the grounds specified in Bye-law 86 hereof is nevertheless likely or liable to become objectionable on sanitary grounds or otherwise in any way, the Town Clerk shall have power to withhold approval of such plan until the applicant shall have entered into such covenants binding him and his successors to do or to refrain from doing any specified acts or things, as the Town Clerk may consider necessary to ensure that such building shall not so be or become objectionable and shall if required have procured such covenants endorsed upon his title deeds at his own expense and to the satisfaction of the Town Clerk.

88. No person shall begin to erect any building or execute any such work as is described in Bye-law 80 until he has given notice of his intention as hereinbefore required to erect such building or execute such work and the Town Clerk has either intimated approval of such building or work or failed to intimate his disapproval thereof within the period hereinafter prescribed in that behalf.

89. Every person who shall erect a building, or execute any work to which any of the bye-laws relating to building may apply, shall deliver or send, or cause to be delivered or sent to the Town Clerk, notice in writing, upon the day such person begins to erect such building or to execute such work.

90. Subject to Bye-law 87 hereof, if within 30 days of the receipt of any plans or notice or further particulars delivered in accordance with these Bye-laws, the Town Clerk shall fail to intimate to the person submitting such plans his disapproval of the building or work which the said person intends to erect, the person submitting the plans may proceed with such building or work in accordance with the plans but not so as to contravene any of the provisions of these bye-laws or any amendments thereof in force for the time being.

91. Such person shall before proceeding to lay or cover up any foundation footings or any damp proof course of a building, deliver or send, or cause to be delivered or sent to the Town Clerk notice in writing, in which shall be specified the date on which such person will proceed to cover up such foundation footings or damp proof course.

92. If such person neglect or refuse to deliver or send any such notice, or to cause any such notice to be delivered or sent as aforesaid and if the Town Clerk or other person duly authorised by the Municipal Council on inspecting any work in connection with such building or such other work as aforesaid, finds that such work is so far advanced that he cannot ascertain whether anything required by any bye-law relating to buildings has been done or 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 the Town Clerk or such authorised person be required within a reasonable time which shall be specified in such notice, to cause so much of such work as prevents the Town Clerk or such other authorised person 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 the Town Clerk or other authorised person 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 cut into, laid open, or pulled down.

93. If any person who is entitled to proceed with any building or work under Bye-laws 85, 90 or 108, fails to do so within the period

of one year the notice given by him shall be held to have lapsed and he shall give fresh notice of his intention before proceeding to erect such building or execute such work and that in the manner hereinbefore prescribed; and if any such building or work is not completed within two years from the date when the Town Clerk shall have intimated that the deposited plans have been approved, the person shall in every case submit a fresh application for permission before proceeding further with such building or work.

94. In every case where a person who shall erect a building or shall execute any other work to which the bye-laws relating to buildings may apply shall, at any reasonable time during the progress or after the completion of the laying out or the erection of such building or the execution of such work receive from the Town Clerk notice in writing specifying any matters in respect of which the erection of such building, or the execution of such work may be in contravention of any bye-law relating to buildings or may show a deviation from the plan thereof as passed by the Town Clerk and requiring such person within a reasonable time which shall be specified in such notice to cause anything done contrary to any such bye-law to be amended or to do anything which by any such bye-law may be required to be done but which has been omitted to be done, such person shall, within the time specified in such notice, comply with the several requirements thereof provided that nothing contained in this bye-law shall be held to affect the liability of such person to prosecution for breach of any of these bye-laws.

95. Such person, within a reasonable time after the completion of any work which may have been executed in accordance with any such requirements, shall deliver or send, or cause to be delivered or sent to the Town Clerk 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 to any party deriving authority from the Municipal Council free access to such work for the purpose of inspection.

96. Every person who shall erect a building or shall alter a building in regard to any matter as to which a bye-law or rule was in force when such building was first erected or shall execute any other work to which any of the bye-laws relating to buildings shall apply, shall, at all reasonable times during the erection of such building or the execution of such work, afford to the Medical Officer of Health or Sanitary Inspector, or any party deriving authority from the Municipal Council free access to such building or work for the purpose of inspection.

97. Every person who shall erect a building or make any alteration or addition to a building shall, within a reasonable time after the completion of the erection of such building or alteration or addition deliver or send, or cause to be delivered or sent to the Town Clerk at his office, notice in writing of the completion of the erection or alteration of such building, and shall at all reasonable times, within a period of 48 hours after such notice shall have been so delivered or sent, and before such building shall be occupied, afford to the Town Clerk or to any party deriving authority from the Municipal Council free access to every part of such building for the purpose of inspection.

98. A person intending to occupy any new building or, being the owner thereof, to suffer the same to be occupied shall furnish to the Corporation a certificate signed by the owner of the building or by any qualified architect or firm of architects practising in Nairobi to the effect that the building has been constructed in every respect in conformity with the plans thereof as approved, or, if not so constructed, specifying any particulars in which such plans have been departed from: and, on receipt of such certificate, the Town Clerk or other officer duly authorised in that behalf by the Municipal Council, if satisfied that the building is in conformity with such plans, or that any deviations from the plans as approved are such as may be allowed, shall issue a written permit of occupation.

A person shall not occupy any new building, or, being the owner thereof, suffer the same to be occupied, unless he shall have procured a written permit of occupation under this bye-law.

Provided always that such permit shall not in any way be held to impose any liability whatsoever on the Corporation or of any officer or employee thereof for any loss or damage that may be caused through any building not being designed or built in a proper and workmanlike manner or through any building being erected otherwise than in accordance with the approved plans and the bye-laws.

99. Where any building has been erected, no person shall alter such building in such a way that the same as altered, would, if at

first so constructed have contravened any of these bye-laws, or shall except with the written permission of the Town Clerk and except upon such terms as he may prescribe use or (being the owner thereof) suffer such building to be used otherwise than for the purposes specified or indicated in the original application and plans in respect thereof.

HOARDINGS.

100. Every person who shall erect or make any alteration to a building shall erect and maintain during the execution of the work such hoardings as shall be necessary in the opinion of the Municipal Council for the protection of the public, provided that no hoarding shall be erected in any street except with the written permission of the Town Clerk or otherwise than in accordance with plans lodged with and approved by him.

SCAFFOLDINGS.

101. The Town Clerk shall have power by written notice addressed to the party responsible to prohibit and stop the erection, use, or employment, and to order the alteration or removal of any crane, scaffolding, staging, or shoring in or connected with the construction and erection, or the demolition, alteration, repair, or securing of any new or existing building, or in or connected with any excavation for the purpose of any building operations, where such crane, scaffolding, staging, or shoring is, or is likely to be, in the judgment of the Municipal Council, a source of danger.

Any person not complying with the terms of such a notice shall be guilty of an offence.

SANITARY LANES.

102. No building shall unless with the written permission of the Town Clerk be so erected added to or altered as to have a frontage upon a sanitary lane or passage. And no building within the Commercial Area, other than a building erected under a temporary permit shall be so erected added to or altered that any part thereof shall be less than 15 feet distant from the centre line of any street or sanitary lane.

For the purposes of this rule:

(a) A building shall be held to have a frontage upon a sanitary lane or passage if any straight line drawn at right angles to the frontage line of such building from any point thereon so as not to pass through or over such building but in the opposite direction would if produced towards such sanitary lane or passage cross the same without passing over any plot or sub-plot except that upon which such building stands, or if in the opinion of the Municipal Council no suitable or sufficient means of access thereto is provided except by a sanitary lane or except by a passage, provided that a side door upon a passage leading into a street other than a sanitary lane shall be deemed a suitable and sufficient access if the distance from such door to the street shall be not more than one-third of the distance from such door to any sanitary lane into which such passage leads.

(b) The Municipal Council shall have powers in every case to determine whether any street is a sanitary lane or passage and its decision shall be final, provided that no street measuring more than 40 feet in width shall in any circumstances be deemed to be a sanitary lane or passage.

FIRE ESCAPES, ETC.

103. Every building over 45 feet high and every public building, hotel, boarding house, flat, business house and factory shall be provided with proper means of escape in case of fire, and with chemical fire extinguishers of such a number and design as shall be approved by the Municipal Council.

In the case of public buildings, each exit, passage and staircase shall be 5 feet wide for every 100 persons to be discharged by such exit, passage or staircase, and all doors and barriers shall be made to open outwards and no outside locks or bolts shall be affixed thereto. Provided that the width of any exit, passage or staircase shall not be less than 3 feet 6 inches.

RUINOUS BUILDINGS.

104. (1) Where any house, building or work of any kind appears to the Town Clerk to be in a ruinous or dangerous condition he may either—

(a) Remove or take such steps by way of shoring up securing or otherwise making safe such house, building or work as in his

free discretion he may consider necessary; and for that purpose may enter upon the premises and upon any adjoining premises which it may be necessary to enter for the said purpose: and in such a case the owner of such house, building or work shall be liable for and shall repay to the Town Clerk on demand all expenses incurred in connection with the removal or making safe of such house, building or work including any damages which he may have paid whether by order of Court or otherwise in respect of injury caused to any adjoining property by his entry thereon and work incident to the removal or making safe of such house, building or work: or

(b) Serve upon the owner of such house, building or work a notice in writing requiring him to shore up secure or otherwise make safe to the satisfaction of the Municipal Council, or to remove the same within a time to be specified in the notice: and such owner shall thereupon begin the work specified in the notice within 3 days from receipt thereof and shall continue the same without intermission until it is finished, and shall finish the same within the time specified in the notice.

Provided that if after the lapse of 3 days the owner shall have failed to begin the work, or after the lapse of the time specified in such notice the owner shall have failed to finish the said work the Town Clerk may thereupon proceed under Clause (a) hereof and the provisions of the said clause shall apply.

(2) The Town Clerk may order the owner of any building which in his opinion is in a dangerous condition or is endangered by the condition of any other building to cause the same to be vacated and may order the occupants of any such building to vacate the same and such order shall forthwith be complied with: and in the event of any delay in complying with such order on the Town Clerk notifying the Superintendent of Police any members of the Police Force not under the rank of an Assistant Inspector may enter the premises and cause the occupants of such building to be summarily ejected therefrom.

(3) In connection with any operations proceeding under Section (1) of this Bye-law, the Town Clerk may close any street or any part of a street or public place and may erect such hoardings, barricades or other structures as he may in his free discretion consider necessary for the purpose: and the owner of the house, building or work in respect of the condition of which such closure shall be effected shall be liable for and shall repay to the Town Clerk on demand all costs incurred by him in connection with the erection and subsequent removal thereof.

(4) No person shall except with the authority of the Town Clerk or that of the Police remove or tamper with any such hoardings, barricades, or other structures erected under Section (3) of this Bye-law or attempt to pass or climb them. Offences against this Section shall be cognisable by the Police.

105. No person shall excavate in such a manner as to endanger any building: and any person excavating within six feet of any building shall take such steps by shoring up, securing or otherwise making safe such building as shall be sufficient to ensure that it shall in no way be prejudicially affected by such excavation. Any person not complying with the terms of this Bye-law shall be guilty of an offence.

UNAUTHORISED BUILDINGS, ETC.

106. Any person who shall erect or begin to erect a building or make any alteration or addition to a building before he has given notice of his intention to erect alter or add to such building as prescribed by these bye-laws, or before the Town Clerk has either intimated his approval of such building or has failed to intimate his disapproval thereof within the stipulated time, or after the Town Clerk has disapproved any such building, shall be guilty of an offence, and in any such case as aforesaid, whether proceedings have been taken against the person offending or not, the Town Clerk may serve upon the owner of such building a notice in writing requiring him within a time to be stipulated by such notice to execute such alterations upon or additions to such building as the Town Clerk may prescribe to render such building safe or sanitary or otherwise conform to Township Bye-laws or to remove or demolish the same. Or alternatively in any case when in the opinion of the Municipal Council such action is necessary, the Town Clerk, after at least 14 days' notice in writing given to the occupiers of such building, may enter and execute such alterations or additions or remove or demolish such building himself, without liability for any loss or damage that

may be occasioned thereby and recover the cost of such work from the owner as a civil debt.

107. Any person who, having obtained the approval of the Town Clerk for any proposed building or being otherwise entitled to erect the same shall erect such building otherwise than in accordance with the plans, drawings, descriptions or terms approved or prescribed by the Town Clerk or with any plans and drawings lodged with him in connection with such building unless with the written consent of the Town Clerk shall be guilty of an offence; and in such case as aforesaid, whether proceedings have been taken against the person offending or not, the Town Clerk may serve upon the owner of the building a notice in writing requiring him within a time to be stipulated by such notice to execute such alterations upon or additions to such buildings or any part of such building as the Town Clerk may prescribe to render such building safe or sanitary or otherwise conform to Township Bye-laws, or to remove or demolish the same.

TEMPORARY BUILDINGS.

108. Notwithstanding anything contained in the foregoing Bye-laws it shall be lawful for the Town Clerk to grant permits for temporary buildings on such obligations both as to removal thereof and otherwise and generally upon such terms as he in his free discretion may prescribe and the foregoing Bye-laws with the exception of Nos. 10, 11, 12, 25, 33 to 56, 62 to 89, 91, 92, 94 to 99, 106 and 107, all inclusive, shall not apply to any building erected under such a permit unless by express stipulation, provided that no permit may be granted under this Bye-law for a building any of the walls of which are to be constructed wholly or partly of stone bricks or concrete.

SCHEDULE I. TO PART II.

(Bye-law 57).

DOMESTIC BUILDINGS.

JOISTS.

1. In the construction of the floor of a domestic building, every common bearing joist shall be of not less than the size and strength following:—

- (a) If the joist does not exceed 3 feet 4 inches in clear bearing, it shall be 4 inches in depth and 2 inches in thickness.
- (b) If the joist exceeds 3 feet 4 inches and does not exceed 5 feet 4 inches in clear bearing, it shall be 5 inches in depth and 2 inches in thickness.
- (c) If the joist exceeds 5 feet 4 inches and does not exceed 7 feet 4 inches in clear bearing, it shall be 7 inches in depth and 2 inches in thickness.
- (d) If the joist exceeds 7 feet 4 inches and does not exceed 9 feet 4 inches in clear bearing, it shall be 7 inches in depth and 3 inches in thickness.
- (e) If the joist exceeds 9 feet 4 inches and does not exceed 13 feet 4 inches in clear bearing, it shall be 9 inches in depth and 4 inches in thickness.
- (f) If the joist exceeds 13 feet 4 inches and does not exceed 14 feet 4 inches in clear bearing it shall be 9 inches in depth and 4 inches in thickness.
- (g) If the joist exceeds 14 feet 4 inches and does not exceed 16 feet 4 inches in clear bearing, it shall be 10 inches in depth and 4 inches in thickness.

TRIMMER AND TRIMMING JOISTS.

(h) A trimmer joist shall not receive more than 5 common joists and the thickness of a trimming joist receiving a trimmer at not more than 3 feet from one end, and of every trimmer joist receiving not more than 5 common joists shall be 1 inch greater than the thickness hereinbefore specified for a common joist of the same bearing.

BEAMS.

2. In the construction of the floor of a domestic building, every beam or girder of such floor, which is not used to support any wall, pier, or other similar structure, shall be of not less than the size and strength following:—

- (a) If the beam exceeds 8 feet and does not exceed 10 feet in clear bearing, it shall be 12 inches in depth and 9 inches in thickness.

(b) If the beam exceeds 10 feet and does not exceed 12 feet in clear bearing, it shall be 13 inches in depth and 10 inches in thickness.

(c) If the beam exceeds 12 feet and does not exceed 14 feet, in clear bearing, it shall be 15 inches in depth and 11 inches in thickness.

WAREHOUSE BUILDINGS.

JOISTS.

3. In the construction of the floor of a building of the warehouse class every common bearing joist shall be of not less than the size and strength following:—

(a) If the joist does not exceed 3 feet in clear bearing, it shall be 4 inches in depth and 2 inches in thickness.

(b) If the joist exceeds 3 feet and does not exceed 4 feet in clear bearing, it shall be 5 inches in depth and 2 inches in thickness.

(c) If the joist exceeds 4 feet and does not exceed 5 feet in clear bearing, it shall be 6 inches in depth and 2 inches in thickness.

(d) If the joist exceeds 5 feet and does not exceed 6 feet in clear bearing, it shall be 6 inches in depth and 3 inches in thickness.

(e) If the joist exceeds 6 feet and does not exceed 7 feet in clear bearing, it shall be 8 inches in depth and 3 inches in thickness.

(f) If the joist exceeds 7 feet and does not exceed 8 feet in clear bearing, it shall be 9 inches in depth and 3 inches in thickness.

(g) If the joist exceeds 8 feet and does not exceed 10 feet in clear bearing, it shall be 10 inches in depth and 3 inches in thickness.

(h) If the joist exceeds 10 feet and does not exceed 12 feet in clear bearing, it shall be 12 inches in depth and 3 inches in thickness.

TRIMMING AND TRIMMER JOISTS.

(i) A trimmer joist shall not receive more than 5 common joists, and the thickness of a trimming joist receiving a trimmer at not more than 3 feet from one end shall be $1\frac{1}{2}$ inches greater than the thickness hereinbefore specified for a common joist of the same bearing; and the thickness of a trimmer joist receiving not more than 5 common joists, shall, for every such joist, be increased by one quarter of an inch additional to the thickness hereinbefore specified for a common joist of the same bearing.

BEAMS.

4. In the construction of the floor of a building of a warehouse class, every beam or girder of such floor which is not used to support any wall, pier or other similar structure shall be of not less than the size and strength following:—

(a) If the beam exceeds 8 feet and does not exceed 10 feet in clear bearing, it shall be 15 inches in depth and 11 inches in thickness.

(b) If the beam exceeds 10 feet and does not exceed 12 feet in clear bearing, it shall be 17 inches in depth and 12 inches in thickness.

(c) If the beam exceeds 12 feet and does not exceed 14 feet in clear bearing, it shall be 18 inches in depth and 13 inches in thickness.

SCHEDULE II. TO PART II.

(Byelaw 35).

1. Lane between plots 697 and 785.
2. Lane between sub-plots 2 and 3, and between sub-plots 1, 2, 3 and 4 on the one side and sub-plot 5 on the other, of plot 697.
3. Lane between plots 698 and 699.
4. Lane at rear of sub-plots 1 and 11 of plot 229.
5. Lane at rear of sub-plots 1, 2, 3, 4, 7, 9, 10, 11, 12, 13 and 14 and flanking upon sub-plots 4 and 6 of plots 232 and 233.
6. Lane at rear of sub-plots 1 to 40 of plot 525.
7. Lane at rear of sub-plots 1 to 30 of plot 138, also other sub-plots not numbered on the same plot.
8. Lane on plot 639.
9. Lane on plot 139.

PART III.

SECTION I.

SLAUGHTER HOUSE.

109. In this Section the words "Slaughter House" shall mean the premises set apart for the purposes of a slaughter house by the Municipal Council; the words "Pigs' slaughter house" shall mean the premises set apart by the Municipal Council for the slaughtering of pigs; and the words "Meat Inspector" shall mean the person employed by the said Council to act as Meat Inspector or other qualified person authorised by them to act in that behalf.

110. The Municipal Council shall have power to prescribe by public notification the hours within which animals may be slaughtered at the Slaughter House or Pigs' Slaughter House and the hours for inspection of carcasses: and no animals shall be there slaughtered except within the hours so notified.

111. No carcase and no portion of any carcase (except hides and bones) shall be removed from the Slaughter House or Pigs' Slaughter House or sold or exposed for sale until it has been inspected by the Meat Inspector and either a certificate has been issued of its fitness for human consumption, or an order made by the Meat Inspector for its disposal: and any person dealing with any carcase or portion of a carcase in respect of which such an order shall have been made so as to contravene the terms of such an order shall be guilty of an offence against this Bye-law.

112. No animal shall be slaughtered for meat within the Township except at the Slaughter House unless with the written permission of the Town Clerk; and no pig shall be slaughtered except at the Pigs' Slaughter House or at such other place as the Town Clerk may in writing prescribe.

113. The Medical Officer of Health, Sanitary Inspector, or any duly authorised servant of the Municipal Council shall at all times have free access for the purpose of inspection to any portion of any premises licensed under Township Bye-laws for the sale of meat and if he shall find in any such premises any carcase or part of a carcase which is diseased, unsound or unwholesome or unfit for human consumption, he may forthwith seize and carry away or cause to be seized and carried away such carcase or part and direct the same to be destroyed or disposed of as he shall think fit, and the Town Clerk may at his discretion suspend or cancel the licence in respect of such premises.

114. No person suffering from an infectious or contagious disease shall enter the Slaughter House or Pigs' Slaughter House or be employed in any butcher's shop or stall or handle any carcase or meat intended or exposed for sale.

115. No person shall use as a sleeping apartment any room, stall or shop where any carcase or meat intended for sale is kept.

116. No person shall whether knowingly or otherwise suffer any person in his employment to kill any animal at a Municipal Slaughter House unless such employee shall be a skilled and competent slaughterer.

117. The fees for inspection of meat detailed in the schedule to this Section shall be payable in advance at the Municipal Offices, and the Meat Inspector shall have power to refuse to certify any carcase in respect of which the prescribed fees shall not have been so paid.

FEES FOR INSPECTION OF MEAT.

	Shs. Cts.
For Calves, Sheep and Goats per carcase	1 00
For Thomson's Gazelles, Grant's Gazelles, Duikers and other Gazelles per carcase	50
For Game of other sorts and swine per carcase	2 00
For Oxen per carcase	3 00

The word "ox" signifies and includes any head of horned cattle.

SECTION II.

POUND.

118. The Municipal Council may establish and maintain in the Township a pound or pounds for the reception and detention of animals impounded under this Section and may appoint a pound master to be in charge of such pound or pounds.

119. The pound master may receive into the pound and detain therein, subject to the provisions of this Section any animal brought to him for such purpose.

120. Any police officer or any person in the service of the Municipal Council may seize any animal found straying in any street or public place or upon any unalienated Crown land or upon any property of the Government or of any department of the Government or of the Municipal Council, and may take such animal to the pound to be there impounded.

121. The owner or occupier of any land within the Township may seize any animal which he may find trespassing on his land and may take or cause such animal to be taken to the pound to be there impounded.

122. The pound master shall supply every animal impounded with fit and sufficient food and drink.

123. The owner of every animal impounded shall pay to the pound master for and on behalf of the Municipal Council the pound fees prescribed in the Schedule to this Section.

124. The pound master shall not release any animal from the pound until the owner has paid to him the prescribed pound fees.

125. If within seven clear days from the time of impounding any animal such animal shall not have been released from the pound, the Town Clerk may cause such animal to be sold by auction and shall apply the proceeds of such sale (1) in paying the expenses (if any) attending such sale and (2) in paying the pound fees payable in respect of such animal and rendering the overplus (if any) to the owner of such animal, if claimed within 12 months of the date of sale.

126. Anything in the preceding Bye-law to the contrary notwithstanding, the Town Clerk may at any time order the slaughter of any animal brought to the pound or detained therein, if it shall be made to appear to him that such slaughter be necessary or advisable for the prevention of the spread of disease, or on grounds of humanity: and that without incurring any liability whatever therefor.

127. Any person who shall, without lawful authority, release or attempt to release any animal from the pound or on the way to such pound or shall pull down or destroy any pound shall be guilty of an offence.

SCHEDULE TO SECTION II.

NAIROBI POUND FEES.

	Shs. Cts.
On donkeys, sheep, goats, dogs, swine, per head per day or part of a day 1 00	
On cattle, per head per day or part of a day 2 00	
On horses, mares, foals, mules, zebras, camels and all animals not specified above, per head per day or part of a day 3 00	

SECTION III.

MARKETS.

128. Public Markets shall be opened for the sale of goods at such times as the Municipal Council shall appoint.

129. No fresh meat, fresh fish, or vegetables shall be hawked, sold or exposed for sale except within a public market, except as otherwise provided in these rules.

130. No articles shall be exhibited for sale on the pathways or over any drain or in any doorway within such markets, and no board, box or basket shall be left in, upon or across any such drain or pathway.

131. No fire or cooking shall be allowed within such markets.

132. The market master shall take possession of any food unfit for human consumption exposed for sale in any market and shall deal with such food in a manner to be directed by the Medical Officer of Health or Sanitary Inspector, to whom he shall report such possession.

133. No live stock other than fowls or ducks shall be brought into any market other than one provided for the sale of live stock.

134. The public markets shall be under control of the Municipal Council, who shall appoint such persons as are necessary to manage the same.

135. The Municipal Council may at its option let out any market on contract, and any authorized contractor shall have the power to collect the market fees prescribed by these Bye-laws.

136. Only such persons as have paid stall fees shall be allowed to sell in the native market. In any other markets only such persons as are licensed or registered vendors and who have also paid stall fees shall be allowed to sell therein.

137. No person shall be registered for the sale of meat in the native market.

138. No person shall remain in a public market at night.

139. In no instance shall one stall be used for carrying on two distinct classes of business at the same time or under the same permit.

140. No person shall hawk goods about a public market.

141. The Town Clerk may expel from any public market any vendor, or servant of a vendor, who has been convicted of a breach of these Bye-laws, and may prevent such person from further carrying on any business in such public market, or occupying any stall therein.

142. No person shall commit a nuisance within the precincts of a public market.

143. In the event of a market being leased out, the lessee shall be responsible for the due observance of the Bye-laws of this Section.

144. Only such trades shall be carried on in any public market as the Municipal Council shall permit. Under no circumstances shall opium or spirits or other intoxicating drink be sold in any market, and no handicraft shall be carried on therein.

145. No person suffering from any infectious, contagious, or loathsome disease shall be allowed to serve in any market.

146. Dogs unless properly secured shall not be allowed inside any public market.

147. The Town Clerk, Medical Officer of Health or Sanitary Inspector or any Officer appointed for the purpose may call upon any person serving in a Public Market to be properly clothed and to see that such clothing is clean, and any person refusing to obey any order in this respect may be removed from such market.

148. The following rents shall be payable in advance for stalls or stands in the markets:—

	Shs. Cts.
Jeevanjee Market, per stall, per month	10 00
Native Market, per stand, per day	0 12

SECTION IV.

CEMETERIES, ETC.

149. The term "Cemeteries" in this Section means the Cemeteries in Nairobi used for interment of Europeans, Jews and Goans and shall include any future extension thereof, and the term "Town Clerk" includes any person duly authorised by him or by the Municipal Council of Nairobi to act on his behalf.

150. The Cemeteries shall be under the sole control of the Municipal Council of Nairobi and shall be open to the public only at such hours as may be from time to time prescribed by them.

151. No person shall cause any interment to take place in the Cemeteries without a permit in writing first obtained from the Town Clerk or otherwise than in strict conformity with the terms of such permit which shall prescribe the exact position of the grave to be used for such interment.

152. No person shall cause to be erected or deposited in the Cemeteries any tombstone or other structure of whatever description without a permit in writing first obtained from the Town Clerk or otherwise than under the supervision of the Town Clerk and in strict conformity with the terms of such permit, which shall prescribe the exact position for any structure so to be permitted: and over and above any penalty that may be inflicted for contravention of this Bye-law, the Town Clerk shall have power to replace in accordance with the terms of the permit, and that without any notice or warning, any tombstone or structure so erected or deposited or any part thereof and to recover from the person in default the expense of such replacement: or alternatively after 10 days' clear notice in writing given to the person in default, to remove such tombstone or other structure or any part thereof from the Cemeteries and to return it to the person in default, and to recover from him all expenses incurred in connection therewith and the Municipality of Nairobi and the Town Clerk shall not be legally liable for any damage that may be caused to such tombstone or structure by such replacement or removal.

153. No person shall plant any flowers or shrubs in the Cemeteries or remove or in any way interfere with any existing flowers or shrubs except under authority of the Town Clerk.

154. The Town Clerk shall have power at his discretion to remove any shrubs or natural or artificial flowers or receptacles for containing flowers or other articles that may be planted or deposited upon any grave: provided that natural flowers shall not be so removed within ten days of the date when deposited.

155. The Municipality of Nairobi shall not be held to incur any legal liability whatever in connection with the care and custody of any tombstone or other structure in the Cemeteries unless by special arrangement.

156. No person shall, except with the written permission of the Town Clerk, bring or cause to be brought into the Cemeteries or having brought or caused to be brought into the Cemeteries suffer to remain there during the course of any interment any photographic camera or cinematograph apparatus or any machine or appliance of a like nature.

157. No person shall during the course of any interment in the Cemeteries do any such act or thing in the Cemeteries as might reasonably be expected to cause annoyance to any person attending such interment.

158. No person not being a person lawfully engaged upon the care of the Cemeteries shall without authority of the Town Clerk trespass upon or walk over any grave or pass through or within the Cemeteries otherwise than along paths and spaces between graves and other unreserved spaces.

159. Every burial ground shall be surrounded by a wall or fence so constructed as effectually to keep out dogs, cattle and beasts of prey, and every grave in a burial ground shall be of a perpendicular depth of not less than 6 feet throughout the entire length thereof.

160. The fees specified in the Schedule to this Section shall be payable to the Town Clerk in respect of the Cemeteries.

161. Two cemetery plots, but not more, contiguous to the grave in which a deceased person is buried may be reserved in the name of his next-of-kin or legal representatives; and three cemetery plots, but not more, may be reserved by or on behalf of any one person all at the discretion of the Municipal Council.

SCHEDEULE TO SECTION IV.

CEMETERY FEES.

	Shs. Cts.
For opening ground, per grave for a child under 2 years of age 15 00	
For opening ground, per grave in every other case 30 00	
For a reserved plot, 8 ft. 6 in. by 4 ft. 8 in. 100 00	
For a reserved plot, 6 ft. by 4 ft. 100 00	

SECTION V.

CAMPING GROUND.

162. The pitching of a tent or tents on any Crown land inside the Township limits is prohibited except on camping ground specially provided by the Municipal Council for that purpose.

163. No person shall erect a tent or tents on any such camping ground without first having applied for and obtained a permit allowing him to do so.

164. Trading of any description on any camping ground is prohibited.

165. No tent will be allowed to remain in any camp for a longer period than one month except under a special permit from the Town Clerk.

166. The collection of unauthorised persons on any camping ground is prohibited.

167. There shall be a fee levied for each tent mentioned on any permit. Such fee shall be at the rate of Shs. 10 per tent for each month, or Shs. 4 for each week or part thereof, and shall be paid in advance to the Town Clerk by the person responsible for such tent.

SECTION VI.

JEEVANJEE GARDEN.

168. The Jeevanjee Garden referred to in this Bye-law is the area shown within red lines upon the Plan of Nairobi Township deposited in the office of the Town Clerk and signed by him as relative to this Bye-law.

169. The Jeevanjee Garden shall be open to the public every day from 6-30 a.m. to 9-30 p.m. No person not duly authorised shall be in the Garden except between the said hours.

170. No vehicles, other than perambulators, shall be allowed entrance to the Jeevanjee Garden; nor persons riding upon horses or other animals or bicycles. No cattle, donkeys, sheep, goats or dogs shall be brought or allowed to stray into the Jeevanjee Garden.

171. No person shall pick any leaves, flowers, fruits, or seeds, nor break, pull up, injure or deface any trees, shrubs, flowers, grass, turf, fences, seats, notice-boards or name-tickets of trees or shrubs in the Jeevanjee Garden unless under authority of the Town Clerk.

172. No person shall play any games, except those specifically allowed on the notice-board, climb any trees, shoot with guns or catapults, throw stones, or be guilty of disorderly or indecent behaviour in the Jeevanjee Garden.

173. No person shall deposit paper, bottles, or other refuse of any sort in the Jeevanjee Garden otherwise than in the receptacles provided therefor.

174. No person shall deliver any public address in any part of the Jeevanjee Garden:

Provided that the foregoing prohibition shall not apply in any case where, upon an application to the Town Clerk for permission to deliver any public address in the Jeevanjee Garden, upon such occasion, or on such day and at such hour as shall be specified in such application, the Town Clerk may grant such permission in writing, which permission shall not be unreasonably withheld, subject to compliance with such conditions he may prescribe.

175. No person shall play any musical instrument or sing in any part of the Jeevanjee Garden:

Provided that the foregoing prohibition shall not apply in any case where, upon an application to the Town Clerk for permission to play any musical instrument or to sing in the Jeevanjee Garden, upon such occasion, or on such days and at such hours as may be specified in such application, the Town Clerk may grant such permission in writing, which permission shall not be unreasonably withheld, subject to compliance with such conditions as he may prescribe.

SECTION VII.

CITY PARK.

176. The area in Nairobi hereunder described and hereinafter referred to as the City Park, shall be under the control of the Municipal Council of Nairobi: that is to say, an area bounded as follows, viz.:—

Commencing at the junction of the Fort Hall or Limoru Roads; thence bounded by the Eastern boundary of the Limoru Road Northerly to its inter-section with the South-eastern boundary of a road of access to Sub-division No. 870; thence by the South-eastern boundary of that road of access North-easterly to the South-western boundary of Sub-division No. 870; thence by a part of the South-western boundary of that Sub-division South-easterly to its most Southerly corner on the North-western boundary of Sub-division No. 193; thence by a part of the North-western boundary of that Sub-division South-westerly to its most Westerly corner; thence by a part of the generally South-western boundary of Sub-division No. 193 South-easterly to the most Northerly corner of Sub-division No. 195; thence by the North-western boundary of that Sub-division South-westerly to its most Westerly corner; thence by a part of the South-western boundary of that Sub-division South-easterly to its intersection with the North-western boundary of the Kiambu Road, thence by the North-western boundary of that Road South-westerly to its intersection with the Northern boundary of the Fort Hall Road where it merges into the Kiambu Road; thence by the Northern boundary of that Road Westerly to the point of commencement. But excluding therefrom that part thereof which is at present controlled by the Municipal Council of Nairobi and used as a Cemetery.

177. Any person who shall in the City Park:—

(1) be found trespassing between the hours of 6 p.m. and 6 a.m., except on the fenced pathway traversing the Western section thereof; or on the road connecting Limoru and Forest Roads and known as Park Road;

(2) drive or pasture cattle, sheep, or goats or other animals except on the said pathway without authority of the Municipal Council;

(3) injure or deface any trees or shrubs, or injure any turf, fences, seats, or notice boards, or without authority of the Council fell or remove any trees, shrubs, or flowers;

(4) shoot or hunt, without authority of the Municipal Council;

(5) deposit paper, bottles, or refuse of any sort;

(6) kindle fires, except at places approved by the Council;

(7) take any dog into the City Park or be in charge of any dog in the City Park, the same not being on a lead;

(8) snare, trap or catch or attempt to snare, trap or catch any birds or butterflies in the City Park without authority of the Municipal Council;

shall be guilty of an offence.

178. No freight cart drawn by oxen or mules shall go within the City Park unless by authority of the Municipal Council.

The owner and person or persons in charge of any such cart going within the City Park shall each severally be guilty of an offence.

179. No person shall ride any cycle or motor-cycle or drive any motor-car or vehicle in the City Park except on the said road connecting Limoru and Forest Roads, known as Park Road, or on any area which may be reserved as a parking ground. No person shall leave any motor-cycle, motor-car or vehicle on the said Park Road or elsewhere in the City Park than in any area which may be reserved as a parking ground.

180. The pavilion belonging to the Nairobi Corporation in the City Park shall be open to the public at such times as the Corporation shall from time to time appoint and no person shall be therein or in any of the buildings or enclosures in the curtilage thereof at other times except under authority of the Corporation.

Except when the Pavilion is being used under authority of the Corporation for purposes of dancing or other entertainments no person shall go upon the dancing floor of the Pavilion without authority of the Corporation.

181. The Corporation may hire or lend the Pavilion to any person or body for any period not being longer than 12 hours on such terms as may be agreed upon or prescribed, and if and when the Pavilion is so hired or lent no person shall be therein or in any of the buildings or enclosures in the curtilage thereof except under authority of the person or body to whom the Pavilion is so hired or lent.

182. Where closets, dressing rooms, or other rooms are appropriated by notice board displayed outside the same to the use of persons of any specified sex or class no person shall enter any but the appropriate closets or rooms without authority of the Corporation.

183. Any person who shall be in the Pavilion or its precincts at any time not being entitled under these Bye-laws to be there may be summarily ejected therefrom by the police or by any employees of the Corporation.

184. No person shall at any time within the City Park create any disturbance, or be drunk and incapable or disorderly or be guilty of any quarrelsome, violent or indecent behaviour.

185. No person shall except under authority of the Corporation interfere or tamper with any fixtures, fittings, lamps, switches, or meters in connection with the electric lighting installation in the Pavilion and Park.

SECTION VIII.

NATIVE LOCATION.

186. In this Section the term "native" shall mean any native of Africa not being of European or Asiatic race or origin and shall include any Somali, Swahili or Arab.

Whenever any question shall arise as to whether any person is a native or not, the onus shall be on such person to prove that he is not a native.

The term "Native Location" shall mean and include the area or areas shown as such upon the plan thereof registered in the Registry of Documents as relative to these bye-laws.

The word "Superintendent" shall mean any person duly appointed by the Municipal Council to act on their behalf as Superintendent of the Native Location.

The word "hut" shall mean a native hut designed or used for human habitation.

The word "servant" shall include only domestic servants, caretakers, syces, rickshaw and trolley boys, chauffeurs, and shamba boys.

187. The Municipal Council with the approval of His Excellency the Governor may by notice published in the *Gazette* at any time and from time to time declare any area in the Township of Nairobi to be an area in which natives (other than servants housed by their Non-native employers) shall not reside after a date to be specified in such notice except with the special written permission of the Town Clerk, who shall take all reasonable and practicable steps to communicate the terms of such notice to all natives resident in the area referred to therein.

From and after the date specified as aforesaid in any such notice any native who shall be found between the hours of 10 p.m. and 5 a.m., in the area referred to in such notice, unless possessed of written permission as aforesaid or unless he shall be able to prove that he is not residing in such area, shall be guilty of an offence.

188. Where any area has been declared as aforesaid in the previous Bye-law, the Municipal Council may with or without notice given enter and demolish any building or structure of any kind in such area used or adapted to be used for habitation by natives and shall not be liable for any damage or loss that may be occasioned thereby unless such building or structure shall have been approved by the Town Clerk under Township Bye-laws.

189. The Native Location shall be under the sole supervision and control of the Municipal Council.

190. No persons other than natives and Native Location Officials shall reside in the Native Location. Any such person found therein except for any good and necessary cause between the hours of 7 p.m. and 6 a.m. shall be guilty of an offence against this bye-law.

191. No hut or other erection in the Native Location shall be deemed to be a building within the meaning of Part II. hereof.

192. Such monthly, quarterly, or annual charges as shall be fixed from time to time in respect of stands by the Municipal Council shall be payable in advance by the holders thereof to the Superintendent and if such charge or any part thereof shall at any time be in arrear in the case of a monthly charge, for 20 days, in the case of a quarterly charge, for 30 days, and in the case of an annual charge, for 60 days, after the same shall have become due, or if a standholder shall at any time fail or neglect to perform or observe any of these bye-laws or shall become subject to the Bankruptcy Laws, then and in any such case the stand permit or lease in respect of such stand shall lapse.

193. In the event of any lease or permit for a stand on which any hut or building is erected lapsing under the last preceding bye-law, the Municipal Council shall not be concerned with any question as to the ownership of such hut or building and the Town Clerk may after the expiration of 10 days from the date of lapsing either grant a new lease or permit in respect of such stand to any applicant and sell such hut or building to the incoming tenant at a valuation, or if there shall be no incoming tenant after the like period cause such hut or building to be sold by public auction in which case the purchaser shall forthwith remove the same. The Municipal Council shall set aside the purchase price so realised and, after deducting (1) all arrears of Municipal charges, if any, and (2) 5% to cover the expenses of auction, shall retain the same as a deposit for and on behalf of the former standholder or those claiming under him, and if not claimed by the parties entitled thereto within 9 months from the date of sale, such deposit shall thereupon become the absolute property of the Municipal Council.

194. The following bye-laws of this Section shall not come into force until a date or dates to be hereafter fixed by notice in the *Gazette*.

195. From and after a date to be hereafter gazetted, no adult native except natives being servants housed by their employers, shall reside elsewhere within the Township Area than in the Native Location: provided that the District Commissioner may at his discretion on application by any native or his employer issue a permit exempting him from the foregoing provisions of this bye-law which permit shall run until a date not later than the last day of the year of issue. Whenever any question shall arise as to whether a native is a servant as aforesaid, or not, the onus shall lie on such native to prove that he is a servant as aforesaid.

Any native who shall be found elsewhere within the Township than in the Native Location or on the premises where he resides on any night between the hours of 10 p.m. and 5 a.m. shall unless provided with a pass signed by the Superintendent of the Native Location, the District Commissioner, the employer of such native or the responsible agent of such employer be guilty of an offence

against this Bye-law. Such pass shall be valid for 24 hours only from its issue, the hour and date of which, together with the purpose for which it is granted, shall be stated thereon, provided that a pass signed by the District Commissioner shall be valid for such longer period and on such conditions as may be expressed thereon: and provided further that no native shall be deemed to have committed an offence against this Bye-law at a time when he shall be able to prove that he was lawfully occupied in the service of his employer.

196. The Superintendent shall keep a plan showing the Native Location divided into blocks allocated among the various native tribes or communities and subdivided into numbered plots, herein-after called stands, and may at his discretion issue to any native who shall apply to him therefor in person a permit entitling such native to possession of a stand, which permit, hereinafter called a stand permit, shall specify the number of the stand so granted. Provided that a stand permit may be issued to any person being an employer of native labour for his native employees and such person shall thereupon be deemed to be the holder of such stand. Such stand-holders are hereinafter referred to as "employer-standholders." And provided further that if the Superintendent shall at any time refuse to issue to any native or employer of native labour a stand permit, his refusal shall be subject to review by the District Commissioner, Nairobi, whose decision shall be final.

197. The Town Clerk may in his discretion, issue a lease of a stand in the Native Location to any native or employer of native labour for any term not exceeding 10 years.

198. Every standholder shall on or before the expiration of 60 days from the date of his stand permit or lease, or within such further period as the Superintendent in his absolute discretion shall allow erect and build upon his stand a hut or other approved building to the satisfaction and in accordance with the directions of the Superintendent, and no standholder shall at any time without the consent of the Superintendent erect or place any additional hut, building, or erection on such stand. A standholder shall not assign transfer, underlet, or part with the possession of a stand or any part thereof, or any building or part thereof, without the previous consent in writing of the Town Clerk.

199. A person being a standholder or an employer standholder shall not house or suffer to be housed upon his stand, except with the special permission of the Superintendent, any native not being a member of the tribe or community to whom the section of the location containing such stand shall have been allocated: and shall not transfer or assign his right to his stand to any such native: and any transfer so made shall be null and void.

200. The Superintendent shall on application point out to standholders the boundaries of their stands: and every standholder shall thereafter cause the boundaries of his stand to be further demarcated as the Superintendent may direct and shall cause such demarcation to be maintained and his stand shall be kept clean and tidy, all to the satisfaction of the Superintendent.

201. On every occasion when a stand shall from whatever cause come to be bare of any hut or building a stand permit being current in respect thereof the Superintendent shall serve upon the holder of such stand if resident in the Native Location or in the case of an employer standholder, if resident in Nairobi a notice, requiring him to erect and complete within 30 days from the date thereof, a hut or other building to the satisfaction of the Superintendent and upon a site in the said stand to be pointed out by him: and in the event of his failure to do so after notice as aforesaid duly given to him such permit shall be cancelled and the said stand and any erections thereon shall revert and belong to the Municipal Council.

202. Every structure erected upon a stand in respect of which a permit shall be current shall so far as the Municipal Council is concerned be deemed to be moveable property belonging to the holder of the stand on which it is situated, who shall upon removal of such structure make good the surface of the stand within seven days of such removal.

203. The Town Clerk may on the direction of the Municipal Council without cause shown serve on any standholder a notice withdrawing his stand permit or lease and allocate to him another stand in lieu thereof in the Native Location or in any other Location for natives that may be established in Nairobi and shall have power to remove any erections upon any stand the permit or lease for which may be so withdrawn and re-erect the same upon the stand to be allocated in lieu thereof as aforesaid: provided that such re-erection shall be completed with all reasonable dispatch in every case. A standholder upon whom a notice has been served under this bye-law shall have a right to appeal to the Municipal Council and to be

heard by them, and a notice under this bye-law shall not become final until 30 days shall have elapsed from the date of service thereof.

204. Upon the completion of each hut or building erected in the Native Location the Superintendent shall cause particulars of the material and dimensions thereof to be entered in a Register to be kept for the purpose, and shall also enter therein and cause to be notified in writing to the standholder if resident in the Native Location or in the case of an employer-standholder, if resident in Nairobi the maximum number of persons to be permitted to reside in such hut or building.

205. No hut shall be erected in the Native Location covering less than 100 square feet of floor area, and no hut or erection of any sort shall be so constructed that any part thereof shall be within 7 clear feet of any boundary of the stand and every hut shall have at least one door and also at least one window space, the combined area of which shall equal at least one-tenth of the floor area, and no building shall be so erected, added to, or altered in the Native Location that more than half of the stand upon which it is situated shall be built over.

206. The Town Clerk may at any time give notice in writing to the holder of any stand of his intention to cancel any stand permit or lease and compulsorily to acquire after one month from the date of service of such notice any hut or erection on such stand at a price to be fixed by the Municipal Engineer and the District Commissioner acting in conjunction: and after the lapse of one month from the date of such notice, or so soon thereafter as the said price shall be paid to the said standholder, such hut or erection shall become the absolute property of the Municipal Council.

207. The Town Clerk may at any time cancel the permit or lease for any stand which shall not have been occupied for 9 months out of the 12 months immediately preceding, and compulsorily acquire any hut or erection thereon, at a price to be fixed in manner provided in the preceding bye-law, and such price shall be subject in all respect to the provisions of Bye-law 193 hereof.

208. Every standholder shall if required by the Superintendent or by any European Police Officer furnish him forthwith with the true name and occupation of every person residing on his stand as far as known to him, and every native residing in the Native Location shall if required by the Superintendent or by any member of the Kenya Police Force forthwith furnish him with his name and occupation.

209. The Municipal Council shall provide and maintain as many erections as they think fit for use as ordinary and casual lodging houses in the Native Location, and such rent as they shall fix shall be payable in advance by each lodger in respect thereof.

210. The Superintendent shall have power to refuse admission to any lodging house erected under the preceding bye-law, and any native admitted to any such lodging house shall be bound if required by the Superintendent to remove forthwith to any other lodging house of the same class as the Superintendent may direct.

211. The Municipal Council shall reserve a portion of the Native Location for destitute natives and natives temporarily unable to find accommodation elsewhere in the Location who shall be admitted thereto at the discretion of the Superintendent and for such accommodation no charge shall be made: provided that in return for such accommodation a native shall perform any reasonable task that may be allotted to him by the Superintendent.

212. No native shall use any place in the Native Location not set apart by the Municipal Council for the purpose of trading or for the purpose of selling goods of any description.

213. The Municipal Council shall provide and maintain such latrines and such receptacles for the reception of domestic refuse, in the Native Location as they may consider sufficient: and Bye-laws 510 and 523 to 526 hereof shall not be held to apply to the Native Location. Every occupier of a stand on which domestic or other refuse shall be allowed to accumulate for more than 48 hours shall be guilty of an offence.

214. A written notice or notification made under this Section if served upon a native shall be explained to such native at the time of service by or on behalf of the Town Clerk or Superintendent, and such written notice or notification if not so explained shall have no force or effect.

215. Nothing contained in this Section shall be held to apply to any member of the Kenya Police Force or to any person belonging to the family of any such member and residing with him in any recognised Police barracks.

SECTION IX.
WATER SUPPLY.

216. There shall be payable to the Corporation by the occupier of any premises on which a standpipe or other supply of water is situate, in respect of every such standpipe or supply, the following charges:—

(1) Within the Township:—

(a) For standpipes or supplies on meter:—

A monthly charge of Shs. 2/- per 1000 gallons of water consumed according to the reading of the meter payable in arrear on demand.

Such monthly charge shall in no case be less than Shs. 6/-

(b) For standpipes or supplies not on meter:—

A monthly charge of Shs. 10/- payable in advance.

(2) Outside the Township:—

Monthly charges as aforesaid, as the case may be, together with an additional charge of 25 per cent. on such charges, provided that such charges

(a) may be varied by express agreement between the Corporation and such occupier;

(b) shall not be made for the period in respect of which a supply of water is cut off from the water mains.

217. The Corporation may instal meters on supplies at its discretion. Any person removing, injuring or tampering with a water meter so installed by the Corporation shall be guilty of an offence.

It shall be an offence for any person to remove, injure, manipulate or tamper with any water main, cock or any water fitting or appliance in connection with any water supply being the property of the Corporation whether the same is situated within the Township or not.

218. The Superintendent of Water Works or any person duly authorised by the Corporation may enter upon any premises whether within or outside the Township for the purpose of laying, inspecting or repairing pipes, cocks, meters or other apparatus pertaining to the supply of water, or for the cutting off or turning on of water.

219. There shall be payable to the Corporation in arrear on demand, as rent of a meter, a monthly charge of one shilling, provided that special charges may be made for meters of a special size where the consumption of water is abnormal.

Such monthly charge shall be payable in addition to any charge payable under the Bye-laws of this Section.

220. When any payment due to the Corporation under the Bye-laws of this Section is in arrear, the Corporation may disconnect the water supply from the premises in respect of which such default has occurred, or from any other premises occupied by the person so in default, and may refuse to reconnect such supply until payment has been made of the amount so due together with a reconnection charge of Shs. 10/-.

221. Nothing in these Bye-laws shall affect the provisions of an agreement, dated the 28th day of August, 1923, made between the Corporation, the Uganda Railway and the Government.

222. The charges for water in respect of standpipes which shall be installed outside houses after the 28th January, 1925, shall be 50% in excess of those specified above.

223. All repairs to and renewals of pipes, taps, fittings or apparatus lying on the consumer's side of the Corporation stop-cock; or, if there is no stop-cock, of the point where the service pipe crosses his plot boundary, shall be executed by and at the expense of the owner and should any damage be caused to third parties by reason of the owner's or consumer's neglect to keep such pipes, taps, fittings or apparatus in repair, the Corporation will accept no responsibility for same.

Such repairs and renewals exclusive of those within the building may, at the request of the consumer or owner be executed by the Corporation, but all material and labour in connection with same must be paid for, in advance, by the consumer or owner.

The Corporation will not be responsible for water wasted or damage of any kind due to defects on the consumer's side of the stop-cock, or, if there is no stop-cock, of the plot boundary.

224. All repairs to and renewals of pipes, taps, fittings or apparatus lying between the Corporation main and the stop-cock, or if there is no stop-cock, the point where the service pipe crosses the plot boundary, shall be executed by and at the expense of the Corporation.

225. No person shall allow waste, misuse or undue consumption of the town water supply, or wilfully or negligently suffer any pipe or apparatus to be out of repair and wasting or likely to waste water.

226. The Corporation will not be subject to any liability for failure of the water supply however caused.

227. The Corporation may at any time by public advertisement prohibit the use of the town water supply for the irrigation of gardens by running the water into irrigation channels: and any person contravening such prohibition shall be guilty of an offence.

228. No pipes or fittings connecting with the Corporation water mains, whether situated inside or outside the Township shall be laid, removed, altered or extended on the property of any consumers until full details of the proposed work and of the materials to be used thereon have been submitted to and approved by the Municipal Engineer, and the scheme for which such work shall have been authorised shall not be put into operation till a certificate of approval of the work has been granted by the Municipal Engineer.

229. No plumber who has not been enrolled by the Corporation as an "Authorised Waterworks Plumber" will be allowed to do any work connected with the supply of water from the Corporation's mains. All plumbers so enrolled must engage themselves to conform to and comply with the Corporation's regulations. Any person holding a plumber's certificate from any recognised Society or Association competent to grant such certificate shall be eligible for enrolment as an authorised waterworks plumber.

If at any time after enrolment, any such plumber wilfully infringes the said regulations, either by himself or his workmen, or refuses to communicate any needful and proper information required of him by the Corporation Officials in regard to any work connected with the distribution of water supplied by the Corporation done by him or his workmen, or under his superintendence, or upon his responsibility, his name may be erased by the Corporation from the list of "Authorised Waterworks Plumbers."

All plumbers enrolled in accordance with the Bye-law will be considered as licensed to undertake any work connected with sewerage or drainage, and the terms of this Bye-law will apply equally to such work.

SECTION X.

FIRE BRIGADE.

230. There shall be established a Fire Brigade in Nairobi, for the prevention and extinction of fires in the Township, under the control of the Municipal Council which shall have power to delegate its authority under these Bye-laws to any committee of its own members duly appointed.

231. The Brigade shall consist of an establishment of two officers, viz.: Firemaster and Deputy Firemaster, who shall be appointed and be subject to dismissal by the Municipal Council and who shall bear authority in the order stated, and such number of Firemen as the Municipal Council may from time to time determine. The appointment and dismissal of Firemen shall be in the hands of the Firemaster.

232. The Firemaster or Deputy Firemaster, or any European Police Officer in the absence of the Firemaster and Deputy Firemaster, may break into or enter any premises in the Township, being or appearing to be on fire, or any premises or lands adjoining or near thereto, without the consent of any person whatsoever, and may do all such acts or things as they may deem necessary for extinguishing fire in any such premises or for protecting the same or rescuing any person or property therein from fire.

234. Neither the Municipal Council nor any of the members of the Fire Brigade shall be liable to the public for any act or thing done or omitted to be done in the exercise of the powers hereinbefore conferred.

235. Subject to the provisions of Bye-law 232 hereof, no person shall at any fire break into or enter or attempt to break into or enter any premises for the purpose of salvaging property, without the authority of a European Police Officer. Offences against this rule shall be cognisable by the Police.

236. No person shall leave or place or cause or suffer to be left or placed any straw, wood, paper or other things of an inflammable nature, for which he is responsible, in such a position as to cause danger from fire to any adjoining property.

237. The Municipal Council shall have power to affix to any building, post, structure or tree in the town any plate which it may consider necessary for indicating the proximity of a hydrant.

PART IV.**LICENSING OF TRADES, ETC.**

238. All permits, licences or registrations under this Part unless a contrary intention appears, shall be revocable without notice upon the holder thereof being found guilty of any breach of the conditions under which such permit or licence is held or of a breach of any of the Bye-laws of this Part.

239. All yearly permits and licences shall expire on the 31st December in each year, except where special provision is made by these Bye-laws, and all fees for permits and licences shall be payable in advance to the Town Clerk.

240. The Town Clerk shall make a proportionate reduction from the fees due for any annual permit or licence issued after March 31st, June 30th or September 30th at the rate of one quarter of such fee for every three months already elapsed.

241. A person holding a licence under any of Sections 1, 2, 3, 4, 6, 7, 8, 11 and 13 of this Part shall give notice to the Medical Officer of Health of any case of serious illness occurring on the licensed premises within 24 hours of its coming to his notice unless such case is treated by a duly qualified Medical Practitioner within that period.

242. It shall be lawful for the Municipal Council at any time by the hand of the Town Clerk or other authorised officer to serve a notice on the occupier of any premises calling upon him to deliver to the Municipal Offices a signed statement declaring truly the number of dogs, vehicles, bicycles, private rickshaws or any other things subject to licence under municipal bye-laws, which may be kept on such premises: and that on a form to be supplied by the Corporation and within a period to be prescribed in such notice.

Any person being an occupier of premises who fails to comply with the provisions of such a notice or furnishes particulars which are incorrect or defective shall be guilty of an offence against this Bye-law.

SECTION I.**LAUNDRIES, ETC.**

243. For the purpose of this Section "Washing" shall mean and include the washing, mangling or ironing of articles of wearing apparel, household and domestic linen, and other textile fabrics, and any process incidental thereto.

"Laundry" shall mean any premises or place in which washing is carried on for payment or other valuable consideration.

"Washing Licence" shall mean a licence to do washing issued under these Bye-laws.

"Laundry Licence" shall mean a licence to carry on the business of a laundry issued under these Bye-laws.

"Dhobie" shall mean any Asiatic or African who carries on the trade of a washerman on his own account and is not the proprietor or an employee of the proprietor of any laundry licensed under these Bye-laws.

244. No person shall carry on within the Township the business of a laundry in which five or more persons, including the employer and his partners, are engaged in washing unless he shall first have obtained a laundry licence from the Town Clerk.

245. No person who does not hold a laundry licence, or is not employed under contract for a period of not less than one month by the holder of a laundry licence shall do, undertake, or apply for any washing for payment or other valuable consideration within the Township, unless he shall have first obtained from the Town Clerk a washing licence.

246. No Laundry licence or washing licence shall be issued in respect of any premises or place until such premises or place shall have been certified by the Medical Officer of Health to be suitable in respect to the water supply, ventilation, drainage, construction, or otherwise for the purpose for which such licence is required.

Laundry and washing licences shall contain the name and address of the licensee and particulars as to the place where washing may be carried on under such licence.

247. No person shall do any washing under any Laundry or Washing licence except at a place or places specified in such licence.

248. No Laundry licence shall be granted for a longer period than one year, and every such licence shall terminate not later than the 31st of December of the year for which it was granted.

249. The fees specified in the Schedule to this Section shall be paid to the Town Clerk for laundry and washing licences. Where subsequent to the issue of a licence in respect of any laundry the number of persons employed in such laundry is increased beyond the number provided for in the licence, the owner of the licence shall forthwith report such increase to the Town Clerk, and shall pay the additional fee chargeable in respect thereof for the current year or month as the case may be.

250. No washing licence shall be granted for a longer period than one month, and every such licence shall terminate on the last day of the calendar month in which it has been granted.

251. Any Dhobie applying for a washing licence under these rules may before such licence is granted be required to submit to be medically examined by the Medical Officer of Health.

252. Every Dhobie holding a washing licence and every employee of such Dhobie shall while engaged in washing or collecting clothes or applying for articles to be washed or in distributing such articles when washed, wear on his left arm in a conspicuous position a numbered badge which shall be issued to him together with his licence.

253. No Dhobie shall sell, exchange, or part with a badge so issued to him for his own use; and no person shall wear any such badge unless the same was issued to him by the Town Clerk.

254. The Town Clerk may withhold, cancel, or suspend the licence of any Dhobie on giving his reasons in writing, provided that such Dhobie shall have the right of appeal to the Mayor.

255. No person licensed under these rules shall keep or suffer to be kept any clothing entrusted to him for the purpose of washing in any place that has not been licensed or authorised for the purpose, and no person shall use any place where such clothing is kept as a living or sleeping compartment.

256. No person who is suffering from an infectious disease or is living in a house in which there is a case of infectious disease shall enter or remain in any premises of any person licensed under this section or shall engage in any washing or shall perform or assist in performing any work in connection therewith.

257. Any person carrying on the business of a Laundry shall immediately notify to the Medical Officer of Health the occurrence of any actual or suspected case of disease amongst his employees or the members of his household.

258. The Medical Officer of Health or Sanitary Inspector may require the holder of any Washing or Laundry licence, with a view to preventing the spread of infectious disease, to furnish him with a full and complete list of the names and addresses of the customers for whom such licence-holder does washing or laundry work or has done such work during six weeks previous to requiring such list and such licence-holder shall furnish such list within the time specified.

259. The Medical Officer of Health or Sanitary Inspector or any duly authorised Official may enter upon and inspect any premises on which the business of a laundry is carried on, and any person who wilfully obstructs or resists such entry and inspection shall be deemed to be guilty of an offence.

260. Nothing in this Section shall be held to apply to any person washing on his own premises, or to any servant washing on the premises of his employer, articles intended for use on such premises or for the use of the persons residing on such premises.

SCHEDULE TO SECTION I.

	Shs. Cts.
<i>Washing Licences</i> —Fee per month or part of a month ...	4 00
Upon the issue of every dhobie's badge or dhobie's employee's badge—deposit Shs. 10/- (returnable upon the cancellation of the washing licence and/or return of the badge).	
<i>Laundry Licences</i> —Fee per month or part of a month:	
For a laundry where the persons engaged in washing (including employer and his partners, if any) number	
(a) not more than 5	10 00
(b) more than 5 but not more than 10	15 00
(c) more than 10	20 00

SECTION II.

INDIAN AND NATIVE EATING HOUSES.

261. For the purpose of this Section the following words and expressions shall have the several meanings hereby assigned to them unless there shall be something in the subject or context repugnant

to such constructions. The term " Indian or Native Eating House " shall mean any premises or places where any article of food or drink is sold or offered for sale to Indians or Natives and accommodation provided for the consumption of such food or drink.

" Licence " shall mean a licence to keep an Eating House for Indians or Natives granted under these Bye-laws.

" Licensee " shall mean a person holding such licence.

" Licensed " premises shall mean premises in respect of which a licensee is current.

262. No person shall carry on the business of an Indian or Native Eating House within the Township area unless he shall be in lawful possession of a then current licence issued by the Town Clerk in accordance with these Bye-laws.

263. The Licence shall be in such form and shall contain such conditions as shall be from time to time determined by the Municipal Council and shall contain:

- (a) The name of the licensee.
- (b) The situation of the licensed premises.
- (c) The number of rooms therein.
- (d) The maximum number of persons allowed on the premises at any one time.
- (e) The date when the licence expires.

264. Every licence issued shall be for such period as the Town Clerk may determine provided that no licence shall be granted for a longer period than one year and every licence shall expire on December 31st of the year in which it was granted.

265. A licence shall not be transferable from the holder thereof to any other person and no licence shall be transferable from the premises in respect of which it is granted to any other premises.

266. No licence shall be granted unless the Medical Officer of Health shall have previously certified in writing that the premises in respect of which a licence is applied for are in his opinion suitable for the purpose of such licence in respect of sanitation, ventilation, locality, construction and accommodation; and shall have further certified the number of persons that may be accommodated on such premises at any one time; and the Town Clerk may suspend or cancel at his discretion any licence in respect of which any breach of these or any other Township bye-laws shall have been committed or any nuisance created or for contravention of any of the terms of the licence. And no refund shall be made in respect of any licence that may have been suspended or cancelled under this bye-law.

267. No licence shall be issued in respect of any premises unless they comply with the following conditions to the satisfaction of the Medical Officer of Health.

- (a) All rooms shall be lighted and ventilated in accordance with the requirements of the Township bye-laws.
- (b) At least one room properly ventilated shall be provided for the sole purpose of storing food stuffs.
- (c) The floors of any room or rooms in which food or drink is intended to be consumed, and of all kitchens and storerooms shall be of cement or some material impervious to moisture.
- (d) Sufficient privies and urinals shall be provided for customers to the satisfaction of the Medical Officer of Health, and such conveniences shall be distinct and separate from those used by the occupier of the licensed premises.
- (e) Sufficient receptacles shall be provided for slops and refuse to the satisfaction of the Medical Officer of Health.
- (f) There shall be a good and sufficient supply of water available on or near the premises.

Where in any premises in respect of which a licence is current, any of the foregoing conditions is not complied with, the Town Clerk may cause a notice to be served on the licensee of such premises requiring him, within a time specified in such notice, to do such work as may be necessary in order to comply with these conditions, and if the licensee fails to do such work within the time so specified he shall be guilty of an offence.

268. All internal walls of any premises licensed as an Indian or Native Eating House shall be whitewashed with lime or other suitable material in the months of January, May and September in each year, and at such other times as the Medical Officer of Health may by order direct.

269. The licensee shall not permit any other person to conduct or carry on the business of an Indian or Native Eating House or any other business whatsoever upon the licensed premises, but shall personally conduct all business thereon.

270. The Licensee shall not permit any white woman to be at any time on the licensed premises, or in the house of which the licensed premises form part.

271. The licensee shall at all times allow the Police, Medical Officer of Health and Sanitary Inspector and any duly authorised servant of the Municipal Council free access to all parts of the licensed premises, and shall, upon being thereto required, exhibit his licence to any member of the Police, Medical Officer of Health, Sanitary Inspector, or such authorised Municipal servant.

272. The licensee shall not store or keep, or cause or allow to be stored or kept, any article of food or drink in or upon any portion of the licensed premises, except in the storeroom or rooms for the purpose provided in terms of these bye-laws.

273. No room provided for the purpose of storing food stuffs or drinks, or in which food or drink is intended to be consumed, or which it is intended to use as a kitchen, shall be used as a living room, bedroom or sleeping room.

274. No Eating House shall be open for business between the hours of 9 p.m. and 5 a.m.

275. The licensee shall not allow any larger number of persons than by the conditions of his licence stipulated to be upon the licensed premises at any one time.

276. (1) The licensee shall affix and maintain over the outside of the main entrance to the licensed premises a board or plate not less than two feet square, bearing the words Indian or Native Eating House, as the case may be, and the name of the licensee, all in legible letters, not less than three inches in length.

(2) The licensee shall fix and maintain within the licensed premises in a conspicuous position to the satisfaction of the Town Clerk, a tariff of charges, and such tariff shall be legibly printed or written in English, Urdu and Arabic and no payment in excess of the terms of such tariff shall be demanded or received from any customer by the licensee or any of his employees.

277. The licensee shall be responsible for the due observance of the bye-laws of this Section and any breach thereof by any servant of the licensee shall be deemed to be a breach thereof by the licensee of the premises in respect of which such breach is committed.

278. For every licence issued under this Section there shall be payable to the Town Clerk a fee of Shs. 200 per year or Shs. 60 per quarter:

Provided that for a licence in the Native Location the fee shall be Shs. 5/- per quarter only.

SECTION III.

AERATED WATER MANUFACTORIES.

279. No person shall manufacture aerated water or ice for sale unless he be licensed under this Section.

280. No person licensed to manufacture aerated water or ice for sale shall manufacture the same on premises other than such as shall have been licensed under this Section.

281. Licences under this section shall be issued by the Town Clerk and every licence issued shall expire at the end of the month in which the same shall have been issued. Provided, however, no premises shall be licensed for the manufacture of aerated water or ice, except such premises shall have been first approved by the Medical Officer of Health and such approval shall have been notified in writing by the Medical Officer of Health.

282. Premises licensed for the manufacture of aerated water or ice shall not be used for purposes of habitation or for any purposes other than the manufacture of aerated water or ice except with the sanction of the Medical Officer of Health and in accordance with such conditions as he may, from time to time, impose.

283. The Medical Officer of Health or Sanitary Inspector may, at any time, enter any premises licensed under these bye-laws and may inspect any plant, utensils, water or other thing used in the manufacture of aerated water or ice or in any operation connected with such manufacture, and may make such tests and take such samples as he may think necessary for the purpose of ascertaining whether the aerated water or ice therein manufactured is fit for human consumption.

284. Whenever the Medical Officer of Health shall be of opinion that any aerated water or ice manufactured by any licensed person is unfit for human consumption; or that the plant, utensils, water or other thing used in the manufacture of aerated water or ice or in any operation in connection with such manufacture, or the

licensed premises, are in a condition or of a character or nature which may render the aerated water or ice manufactured unfit for human consumption, he may do all or any of the things following:—

(i) prohibit the licensed person from selling or supplying for sale all or any of the aerated water or ice then on the licensed premises or in the control or custody of the licensed person or of his agent or servant;

(ii) prohibit the licensed person from using any plant, utensil, water or other thing specified in such prohibition in the manufacture of aerated water or ice or in any operation in connection with such manufacture;

(iii) prohibit the manufacture of aerated water or ice by the licensed person except he shall have first complied with such conditions as the Medical Officer shall deem proper in the interests of public health and shall prescribe.

285. Every prohibition issued by the Medical Officer of Health under this Section shall be in writing addressed to the licensed person and shall be delivered at or sent to the licensed premises and every licensed person shall be deemed to have notice of such prohibition as from the time at which the same is delivered at the licensed premises.

286. Any person who not being duly licensed under this Section shall manufacture for sale any aerated water or ice, and any licensed person who shall manufacture for sale any aerated water or ice on premises not being duly licensed on that behalf, and any licensed person whose premises shall be used in breach of the provisions of Bye-law 282 for any purpose other than for the manufacture of aerated water or ice, and any licensed person who shall sell or supply for sale any aerated water or ice or shall use any plant, utensil, water or other thing or shall manufacture any aerated water or ice in contravention of a prohibition under bye-law 284, shall be guilty of an offence.

287. For every licence issued under this Section there shall be levied and paid a fee of Shs. 20 per mensem payable on the issue of the licence.

SECTION IV.

LODGING HOUSES.

288. In this Section

The term "Lodging House" means a house or part of a house, including the verandah thereof, if any, which is let or sub-let in lodgings or otherwise, either by storeys, by flats, by rooms, or by portions of rooms, or which is occupied by members of more than one family.

A house which is let or sub-let in lodgings or otherwise, as aforesaid, or which is occupied by members of more than one family, shall be exempt from the provisions of these bye-laws, if no tenant, sub-tenant or lodger, shall pay to the landlord or to any other tenant, sub-tenant or lodger for the accommodation let to him less than Shs. 30 per month, exclusive of board.

The term "Landlord" means the person by whom or on whose behalf a house or part of a house, including the verandah thereof, if any, is let or sub-let in lodgings or otherwise, or for the occupation of the members of more than one family, or who is entitled to receive the profits of any portion arising from such letting or sub-letting, whether on his own account or as agent for any person entitled thereto or interested therein.

The term "Lodger" means a person to whom any storey, flat, verandah, room or rooms, or portion of, or share in any verandah, room, or rooms, has, or have been, let as a lodging, or for his use or occupation.

The term "Medical Officer of Health" shall include any person acting for or under the instructions of the Medical Officer of Health.

289. No person shall use or permit to be used, any building, or part of a building, of which he is the landlord, as a lodging house unless the same shall have been duly registered and licensed as such by the Town Clerk, after having been certified by the Medical Officer of Health as being fit for the purpose. The Town Clerk may cancel any registration upon a breach of the bye-laws of this Section in connection with such lodging house.

290. A person being the landlord of a lodging house shall not at any time receive into a lodging house or into any room therein a greater number of persons than shall have been prescribed therefor by the Medical Officer of Health, and endorsed upon the registration paper, or by any notice varying or amending the same.

291. A person being the landlord of a lodging house shall keep and fix in each room thereof used for sleeping purposes, in a conspicuous position, and in such manner that it shall be clearly visible and legible, a ticket to be supplied by the Town Clerk in the form prescribed in Schedule I. to this Section showing the number of persons prescribed therefor under the preceding bye-law, and no person shall deface, alter, or wilfully conceal any letters or figures in such ticket, or wilfully or carelessly injure or destroy such ticket or remove such ticket.

292. Any lodging house shall be open to inspection at all times by the Medical Officer of Health, Superintendent or Assistant Superintendent of Police, or by any Police Officer not below the rank of an Assistant Inspector, or by any officer acting under written instructions from the Town Clerk.

293. The fees specified in Schedule II. of this Section shall be paid to the Town Clerk in respect of every licence issued under this Section.

294. The landlord of a lodging house shall, within a period of seven days after having been required to do so by a notice in writing, signed by the Medical Officer of Health, attend at the Health Office within office hours, and furnish and sign a true statement of the following particulars with respect to such house:—

- (a) The total number of rooms in house.
- (b) The total number of rooms or portions of rooms let in lodgings or occupied by members of more than one family.
- (c) The manner of use of each room.
- (d) The full name of the lessee of each room or part of room; and
- (e) The amount of rent or charge payable by each lessee.

295. The landlord of a lodging house shall cause in the month of January of each year, and at any other time, if so required by the Medical Officer of Health, all interior walls and ceilings of the lodging house to be limewashed, except painted surfaces, which must be washed with hot water and soap, or if the Medical Officer of Health shall so require, repainted.

296. The landlord of a lodging house shall cause all open spaces belonging to such lodging house to be properly drained and maintained in a constant state of good repair and cleanliness.

297. The landlord of a lodging house, immediately after he shall have been informed, or shall have ascertained that any person in such house is ill of an infectious disease, or of any illness which prevents such person from following his usual daily avocation, shall give written notice thereof to the Medical Officer of Health.

298. In a case where a lodger has grounds for believing that an occupant of any storey, flat, room or part of a room of the lodging house in which he resides is ill of an infectious disease, or of any illness which prevents such occupant from following his usual daily avocation, such lodger shall forthwith notify both the landlord of the lodging house and the Medical Officer of Health.

299. No room of a lodging house which has been occupied by a person suffering from an infectious disease shall be occupied by any person until the said room has been disinfected to the satisfaction of the Medical Officer of Health.

300. If any person shall find a dead rat in any lodging house, he shall forthwith report such finding to the landlord; and, if any landlord shall find, or shall be informed of the finding of, a dead rat in his lodging house, he shall forthwith report such finding to the Medical Officer of Health.

301. If in any proceedings under the bye-laws of this Section it shall be alleged that any house is a lodging house, or that the person proceeded against is a landlord or lodger, the house shall be presumed to be a lodging house, and the person proceeded against shall be presumed to be a landlord or lodger, as the case may be, unless the person proceeded against shall prove the contrary.

302. Every lodging house shall be registered annually before the seventh day of January, provided that lodging houses constructed or instituted after such date in any year shall be registered forthwith.

SCHEDULE I. TO SECTION IV.

LODGING HOUSE.

Licence No.
*Place
 Room No.
 Number of lodgers authorised to be received into this room.....
 Dated.....*

192

Town Clerk.

SCHEDULE II. TO SECTION IV.

FEES FOR REGISTRATION OF LODGING HOUSES.

For each person for whom accommodation is certified by the Medical Officer of Health as available, Shs. 6/- per annum.

SECTION V. BILLIARD SALOONS.

303. No building shall be used as a public Billiard Saloon unless registered by the Town Clerk as such: provided that this Bye-law shall not apply to any Billiard Saloon forming portion of premises in respect of which (a) a Hotel Liquor Licence, or (b) a General Retail Liquor Licence, under the Liquor Ordinance, 1909, or any Ordinance substituted therefor is held.

304. A fee of Shs. 10 shall be payable in advance to the Town Clerk for registration of a Billiard Saloon under this Section, for each month or part of a month.

SECTION VI. BAKERIES.

305. No building shall be used as a bakery unless and until it shall have been first registered in the office of the Town Clerk, and no building shall be so used if the lighting, ventilation, cleaning, and draining thereof are not such as are necessary and proper in the opinion of the Town Clerk.

306. It shall not be lawful for any person following the trade of a baker, or being the occupier of any place where flour is prepared or baked for use as human food, to allow any person suffering from any disease or infectious disorder to handle such flour, or to take part in or assist in any way in the conduct of the trade of a baker.

307. Any premises actually used as a bakery shall not be used as a dwelling or sleeping apartment.

308. The Town Clerk, the Medical Officer of Health, Sanitary Inspector, and any other person appointed by the Town Clerk may at any time visit and inspect a bakery, they may also inspect any store or place wherein flour for use in the bakery is kept, and any water or vessels used therein.

309. On the sanitary conditions of any bakery being reported by the Medical Officer of Health to be unsatisfactory the Town Clerk may remove such bakery from the list of registered bakeries with or without notice, and a baker's business shall not again be carried on therein until any improvements required by the Town Clerk shall have been completed.

310. No trade other than that of a baker shall be carried on in a bakery without the permission of the Town Clerk in writing.

311. A fee of Shs. 10/- per month shall be paid to the Town Clerk in respect of every registration under this Section.

Provided that for premises in the Native Location the fee shall be Shs. 2/50 per quarter only.

SECTION VII. BUTCHERS AND FISHMONGERS.

312. No person shall carry on the business of a butcher or vendor of meat or fishmonger without being first registered as such.

Provided that a person may sell the heads, entrails, livers, hearts and feet of animals in such part of the premises set apart by the Municipal Council of Nairobi as a Native Market in the Township of Nairobi as shall be assigned for the purpose by the Town Clerk without registration.

313. No person so registered shall carry on the trade or business of a butcher or fishmonger in any place other than a public market provided that the Town Clerk may licence private premises which have been approved by the Medical Officer of Health for the sale of meat or fish.

314. No person who is suffering from any form of infectious disease shall serve or work in any butcher's or fishmonger's shop or stall.

315. Butchers' and fishmongers' shops and stalls shall be thoroughly cleaned out and washed at least once in every 24 hours.

316. Any meat or fish which in the opinion of the Town Clerk or of any inspector appointed for the purpose or of the Medical Officer of Health or Sanitary Inspector is unfit for human food may be seized by the Town Clerk, Superintendent of Police, Medical Officer of Health or Sanitary Inspector and conveyed to the Resident Magistrate who may issue an order for the disposal thereof.

317. Any shop used as a butcher's or fishmonger's shop shall not be used for purposes of human habitation.

318. A fee of Shs. 14/- per month shall be paid to the Town Clerk in respect of every registration of a butcher, and a fee of Shs. 10/- per month in respect of every registration of a fishmonger, under this Section.

Provided that for premises in the Native Location the fee shall be Shs. 2/50 per quarter only, for registration as a butcher or fishmonger or both.

SECTION VIII.

VEGETABLE DEALERS.

319. No person shall carry on business as a vendor of vegetables without first being registered as such.

320. No person so registered shall carry on the business of a vegetable seller in any building other than one provided for that purpose provided that the Town Clerk may licence private premises which have been approved by the Medical Officer of Health for the sale of vegetables.

321. No person suffering from any infectious disease shall serve or work in any vegetable shop or stall.

322. Any vegetables which in the opinion of the Town Clerk, Medical Officer or Sanitary Inspector or of any Inspector appointed for the purpose, are unfit for human food may be seized by the Town Clerk, Superintendent of Police, Medical Officer of Health or Sanitary Inspector, and conveyed to the Resident Magistrate who may issue an order for the disposal thereof.

323. A fee of Shs. 10/- per month shall be paid to the Town Clerk in respect of every registration under this Section.

Provided that for premises in the Native Location the fee shall be Shs. 2/50 per quarter.

SECTION IX.

HAWKERS.

324. No person shall hawk any meat, whether fresh or cooked, or any fresh foods other than vegetables or fruit: and no person shall hawk any goods without being licensed by the Town Clerk. Provided that nothing in this Bye-law shall be held to apply to the hawking of native products (other than meat or fresh foods as aforesaid) by natives. Offences against this Bye-law shall be cognisable by the Police.

325. The following fees shall be paid to the Town Clerk for licences under this Section:—

	Shs. Cts.
(a) For a licence to a person to hawk any farm produce of his own raising or growing (other than meat or milk)	No charge
(b) For a licence to a person to hawk any farm produce (other than meat or milk), per month ...	10 00
(c) For a general hawker's licence, per month ...	20 00

SECTION X.

CYCLE HIRERS.

326. In this Section the term "cycle" shall be held to include bicycles and tricycles other than motor-cycles.

327. No person shall lend a cycle for hire unless he shall be in possession of a valid and unexpired licence to lend cycles for hire. Such licences shall be monthly licences.

328. Every person licensed under this Section shall keep a register and shall enter therein before lending out a cycle for hire the following particulars:—

- (a) Registered number of cycle.
- (b) Name of party to whom hired.
- (c) Place of residence of such party.
- (d) Date and hour when cycle taken.
Also, if such party be an African,
- (e) his tribe or nationality,
- (f) name of his father,
- (g) if in employment, how employed, and name of employer; and shall also enter forthwith upon the return of the cycle the date and hour of its return; and shall keep such register accessible at all times to the Police for inspection.

329. Every person licensed under this Section shall in every case when he shall have lent a cycle be presumed to have lent the same for hire, unless he shall prove the contrary.

330. Any person who shall supply false particulars for registration to a person licensed under this Section, and any person failing to conform to any of the provisions of Bye-laws 327 and 328 hereof shall be guilty of an offence.

331. A fee of Shs. 10/- per calendar month shall be paid in advance to the Town Clerk in respect of every licence under this Section.

SECTION XI.

PLACES OF ENTERTAINMENT.

332. No building shall be used as a place of entertainment unless it shall have been registered by the Town Clerk: provided that this Bye-law shall not apply to any theatre as defined in the Stage Plays and Cinematograph Exhibitions Ordinance, 1912.

333. The Town Clerk will not register any building as a place of entertainment until the owner or occupier has conformed to the following conditions:—

- (i) Produced a plan, elevations, sections and specifications of the building.
- (ii) Given particulars and plans of the seating accommodation, position of lights and method of lighting used.
- (iii) Given particulars of the number, position and construction of exits.
- (iv) Given particulars of any precautions proposed to be taken to guard against fire:—

all to the satisfaction of the Town Clerk.

334. The fees specified in the Schedule to this Section shall be paid to the Town Clerk in respect of registration under this Section.

SCHEDULE TO SECTION XI.

FEES FOR LICENSING OF PLACES OF ENTERTAINMENT (OTHER THAN THEATRES).

	Shs. Cts.
For registration of a building for one or more days, for each day 20 00
For registration of a building for one month 60 00

SECTION XII.

PETROLEUM STORES.

335. For the purpose of this Section "Petroleum" includes both ordinary kerosene and petrol, and generally any of the following liquids:—i.e. (a) liquid petroleum; (b) oil or spirit obtained wholly or in part from any liquid petroleum or from any shale, schist, coal, peat, or bitumen, or from any similar substance; (c) any liquid mixture of any of the above named liquids with any substance; but shall not include any heavy oil, that is to say, any liquid above described which (a) has a specific gravity as determined by the hydrometer at a temperature of 60 degrees Fahrenheit, exceeding one thousand; or (b) having a specific gravity as determined in the manner aforesaid of not less than eight hundred and forty, has a true flashing point of one hundred and fifty. "Petroleum Oil" (which includes ordinary kerosene) shall mean any such petroleum as above mentioned, which has a true flashing point of not less than one hundred degrees of Fahrenheit's thermometer. "Petroleum Spirit" (which includes ordinary petrol) shall mean any such petroleum which has a true flashing point of less than one hundred degrees of Fahrenheit's thermometer.

"True flashing point" of petroleum shall be the observed flashing point of that liquid corrected, if necessary, for atmospheric pressure. "Observed flashing point" shall be the number of the lowest degree of Fahrenheit's thermometer at which a flash is obtained when the liquid is tested by means of any test apparatus in use at the Government Laboratory.

336. The Town Clerk may in his discretion and subject to such conditions as he may prescribe register any building specially built or adapted for the purpose of the storage of petroleum.

337. Any person desiring to have any premises registered for the storage of petroleum shall send to the Town Clerk a notice stating

- (1) his name, address, and profession or trade,
- (2) the situation of the premises,
- (3) the quantity and description of the petroleum proposed to be kept,
- (4) the proposed place and method of storage,
- (5) the purpose for which the petroleum is to be kept.

Together with a plan of the premises showing the proposed store or tank depot, and its elevation and position with respect to adjacent buildings.

338. The registration of any premises under these bye-laws may on breach of any condition imposed under Bye-law 336 hereof or of any of the provisions of the bye-laws of this Section be cancelled by the Town Clerk: provided that it shall be competent for the party in whose name such premises are registered, within 3 days of notification of cancellation by the Town Clerk to appeal to the Mayor, whose decision shall be final: and cancellation shall in that case not take effect until the decision of the Mayor shall have been notified to such party.

339. No premises will be registered for the keeping of petroleum unless and until they shall have been passed by an officer appointed by the Municipal Council for the purpose as in accordance with the approved plans thereof: and approval of plans shall not be held as equivalent to registration.

340. Registration under this Section shall only be available until the 31st day of December in the year of registration and shall be renewable annually.

341. No person shall keep petroleum on any unregistered premises except in the place or places provided by the Municipal Council for the purpose unless the quantity of either, so kept, does not exceed:—

of Petroleum oil 40 gallons

of Petroleum spirit 40 gallons

or if both together are kept—

of Petroleum oil 20 gallons

of Petroleum spirit 20 gallons

342. For storage of petroleum in the place or places provided by the Municipal Council there shall be paid to the Town Clerk the fees specified in the Schedule to this Section. Where petroleum is kept on any unregistered premises the following provisions shall be observed, that is to say:

(a) All petroleum spirit shall be kept in substantial closed metal vessels.

(b) A quantity of petroleum oil exceeding 4 gallons shall not be kept otherwise than in a substantial closed metal vessel.

(c) No petroleum shall be stored under any staircase or in such a situation as in case of fire to prevent the escape of persons from the building.

SCHEDULE TO SECTION XII.

FEES FOR STORAGE OF PETROLEUM.

	Shs. Cts.
For a month or part of a month, per case	0 12
Minimum charge for any one consignment	1 00

SECTION XIII.

TRADE LICENCES.

343. For the purpose of this Section

(a) The words "store premises" shall mean any premises in which goods of any kind shall be kept or stored for trade purposes whether wholesale or retail.

(b) The words "manufactory premises" shall include all store premises and also any premises in which goods of any kind shall be manufactured.

(c) The words "trade premises" shall include all manufactory premises and also any premises in which goods of any kind shall be exposed for sale to the public.

Provided that nothing contained in this Section shall apply to public markets or to any premises in respect of which a licence shall be current under any of Sections 1, 2, 3, 6, 7, and 8 of Part IV. hereof, or a general retail licence or a hotel liquor licence under the Liquor Ordinance, 1909, or any Ordinance substituting or amending the same.

344. No person shall use any premises as store premises, manufactory premises or trade premises unless the premises shall have been licensed as store premises, manufactory premises or trade premises as the case may be and a valid and unexpired licence of the appropriate class be current in respect thereof.

345. The Town Clerk shall have power by written notice to refuse to licence any premises under this Section. Except in the case of premises fronting upon any of the following streets, viz.: (1) Bazaar Road, (2) Eighth Avenue, (3) that portion of Stewart Street which lies between Bazaar Lane and 10th Avenue, (4) that portion of Victoria Street which lies to the southeast of Duke Street, and (5) Swamp Road, River Road, and all other streets lying to the north and north-east of Victoria Street, no licence shall be granted

under these bye-laws for any premises designed or adapted to be so used that customers shall be served therefrom without entering the premises, or any premises the mean depth of which measured at right angles to the frontage is less than 10 feet.

Provided always that the Town Clerk shall not have power to refuse to licence any premises in the Commercial Area for which the prescribed fee shall have been tendered, except as above provided, or on hygienic grounds and with the written advice of the Medical Officer of Health.

346. The Town Clerk may on hygienic grounds and with the written advice of the Medical Officer of Health by written notice annul any licence granted under this Section, but such annulment shall not take effect until 14 days have elapsed from the date of service of such notice, or until any appeal made as hereinafter provided in Bye-law 348 hereof shall have been disposed of.

347. The Town Clerk shall have power to attach to any licence granted under this Section such conditions designed to ensure the sanitary and hygienic use and condition of the premises as he shall think fit, and the licensee shall observe such conditions.

348. Any decision by the Town Clerk under this Section shall be subject to review by the Municipal Council, on written notice of appeal given to them through the Mayor within 14 days of the date of service of notice of such decision.

349. Every annual licence under this Section shall expire on the 31st day of December of the year for which it shall have been granted, provided that the Town Clerk shall have the option in any case to grant a six months' licence, which shall be valid till the 30th day of June, or, if issued after the 30th day of June, till the 31st day of December, next following its date only.

350. In respect of every licence granted under this Section a fee shall be payable to the Town Clerk. The fee for a six months' licence shall be Shs. 15 and for an annual licence, Shs. 30.

Provided that the Town Clerk may license stalls or kiosks of approved type on the verandahs of approved premises fronting on any of the streets mentioned in Bye-law 345, for the sale of the following goods, namely:—

Betel nuts and palm leaves.

Cigarettes and tobacco.

Matches.

Aerated water.

Sherbet

for the following fee:—

For one month's licence: Shs. 2-50.

It shall be an offence to sell any articles other than those above specified in a stall or kiosk licensed by the month under this bye-law.

Provided further that the fee in respect of a licence for a shop or duka occupied by a native shall be Shs. 2 cents 50 per annum. For the purposes of this bye-law "native" means a native of Africa not being of European or Asiatic origin and includes Somalis, Swahilis, and Arabs.

In the case of premises divided into two or more tenements occupied by different tenants, a separate fee shall be payable in respect of each several tenement used as trade premises.

SECTION XIV.

STABLES, CATTLE SHEDS, ETC.

351. No person shall except under licence from the Town Clerk use any place within the Commercial Area as a stable for horses, mules, or donkeys, or any place within the Township as a stable for horses, mules or donkeys kept for hire or as a cattle shed or pig-stye. The Town Clerk may grant a licence on such terms as he shall think fit, and may withhold a licence or cancel any licence. A licence granted under this bye-law shall specify the number of head of stock for which the premises are licensed, and shall only be valid in respect of such a number.

A licence under this bye-law shall expire on the 31st day of December in the year for which it is granted.

SECTION XV.

CAMELS, SHEEP, ETC.

352. No person shall keep any camels, ostriches, sheep or goats within the Township except with the written permission of the Town Clerk.

353. Every pig-stye and every place in which sheep, goats or pigs are kept shall be constructed, fenced and drained to the satisfaction of the Municipal Council.

354. No pigs shall be kept in or under any place used for purposes of human habitation.

SECTION XVI.

DOGS.

355. No person shall keep a dog (unless under 6 months of age) within the township unless the same shall have been registered at the Municipal Offices for the then current calendar year. Provided that a valid certificate of registration duly granted in any other township of the Colony and Protectorate shall authorise the holder thereof to keep the dog for which such certificate was granted in the township of Nairobi during the year of its currency.

356. On registering any dog the Town Clerk shall supply the person applying for registration with a metal ticket bearing the registration number of such dog. Any person owning or keeping within the township a dog which is found within the township not registered for the then current year or not carrying its registration ticket attached to its collar shall be guilty of an offence.

357. The Town Clerk may cause any dog found within the township without a collar and a registration ticket of the then current year attached thereto, or any dog which he has reason to believe to be ownerless, savage or dangerous to be seized and may destroy or otherwise deal with the same as he may think fit: provided that a dog which is neither diseased, savage nor dangerous shall be kept at least 7 days and its owner notified if possible: and for every dog claimed after being seized by the Town Clerk there shall be paid a fee of Sh. 1 per day or part of a day during which such dog shall have been kept by the Town Clerk.

358. A fee of Shs. 10 shall be payable to the Town Clerk for every registration under these Bye-laws.

SECTION XVII.

LICENCES TO EXCAVATE.

359. No person shall make any hole or excavation within the limits of the township, or remove any clay, stone, or earth from any Crown lands within the township without a permit from the Town Clerk in writing or otherwise than in accordance with any conditions that may be contained in such permit, or elsewhere than at such place as may be specified therein.

360. The Town Clerk may grant such permits upon such conditions with regard to the fencing, lighting, filling up, or otherwise making secure such hole or excavation, and with regard to the health and welfare of the town and its inhabitants, as he may consider requisite and proper, and such conditions shall be fulfilled by grantees of permits.

361. The two foregoing bye-laws are subject to the Notice by the Land Officer dated 22nd November, 1910, and published in the Gazette of 1st December, 1910.

362. The fee specified in the Schedule to this Section shall be paid in advance to the Town Clerk for any permit to remove stone, murrum, or earth from unalienated Crown lands.

SCHEDULE TO SECTION XVII.

FEES FOR STONE, ETC., EXCAVATED.

For stone and chips	Shs. 18	per 1,000 cubic feet.
Murrum	" 10	" "
Earth	" 20	" "

PART V.

VEHICLES.

363. For the purposes of all Sections of this Part excepting Section 2, the word "vehicle" shall not include a perambulator or any bicycle or tricycle or any motor car or motor cycle as defined in "The Motor Traffic Ordinance, 1915," but shall include any other conveyance for the carriage of persons or goods however drawn, propelled or kept or set in motion.

"Private carriage" means a vehicle on springs drawn by one or more horses, mules or donkeys and ordinarily used or intended to be used for the conveyance of persons only and not used for hire or for any trade purpose.

"Cycle" shall be held to include bicycles and tricycles other than motor-cycles.

"Person or persons in charge of a vehicle" shall extend to and include any person or persons propelling or drawing or assisting in propelling or drawing any vehicle.

SECTION I.

VEHICLES—REGISTRATION.

364. No vehicle other than a vehicle belonging to the Government or to the Corporation shall be used within the Township except the vehicle be registered and licensed under this Section.

The owner of any vehicle which shall be used within the Township and which shall not be registered or in respect of which there shall not be a licence in force for the then current year shall be guilty of an offence.

365. Application for the registration and licensing of a vehicle shall be made by the owner thereof to the Town Clerk at the Municipal Office, and, if required by the Town Clerk, the vehicle shall be brought to the said office for inspection. The bringing of a vehicle to the said office for inspection shall not be deemed to be an using of the vehicle for the purposes of the preceding Bye-law.

366. Every licence under this Section shall expire on the last day of the calendar year or half year for which it shall have been granted.

367. Whenever the ownership of a registered vehicle shall be transferred, application for the re-registration of the vehicle shall be made to the Town Clerk by the transferee within fourteen days of the date of such transfer. The fee set forth in the Schedule shall be paid by the transferee for every such re-registration.

Any person who shall fail to apply as aforesaid and to pay the prescribed fee shall be guilty of an offence.

368. Every vehicle licensed under this Section shall bear in a place to be prescribed in the licence a ticket which shall be supplied free of charge by the Town Clerk inscribed with a number corresponding to the number of the licence: and every owner of a vehicle used within the Township not bearing a ticket as aforesaid shall be guilty of an offence against these Bye-laws. And every freight cart licensed under this section whether a handcart or a cart designed to be drawn by oxen, or other animals, shall bear upon it the name of the owner in English painted in conspicuous letters to the satisfaction of the Town Clerk.

369. The Town Clerk may refuse to licence any vehicle or may suspend or withdraw the licence of any vehicle if in his opinion such vehicle is or has become unfit for traffic provided that such refusal suspension or withdrawal shall be subject to confirmation on appeal by the Municipal Council. The owner of any such vehicle whose licence shall be so suspended or withdrawn shall forthwith deliver up to the Town Clerk on demand the ticket applicable thereto.

370. The fees set forth in the Schedule attached hereto shall be paid to the Town Clerk for every licence issued under this Section.

SCHEDULE TO SECTION I.

FEES PAYABLE FOR LICENCES OF VEHICLES.

Private Carriages.

Carts Drawn by any Animal and not included in above.

On springs—Tyres 3 in and over	15	00
Without springs—Tyres 3 in. and over	40	00
On springs—Tyres less than 3 in.	30	00
Without springs—Tyres less than 3 in.	60	00

Hand Carts (Private).

2 wheel	4	00
4 wheel	15	00
Plying for Hire	30	00

Rickshaws.

For hire	Shs. 30/- per annum or Shs. 15 per half year.
Private

Fees Payable on Re-registration on Transfer.

On re-registration of any public rickshaw under Rule 367	...	5	00	
On re-registration of any other vehicle	2	00

If it be proved to the satisfaction of the Town Clerk that a vehicle is the property of a person having residence or place of business at a distance of not less than 5 miles from the centre of Nairobi Township by the nearest public road and is habitually kept at such residence or place, the fee chargeable in respect of such vehicle shall be half the fee prescribed above.

*SECTION II.***VEHICLES FOR HIRE.**

371. For the purpose of this Section the words "public vehicle" shall mean any vehicle which plies for hire within the Township excepting rickshaws and shall include a motor car and every other conveyance for the carriage of persons.

372. Every public vehicle shall be registered and licensed under this Section as well as under any Ordinances or other Rules or Bye-laws providing for the licensing and registration of vehicles. The owner and driver of any public vehicle which shall not be registered under this Section or in respect of which there shall not be a licence in force for the then current year shall each severally be guilty of an offence.

373. Application for the registration and licensing of a public vehicle under this Section shall be made to the Town Clerk at the Municipal Office and if required by the Town Clerk the vehicle shall be brought to the said office for inspection.

374. Every licence under this Section taken out on any day from the 1st day of January to the 30th day of June in any year shall expire on the 30th day of June in that year: and any licence taken out on any day from the 1st day of July to the 31st day of December in any year shall expire on the 31st day of December in that year.

375. In respect of licences of public vehicles issued under this Section there shall be paid to the Town Clerk the fees specified in Schedule I. hereto.

376. The Town Clerk may refuse to licence any vehicle under this Section unless satisfied that it is fit for use as a public vehicle.

377. A licence issued under this Section shall specify the number of passengers to be accommodated in the vehicle for which the licence is granted, and the owner and driver of a public vehicle in which more than the prescribed number of passengers is at any time accommodated shall each severally be guilty of an offence.

378. Every vehicle licensed under this Section shall bear in places to be prescribed in the licence two tickets or metal plates which shall be supplied free of charge by the Town Clerk, one bearing the licence number of the vehicle and the other indicating the number of passengers who may be accommodated therein; and the owner and driver of any public vehicle not bearing such tickets as aforesaid shall each severally be guilty of an offence.

379. No person shall act as a driver of a public vehicle except he be licensed as such by the Town Clerk under this Section as well as under any Ordinances or other Rules or Bye-laws providing for licensing of drivers of vehicles. A driver's licence shall only entitle the licensee to act as a driver of a vehicle of the description specified in the licence.

380. With every driver's licence issued under this Section there shall be issued a metal ticket bearing the licence number and an authorised table of distances. Such ticket shall be worn by the licensee in a conspicuous position upon his person and such table of distances shall be carried by him for production on demand at all times when engaged in his employment as driver of a public vehicle.

381. For every driver's licence issued under this Section there shall be paid to the Town Clerk the fee specified in Schedule II. of these Bye-laws.

382. The owner or driver of a public vehicle shall not demand more than the appropriate fare according to the tariff of fares approved by the Municipal Council and published in the *Gazette*.

383. The fares to be charged for public vehicles shall be as set forth in Schedule III, hereto, subject to such alterations as may from time to time be determined by the Municipal Council and published in the *Gazette*.

384. Every vehicle licensed under this Section shall bear affixed in a conspicuous place inside it a table of fares in the form of Schedule III, hereto to the approval of the Town Clerk. The owner and driver of a public vehicle in which a table of fares is not so affixed shall each severally be guilty of an offence.

385. Any person hiring a public vehicle who shall wilfully or negligently injure the same or refuse to pay the legal fare when demanded shall be guilty of an offence.

386. An owner or driver of a public vehicle who shall have agreed or shall have been hired to be in attendance with such vehicle at an appointed time or place shall unless delayed or prevented by some sufficient cause attend punctually with such vehicle at such time and place.

387. A driver of a public vehicle shall not knowingly carry therein any person suffering from an infectious or contagious disease: and no person suffering from an infectious or contagious disease shall enter or be in charge of a public vehicle.

388. A driver of a public vehicle shall not remove or conceal and no person shall alter or tamper with any licence or table of fares issued under these Bye-laws or tamper with any taximeter apparatus upon any public vehicle.

389. A driver of a public vehicle shall not deceive any person as to his route.

390. A person in charge of a vehicle shall not suffer it to be used as a public vehicle unless it is in good repair and in a thoroughly clean condition in compliance with the requirements of the Town Clerk. On conviction of any person for an offence against this rule the Town Clerk may cancel the licence of the vehicle in respect of which the offence shall have been committed.

391. The Municipal Council may set apart places in the Township as stands for public vehicles or for any specified class of public vehicles and may by notice published in the *Gazette* prescribe the direction in which public vehicles may be drawn up on such stands. From the date when any such places shall be so set apart any person or persons in charge of any public vehicle who shall suffer the same, unless actually under hire, or disabled by accident, to stand on any other public place or on any public road or street or who shall suffer the same to move into or out of or to stand at a public stand otherwise than facing the prescribed direction, or to back into or out of a public stand shall be guilty of an offence.

392. A stand set apart under this Section may be divided into two portions or compartments one for public vehicles waiting to be hired, and the other for other public vehicles.

393. Every stand and every such portion of a stand shall be provided with a notice board indicating the maximum number of vehicles that may be accommodated at any one time.

394. A driver of a public vehicle waiting at the portion of a stand reserved for public vehicles waiting to be hired shall not except as provided in these Bye-laws, refuse to accept any fare for whom there is room and to whom no reasonable objection can be taken.

395. Drivers of vehicles waiting at stands shall move up as vacancies occur on the stands.

396. An owner or driver of a public vehicle shall not leave the same at a stand without an attendant.

397. A driver of a vehicle shall not cause or endeavour to cause his vehicle to enter a stand or portion of a stand already occupied by the maximum number of vehicles which such stand can accommodate.

398. A driver of a public vehicle waiting to be hired not being the first vehicle in order on the rank shall not leave the stand for the purpose of taking a fare unless requested to do so by his fare.

399. A driver of a public vehicle standing in the portion of a stand set apart for vehicles other than public vehicles waiting to be hired shall not be bound to accept any fare, and shall not accept a fare if there shall be any public vehicle waiting for hire in the other portion of the stand unless with the consent of the driver of every such other public vehicle.

400. A driver of a public vehicle who is in course of fulfilment of an engagement by time shall not cause his vehicle to enter any portion of a stand except a portion reserved for vehicles other than vehicles waiting to be hired.

401. The Town Clerk may cancel the licence of any driver of a public vehicle upon his conviction for any offence against the Bye-laws of this Section.

SCHEDULE I. TO SECTION II.

LICENCE FEES FOR PUBLIC VEHICLES.

	Shs. Cts.
For the half-year ending 30th day of June or for the half-year ending 31st day of December 25 00	

SCHEDULE II. TO SECTION II.

LICENCE FEES FOR DRIVERS OF PUBLIC VEHICLES.

	Shs. Cts.
For a year or portion of a year 10 00	

SCHEDULE III. TO SECTION II.

MAXIMUM FARES CHARGEABLE FOR USE OF PUBLIC VEHICLES.

A.—If hired by distance.	Shs. Cts.
For 1 or two passengers, per mile or part of a mile ... 1 50	
For each additional passenger 0 75	
Detention charges.	

For every 15 minutes after the first 5 minutes ... 1 50

B.—If hired by time.

(a) <i>Motor Cars.</i>
For every 4 passengers or less number whom the vehicle is licensed to accommodate, per hour or part of an hour 15 00

(b) <i>Horse or Mule drawn vehicles.</i>
Per hour or part of an hour 6 00

Unless the hirer of a public vehicle informs the driver that he intends to hire by time he shall be presumed to have hired by distance.

The above fares shall operate not only within the township but also within a radius of 5 miles from the junction of Government Road and Sixth Avenue.

SECTION III.

VEHICLES—GENERAL PROVISIONS.

BRAKES.

402. Every vehicle other than a rickshaw or a vehicle specially exempted by the Town Clerk (in which case a note of the exemption shall be endorsed on the licence) shall be provided with a good and sufficient brake and every owner of such a vehicle other than a rickshaw or a vehicle specially exempted as aforesaid which shall be found in use not so provided shall be guilty of an offence.

LAMPS.

403. After the hour of 6-15 p.m., and until 6 a.m. Railway time, every vehicle standing in or proceeding along a public road, public space or thoroughfare, and every cycle ridden along a public road, public place or thoroughfare, shall be provided with a lighted lamp or lamps so placed as to throw the light in the direction in which the vehicle or cycle is proceeding and giving a light equal to not less than one candle power per lamp. Such lamp or one of such lamps shall be held or fixed and kept upon the off or right hand side of such vehicle except in the case of a cycle.

The owner of a rickshaw whether public or private shall provide and maintain on such rickshaw two lamps which shall be securely attached to such rickshaw one on each side thereof by metal brackets or otherwise. Every such lamp shall give a light of not less than one candle power and shall be so placed as to throw a white light in front of the rickshaw and shall have one red glass so placed as to throw a red light behind the rickshaw.

After the hour of 6-15 p.m. and until 6 a.m., Railway time, every rickshaw while in use shall have the lamps provided in terms of this Rule lit and the light thereof shall not be masked or obstructed. The owner and every person engaged in hauling or pushing a rickshaw, on which at any time between the said hours lamps as above prescribed are not lighted and carried in the manner prescribed shall each severally be guilty of an offence.

404. Every vehicle used for freight or merchandise or for carrying timber shall be provided with a tail lamp in addition to a lamp in front and so placed as to throw the light backwards.

405. Every person being in charge of a vehicle or cycle or being conveyed in or on any vehicle not provided with a lamp or on which a lamp shall not be held or fixed and kept as aforesaid shall be guilty of an offence.

UNCONTROLLED OXEN.

406. If any vehicle be driven within the Township accompanied by an ox not attached to such vehicle such ox shall be in charge of a person other than the person or persons in charge of such vehicle. The owner and driver of a vehicle driven in such circumstances as not to comply with this Bye-law, and any person in charge of an ox as aforesaid who shall fail to keep it under proper control or to lead it in accordance with the rule of the road shall each severally be guilty of an offence.

DRIVING.

407. An owner of a vehicle whether drawn by animals or propelled by hand or by machinery shall not suffer the same to be in use within the Municipal Area otherwise than in charge of a proper and responsible person or persons.

408. Every person driving or being in charge of any vehicle or cycle proceeding along any public road shall, when practicable, keep such vehicle or cycle to the left or near side of the road, and shall when passing any vehicle or cycle going in the same direction cause the vehicle or cycle which he is driving or of which he is in charge to pass on the right or off side of the vehicle or cycle he is passing, and shall permit a vehicle or cycle going in the opposite direction to pass on the right or off side of the vehicle or cycle of which he is in charge.

409. When loading or unloading a vehicle in a street the person in charge of such vehicle shall rest it parallel with the footpath and immediately on the edge of the carriage way or if there is no footpath then parallel with and on the extreme edge of the street.

410. The use of nose ropes and nose rings for oxen, and the beating of oxen, otherwise than with whips or thongs of leather at least 1 inch in width, is prohibited.

The owner and person or persons in charge of any ox found fitted with a nose rope or nose ring, or being beaten otherwise than with a whip or thong as aforesaid, shall be guilty of an offence.

411. Vehicles drawn by four or more oxen shall be in charge of two persons, one of whom shall lead the oxen from the front of the leading ox or oxen. The owner and the person or persons in charge of any vehicle found driven otherwise than in accordance with the terms of this Bye-law shall each severally be guilty of an offence.

412. No person shall ride or drive furiously any horse or other animal, or drive or propel furiously any vehicle or cycle or drive furiously any cattle, in any street.

413. The driver or person in charge of any animal or animals or of any vehicle shall not permit such animal, animals, or vehicle to collide with or damage any drain, culvert, bridge, fence, gate, lamp-post or any other property of the Government or Corporation and in every case where any damages shall have been done or any such collision shall have occurred the driver or person in charge of the animal, animals or vehicle by which any such damage as aforesaid shall have been done shall, in addition to any fine imposed, pay to the Town Clerk the amount of the damage.

414. No person shall lead, ride or drive any horse, or mule, donkey or ox or allow any such animal to remain on any pathway, public place or thoroughfare that shall have been reserved by the Governor of the Colony for the use of foot passengers only and no person shall drive or propel any vehicle or allow any such vehicle to remain on any pathway, public place or thoroughfare so reserved.

415. The driver or person in charge of any vehicle shall not drive or propel such vehicle over any stone drain except over a proper bridge or culvert.

TAILBOARDS, ETC.

416. The owner of every two-wheeled cart used within the Municipal Area for cartage shall on every occasion when such cart is so used except for the cartage of articles too large to be contained wholly inside such cart provide such cart with a tailboard sufficient for the purpose of preventing the spilling of any part of the contents of such cart in transit, and shall cause such tailboard to be properly fixed and kept in position, and the owner and person or persons in

charge of any cart so used and not provided with a tailboard as aforesaid fixed as aforesaid shall each severally be guilty of an offence.

417. No timber or other material or thing measuring over 12 feet in length shall be carried on a cart having less than 4 wheels. No timber or other material or things shall be so carried in any vehicle as to project more than 6 feet behind the hindmost part of any wheel of such vehicle or more than 2 feet outside any wheel thereof, except with the written permission of the Superintendent of Police and in accordance with the terms of any conditions which may be attached to such permission. The owner and person or persons in charge of any vehicle found carrying timber or other material or thing so projecting shall each severally be guilty of an offence.

STOCKWHIPS.

418. No person shall on any road or street crack any whip which including stock and lash exceeds 14 feet in length: all whips exceeding 14 feet in length shall be looped while being carried within the township.

SECTION IV.

PUBLIC RICKSHAWS.

419. For the purpose of this Section the following words and expressions shall have the several meanings hereby assigned to them unless there shall be something in the subject or context repugnant to such construction, that is to say:—

(a) The words "Public Rickshaw" shall mean any rickshaw plying for hire.

(b) The words "Rickshaw Boy" shall mean a person in charge of or engaged in hauling or pushing a public rickshaw.

420. (a) Every public rickshaw shall be licensed and shall bear a number plate corresponding to the number of the licence. The owner and every person engaged in hauling or pushing a public rickshaw not complying with the terms of this bye-law shall each severally be guilty of an offence.

(b) The maximum number of licences to be granted for public rickshaws shall be fixed from time to time by the Municipal Council and such number shall be published in the *Gazette*.

(c) Licences shall be issued upon the instructions of the Municipal Council.

(d) Subject to the provisions contained in these bye-laws, the Council shall have entire discretionary power to direct the withholding or granting of a licence in any case.

(e) The Council shall hold a meeting for the consideration of applications for licences in December every year and at such other times as the Municipal Council may deem expedient, and the date, hour, and place of such meetings shall be advertised beforehand in the public press.

(f) Every application for a licence shall be made in writing to the Town Clerk at least 14 clear days before the meeting of the Council at which it is intended that such application shall be dealt with.

(g) Licences shall only be so issued that every licensee shall be the owner of at least six serviceable public rickshaws.

(h) No licence shall be issued to any person unless the Council is satisfied with the accommodation provided by him for housing his rickshaws.

(i) The Council shall have power at any time to order the cancellation of any licence upon failure on the part of the licensee to observe any of the conditions of this bye-law.

(j) The holding of a licence shall not be deemed to entitle a licensee to a renewal of his licence after the expiry of the term for which such licence shall have been granted.

(k) The Town Clerk may by written notice call upon any owner of public rickshaws to produce all the registered public rickshaws belonging to him, at a place within the Township and at a time, not being less than 3 days after the date of service of such notice, both to be specified in the notice, and such owner shall comply with such notice; provided that in the case of a rickshaw which may be incapacitated it shall be deemed compliance with this bye-law if the owner shall before the time specified in the notice deliver to the Town Clerk a letter specifying truly the cause or nature of the incapacity of such rickshaw and giving its registered number.

(l) The owner of any Public Rickshaw shall not suffer the place provided by him for the housing of his rickshaws to be used as sleeping quarters for any natives.

421. (a) No person shall haul or push any public rickshaw until he shall have been registered as provided in this bye-law.

(b) No person shall be registered as a rickshaw boy unless and until he shall have been certified by a Government Medical Practitioner as fit for such employment and he has received a certificate in the form prescribed under Schedule II. to this Section from the Government Medical Practitioner by whom he is examined. Every such certificate shall be valid for 6 months from date of issue only.

(c) The Town Clerk may register as a rickshaw boy any person to whom a medical certificate in the prescribed form has been issued on payment of a deposit of Shs. 2/- for a badge, the number of which shall be endorsed on the aforementioned certificate.

(d) Every registered rickshaw boy while engaged in his employment shall wear the numbered badge obtained from the Town Clerk in a conspicuous place on his left arm and in such a position that the number can be readily seen.

(e) Every rickshaw boy shall produce the certificate of the Government Medical Practitioner when required to do so by a Police Officer, or duly authorised Municipal Inspector.

(f) Any person to whom a badge has been issued by the Town Clerk shall on his returning his badge together with his certificate to the Town Clerk be entitled to a refund of his deposit. Should such badge be lost such rickshaw boy shall be entitled to another badge on payment of a further deposit of a sum not exceeding two shillings.

(g) Any registered rickshaw boy may be struck off the register for misconduct or breach of the bye-laws of this Section and in such a case shall return his badge and receive back his deposit.

(h) An owner of a public rickshaw shall not employ or hire out his rickshaw to any native not being a registered rickshaw boy and the possessor of a certificate under Section (b) of this bye-law.

When a public rickshaw is found plying for hire and being hauled or pushed by any native not being a registered boy and the possessor of a certificate under Section (b) of this bye-law, the owner of such rickshaw shall be guilty of an offence and the Town Clerk may cancel his licence in respect of such rickshaw.

422. No person shall push or haul any public rickshaw containing any passenger or luggage unless such rickshaw shall be hauled or pushed by at least one other person.

423. The owner of every public rickshaw shall maintain the same in a cleanly and good working condition to the satisfaction of the Town Clerk: and if he shall fail to do so the Town Clerk may suspend his licence in respect of such rickshaw, without process of law, and the licensee in such case shall forthwith return the number plate of the rickshaw to the Town Clerk on demand: and such suspension shall not be removed till such rickshaw has been restored to a proper condition to the satisfaction of the Town Clerk and a fee of Shs. 10 has been paid to him for the removal of the suspension.

424. No rickshaw boy shall allow any public rickshaw of which he shall be in charge to stand or remain (except while actually employed) at any place other than a Public Stand set apart in terms of this Section: and no person shall allow any public rickshaw belonging to him, and no rickshaw boy shall allow any public rickshaw of which he shall be in charge, to stand or remain in a public stand at any time except during such hours as may from time to time be appointed under this Section.

425. Every public rickshaw standing or being on any public stand or in the public street, shall be deemed to be plying for hire and the hauler thereof may not refuse to accept any offer of immediate engagement from any person not excluded by the Township bye-laws, unless actually hired for the whole or portion of the time for which such person seeks to engage him or returning to his quarters: provided that the owner of a public rickshaw may reserve such rickshaw for the use of any specified community, the name whereof shall be painted in letters not less than 3 inches in height upon the bar provided in terms of Bye-law 442 (a) hereof. A person shall not enter a public rickshaw reserved for a community other than his own, and the hauler of a reserved public rickshaw shall not accept an offer of engagement from a person not belonging to the appropriate community.

426. No rickshaw boy shall falsely represent himself to be hired, or, subject to the proviso contained in the foregoing rule on being thereto required, shall neglect or refuse to carry any lawful number of passengers for any person desiring to engage his rickshaw from and to any point within the Township Area.

427. A rickshaw boy in charge of any public rickshaw shall wait at any place to which the hirer shall have proceeded in such rickshaw for such period not exceeding 2 hours as the hirer shall require.

428. No owner of a public rickshaw having made an engagement to take up a fare at a given time shall fail or neglect to do so: he shall, however, be liable to the prescribed penalties only if the hirer when making such engagement shall have provided the said owner with a card or writing containing the hirer's name and address and the place and hour at which such engagement shall commence.

429. Every owner of a public rickshaw shall cause to be displayed and at all times maintained in a conspicuous position in the inside of the rickshaw to the satisfaction of the Town Clerk words in clear and legible characters indicating the number of passengers for whom such rickshaw is licensed.

430. A greater number of passengers than two shall not be carried in a public rickshaw.

The owner and every person engaged in hauling or pushing a public rickshaw in which a greater number of passengers than two shall be conveyed, and also every such passenger, shall each be guilty of an offence.

For the purpose of this bye-law a child under 3 years of age in charge of an adult shall not be reckoned as a passenger: and two children between the ages of 3 and 12 shall be reckoned as one passenger only.

431. No rickshaw boy in charge of any rickshaw shall by using force or threats or in any other manner prevent or seek to prevent any person from engaging any other rickshaw.

432. Any person calling or sending for any public rickshaw and not further employing the same shall pay the fare due from the stand or place where such vehicle may have been engaged to the place to which such vehicle shall proceed.

433. No rickshaw boy shall be allowed to charge more than the fare fixed from time to time by tariff of the Municipal Council and published in the *Gazette*. Tariff cards (which will be supplied by the Town Clerk on application at cost price) shall be affixed and maintained in a conspicuous position inside public rickshaws by their owners.

434. All rickshaw boys shall be cleanly and decently clothed and shall conduct themselves in a proper, civil and decorous manner.

435. No rickshaw boy or person on behalf of such rickshaw boy shall tout or solicit for passengers or engagement, and no rickshaw boy shall loiter or stroll in any street or public place or at the Railway Station or any place of amusement.

436. (a) Such places as the Municipal Council from time to time shall appoint by public advertisement in the *Gazette* shall be public stands where public rickshaws may stand, during such hours and for such class of rickshaw as may be prescribed by the said Council by public advertisement as aforesaid. The terms of such advertisement may from time to time be varied by public notice.

(b) At every stand a board shall be fixed showing the number and class of rickshaws allowed at the stand, and any rickshaw boy who shall bring or attempt to bring his rickshaw on to any stand, at which there shall be already the full number of rickshaws allowed or which is not of the appropriate class shall be guilty of an offence.

(c) All public rickshaws shall take their stand on any stand appointed for that purpose in order of their arrival and on any person calling for a rickshaw the front rickshaw shall go forward and no other, and the place vacated by any rickshaw moving off the stand shall be occupied by the rickshaw immediately behind such rickshaw and all other rickshaws shall draw up in like order.

437. All public rickshaws on any stand shall be drawn up in the direction appointed by the Town Clerk.

438. (a) The rates and fares to be charged for public rickshaws plying for hire shall be as set forth in Schedule I, hereto subject to such alterations as may be from time to time determined by the Municipal Council and published in the *Gazette*.

(b) Any public rickshaw may be hired either by time or by distance, but the hirer of a public rickshaw shall inform the rickshaw boy in charge thereof at the time of hiring if he intends to hire the rickshaw by time.

439. Any person hiring a public rickshaw who shall wilfully or negligently injure the same or refuse to pay the legal fare when demanded shall be guilty of an offence.

440. If a rickshaw shall be left unattended at any public stand or in any road or public place, the owner thereof and the rickshaw boys shall be guilty of an offence, and if such rickshaw shall have been removed to such place as may be appointed for the purpose by the Town Clerk the owner shall not be entitled to recover the same till he shall have paid to the Town Clerk a fee at the rate of Shs. 4/- for each 24 hours or part thereof during which such rickshaw shall be at such place.

441. If a public rickshaw shall at any time be left at any public stand attended by one rickshaw boy only, any member of the Police force on duty, or any Inspector or duly authorised servant of the Municipal Council may order such rickshaw boy to remove his rickshaw to the last place on the stand, and such boy shall forthwith obey such order.

442. No owner of any rickshaw whether public or private shall use or allow the same to be used unless the following conditions be complied with:—

(a) The ends of the shafts shall be protected by a bar across the front securing them on each end and the shafts shall not project beyond such bar.

(b) A proper stay shall be placed at the back of each rickshaw to prevent accidents, to the satisfaction of the Town Clerk.

443. A rickshaw boy who shall enter a public rickshaw and sit or lie therein or who shall place any article of his attire therein at any time shall be guilty of an offence.

444. The owner of every rickshaw, public or private, shall provide therefor a bell or other article effectual for giving audible notice of approach of such rickshaw, to the satisfaction of the Town Clerk and the passenger or rickshaw boy for whose use such bell or article is provided shall sound such bell or article to give notice of approach when meeting any vehicle, horse or other animal or foot-passenger and when turning.

445. Luggage in excess of the following amounts shall not be carried in any public rickshaw:—

When hired for 1 passenger	50 lbs.
When hired for 2 passengers	40 lbs.
When hired for luggage only	200 lbs.

446. The owner or hauler of any public rickshaw shall not by virtue of anything in these Bye-laws contained be deemed to be under an obligation to use such rickshaw for conveyance of luggage only.

447. No rickshaw boy shall refuse to travel at a reasonable speed, not less than 3 miles an hour, unless unavoidably delayed.

448. No rickshaw boy while on any public stand or waiting in any street or public place shall deposit any refuse whether vegetable or otherwise in or on any place.

449. No rickshaw boy while on any public stand or in any public place shall fight or gamble or cause annoyance to any person in the neighbourhood of such stand by loud shouting or by behaving otherwise than in a quiet and decorous manner.

450. No rickshaw boy shall disobey any reasonable order that may be given him by any member of the Police Force on duty, or duly authorised servant of the Municipal Council.

451. The owner of a public rickshaw shall keep a register of natives employed by him for the plying for hire of such rickshaw or to whom such rickshaw is hired or lent, and shall correctly enter the names and registration numbers of such natives, the periods of such employment, hiring or lending, and the licence number of the rickshaw opposite the name of the natives so using such rickshaw. Such owner shall keep such register accessible to the police at all times for inspection.

452. No person other than the owner of a public rickshaw, shall hire or lend such rickshaw to any person for the purpose of plying for hire.

SCHEDULE I. TO SECTION IV.

FARES.

(a) <i>By time:</i> —	Shs. Cts.
50 cents for each quarter of an hour or part thereof for one or two persons carried, with a minimum fare of Shs. 2/-	

(b) <i>By distance:</i> —	
<i>Except as after provided</i> , per mile or part of a mile (for each person carried)	0 50
<i>Provided</i> that for any journey direct by the shortest route between any two points within the area defined below without any halt the fare shall be (for each person carried)	0 50

For any journey by distance wholly or partly outside the Township but within a radius of 5 miles from the junction of Government Road and Sixth Avenue, the fares for so much, if any, of the journey as is within the Township shall be as above and the fare for so much of the journey as is outside the Township shall be double the above fares.

AREA OF SPECIAL 50 CENTS FARE.

The area enclosed by a line running close to or just outside the following points:—

(1) The Station, (2) Whitehouse Road Bridge, (3) Treasury, (4) "Charing Cross," (5) Norfolk Hotel, (6) Swamp Road Bridge, (7) Racecourse Road Bridge: as the said area is shown in the map kept in the Municipal Offices and signed as relative to these Bye-laws.

- NOTES.—(1) The special 50 cents fare applies only to journeys inside the area and not to any part of a journey begun or ended outside the area.
(2) No sum shall be charged for the return journey of a rickshaw after dismissal to the place at which it was engaged.

EXTRA FARES.

The fare for waiting in the case of a rickshaw hired by distance, if the period of waiting exceeds 5 minutes in the aggregate, is for each quarter of an hour or part thereof, 50 cents.

SCHEDULE II. TO SECTION IV.

RICKSHAW BOY CERTIFICATE—NAIROBI TOWNSHIP.

(Nairobi Township Bye-laws of 1926).

I hereby certify that
S/o
Tribe Chief's Name
Village District
whose right thumb impression appears hereon, is in my opinion physically fit for employment as a rickshaw boy.

..... Date. Medical Practitioner.

..... Date. Town Clerk.

Height.....feet.....inches.

Characteristic features.....

Issued Ticket No.....

SECTION V.

REGISTRATION OF CYCLES.

453. Every owner or person in possession of a cycle who resides or shall reside or has or shall have his place of business within the Township Area shall within 15 days of the date when he shall begin to reside or have his place of business within the said area, or within 15 days of the date when he shall come into possession of such cycle, and thereafter on or before the 15th day of January in each year cause such cycle to be presented at the Municipal Offices for registration.

This Bye-law shall not apply to an unused cycle kept for the purpose of sale by a cycle dealer unless and until such cycle shall be sold or hired out or otherwise used.

454. The Town Clerk shall keep a Register in which he shall enter full particulars of every cycle presented for registration, including

the names of the owner and person in possession and the makers of the cycle and its trade number and shall issue to the party presenting such cycle a form of licence on which the said particulars shall be endorsed, which licence shall be personal to the grantee thereof and shall lapse and become of no effect upon his ceasing to be the owner or person in possession of such cycle and shall not be valid after the 31st day of December in the year for which it is issued: provided that the Town Clerk may delay or refuse to issue a licence in respect of any cycle on the ground that it is not fitted with efficient brakes or for any other cause that may seem to him good and sufficient.

455. The Town Clerk shall keep metal registration tickets, and on every occasion on which a cycle is registered shall issue a ticket, and the owner or person in possession of such cycle shall attach such ticket to such part of the cycle as shall be prescribed by the Town Clerk and shall keep the same so attached in such a manner as to be wholly visible.

Provided that after the 31st December, 1920, the Town Clerk may refuse to issue a ticket in respect of any cycle which has been previously registered until the ticket for the previous year shall have been delivered up to him.

After the 20th day of January, in any year any European Police Officer may seize and detain pending enquiry any cycle not carrying a ticket of the appropriate year.

456. Any person who shall, within the Township, ride a cycle required to be registered under this Section to which a ticket as before prescribed is not attached in the manner required by or under this Section shall be guilty of an offence, unless it be proved by such person that the person causing the cycle to be registered had at the time of applying for such registration requested the Town Clerk to supply such ticket on payment of the prescribed fee, and that the Town Clerk had failed to supply the same at the date of the commission of the offence.

457. The following fees shall be payable to the Town Clerk under this Section:—

	Shs. Cts.
For each ticket issued 1 00
Registration fee 4 00

PART VI.

CONSERVANCY.

458. The removal of the contents of receptacles from earth closets in the Township shall be under the control of the Corporation.

459. In respect of every earth closet and every water closet any effluent from which discharges into a Corporation sewer in the township, there shall be payable to the Corporation by the occupier of the premises on which such closet is situated the monthly fee specified in the attached Schedule, payable quarterly in advance on the first days of January, April, July and October: Provided that in the case of any building occupied by more tenants than one the owner of site shall be deemed to be the occupier of the premises for the purpose of these Bye-laws, and further provided that in the case of earth closets, where the Medical Officer of Health certifies that he is satisfied that proper and suitable arrangements have been made for removal of contents of a receptacle otherwise than by the employees of the Corporation, the Town Clerk shall remit the fees due therefore in respect of periods subsequent to the date of the Medical Officer of Health's certificate.

460. Where a house remains unoccupied for a period of not less than one complete calendar month, or where with the written permission of the Medical Officer of Health a closet has been disused and closed, or the receptacle removed therefrom, and has remained out of use for a period of not less than one complete calendar month, the Town Clerk shall, on application made within three months of the 1st day of such calendar month, make a rebate or refund of the conservancy fee applicable to such period.

461. In any action for recovery of fees under these Bye-laws, it shall not be necessary to prove that services were actually rendered by the Corporation.

462. Where judgment has been given by the Court for fees under these Bye-laws, any person further delaying to pay such fees with Court costs shall be guilty of an offence.

SCHEDULE.

Conservancy fee per receptacle:

For every earth closet, Shs. 8/- per calendar month or part thereof.
For every water closet, Shs. 5/- per calendar month or part thereof.

PART VII.**SECTION I.****STREETS AND ROADS.**

463. No new street may be laid out in the Township except in conformity with plans to be approved by the Municipal Council.

464. All buildings within the township shall be constructed in accordance with the general plan of the town, referred to in Bye-law 3 hereof, and on the building line approved by the Municipal Council.

465. It shall be an offence

- (a) wilfully to obstruct or do or cause any injury or damage to be done to any street:
- (b) wilfully or negligently to damage any bridge, wall, building, fence or erection repairable by the Corporation or any trees, shrubs, lawns or vegetation of any kind on any street:
- (c) to break, injure, remove, or displace any tools, trestles, bars, stones, materials, barriers, lamps, or other article whatsoever on any street belonging to the Corporation or used thereon under its authority:
- (d) to haul, drive or draw or cause to be hauled, driven or drawn on any street any timber, stone, implement, machinery or other thing on any conveyance which has spiked or ribbed wheels or otherwise than on a wheeled carriage with properly tyred wheels:
- (e) to suffer any timber, stone, implement, machinery or other thing which is carried principally or in part upon a wheeled carriage to drag or trail upon the surface of the street:
- (f) to lay or leave or negligently to allow to be laid or left any timber, stone, hay, straw, soil, manure, rubbish or any matter or thing whatsoever upon a street, passage or footpath:
- (g) negligently to suffer any water, filth or anything whatsoever to run or flow into or upon any street, passage or footpath from any house, building, erection, lands or premises adjacent thereto:
- (h) having blocked or stopped any cart, waggon or other vehicle, in going up rising ground, to cause or suffer to remain on the street the stone or other thing with which such cart or other carriage shall have been blocked or stopped:
- (i) to pull down, damage or destroy any lamp or lamp post erected on any street or remove the bulb or any fitting therefrom or extinguish the light thereof:
- (j) to fill up or obstruct any ditch:
- (k) to break up the surface of any street without the consent in writing of the Municipal Engineer or otherwise than in accordance with any conditions contained in the said consent.

Any penalties imposed under this Bye-law shall be over and above the damages occasioned by the offence.

465a. The Corporation may give notice to the owner, occupier or agent of any property to cut back or remove the branches of any tree, hedge or other growth upon such property which projects into or over any street, road or footway so as to cause an obstruction, or interfere with any electric distribution or telegraph or telephone wires or the public street lamps or constitutes a source of danger to the public and in the event of such owner, occupier or agent failing to comply with such notice within seven days of the date thereof, such owner, occupier or agent shall be liable to a penalty not exceeding twenty shillings, and the Corporation may in such cases cut or remove such branches, hedges or other growth aforesaid, and the cost of such work shall be recovered from the owner, occupier or agent so making default.

SECTION II.**NUMBERING OF HOUSES, &c.**

466. The Town Clerk may assign to any house or building a number which shall be the street number of such house or building and may serve upon the owner or occupier of such house or building a notice calling upon him either to affix to the front door or gate of such house or building a plate bearing such number in conspicuous figures or to cause the number to be painted in conspicuous figures upon any signboard in front of such house or building or otherwise to be clearly displayed thereon, all to the satisfaction of the Town Clerk and that within a time to be specified in the notice, and such person shall thereupon comply with such notice.

467. Every person carrying on a trade of any description in any premises shall be responsible for having his name, or the name of the partnership or company which he represents, displayed in

writing in the English language in letters not less than 3 inches long on a signboard attached and maintained in front of such premises so as always to be visible and legible.

SECTION III.

ENCROACHING STRUCTURES, ETC.

468. No person shall without a licence from the Town Clerk and except upon such terms as may be prescribed in such licence erect, set up, place or hang against or in front of any premises, any structure or fixture or thing, whether fixed or detachable, which will overhang, jut, or project into, or in any way encroach upon any street, or public place.

A licence granted under this Bye-law shall not be valid after the 31st day of December in the year of issue.

No charge shall be made for a licence granted under this Bye-law for any article other than an article used for the purposes of advertisement, or for a signboard (1) which is placed so as to hang either (a) against a wall of a building, or (b) under the fascia of a verandah or awning, and (2) upon which there are inscribed only words indicating the name and business of the party in whose name the licence is taken, excluding any words advertising or recommending any articles or goods.

Except as above provided there shall be paid to the Town Clerk for a licence issued under this Bye-law, a fee calculated at the rate of Shs. 2/- per square foot of surface of the article licensed, the surface to be measured being in the case of the ordinary flat signboard, only such surface as is used for advertisement, and in the case of any other article, the vertical faces (excluding the face in contact with the wall of the premises to which such article is attached) of the smallest rectangular prism of space in which such article could be contained, together with any other surface thereof used for the display of any advertisement, provided that the minimum fee for any licence shall be Shs. 10/-.

469. The Town Clerk may by written notice require the owner or occupier of any premises to remove any structure, fixture or thing which has been erected, set up, placed or hung against or in front of the said premises or otherwise in contravention of these Bye-laws, or to alter the same in such manner as the Town Clerk thinks fit to direct and such person shall comply with such notice.

470. The Town Clerk may at any time, by written notice require the owner of any premises, on the ground floor of which any door, gate, bar, window, or other structure opens towards or upon a street or public passage or upon any land required for the improvement of a street or public passage in such manner as, in the opinion of the Town Clerk, to obstruct the safe or convenient passage of the public along such street or public passage to have the said door, gate, bar, window or other structure altered so as not to open outwards, and such owner shall comply with such notice within the period prescribed therein.

471. (a) No person shall except with the written permission of the Town Clerk leave upon any street or public passage any handcart, box, crate, dustbin or any article whatsoever.

Provided that this Bye-law shall not apply to any motor-car or cycle or vehicle which is left standing for the user's temporary convenience in a street or public passage in such a position as to comply with the police arrangements for control of public traffic for the time being in force.

The owner of any article which shall be left in a street or public passage without permission in contravention of this Bye-law and the person who shall have placed the same there shall each be guilty of an offence. The Town Clerk may cause any such article to be removed and if the same shall be removed to any of such places as may be appointed for the purpose, and the owner shall not be entitled to recover the same till he shall have paid to the Town Clerk the undenoted fee for each day of 24 hours or part thereof during which such article shall be retained.

Fees chargeable under this bye-law:—

	Shs. Cts.
For any handcart, motor-car or vehicle per day ...	10 00
For any other article	2 00

The Town Clerk may charge the person responsible for the leaving of any article on any street as aforesaid with the cost of removal thereof, which shall be recoverable as a Civil debt.

(b) The Municipal Council may by notice published in the *Gazette* declare that any particular kind of wheeled traffic shall be prohibited in any specified street or part of a street, either altogether,

or for any specified times or hours: and from and after the date of publication of such notice any person who shall contravene, or attempt to contravene the terms thereof shall be guilty of an offence.

SECTION IV.

FOOTBRIDGES OVER DRAINS.

472. Any person intending to construct a footbridge or to alter or reconstruct an existing footbridge over any open drain in any public road within the Township of Nairobi, shall make application for permission to the Town Clerk and shall lodge with him a plan in duplicate on which shall be specified fully the intended position, dimensions and material of the said footbridge.

473. The word "building" where it occurs in Bye-laws 106 and 107 hereof shall be held to include the construction of footbridges and alteration and reconstruction of existing footbridges over open drains in public roads within the Township.

474. Permission shall not be granted for any footbridge (a) to exceed 10 feet in width (b) to be erected within 20 feet of any existing footbridge, (c) to be so erected as together with any existing footbridge or footbridges to cover more than one-fifth of the frontage of any building situated on the same side of the road as such footbridges.

475. A moveable wooden footbridge not exceeding 10 feet in width and not attached to the soil is not a footbridge within the meaning of this Section.

SECTION V.

IRRIGATION TRENCHES.

476. No person shall construct any trench or channel on any unalienated Crown land except with the written permission of the Land Officer and upon such terms and conditions as may be prescribed by him. Such permission shall not of itself imply any easement or wayleave over such land.

477. No person shall on any plot belonging to or occupied by himself construct or suffer to be constructed any trench or channel so as to lead any water outside the boundaries of such plot except with the written permission of the Town Clerk which permission shall in no wise affect the rights of other proprietors.

478. A lessee of a plot through which any irrigation trench or channel shall pass shall keep such portion of such trench or channel as passes through such plot in good repair and shall prevent any overflow therefrom which might cause damage to any public road or other work and shall be responsible for any damage caused thereto by such overflow.

479. No person shall carry any irrigation trench under any public roadway without the written permission of the Town Clerk and except upon such terms and conditions as may be prescribed by him.

SECTION VI.

PRIVATE DRAINS.

480. No person shall construct any drain for the purpose of discharging, or which may discharge outside the limits of his holding storm water or soiled water from a house or premises owned or occupied by him without first applying for permission to the Town Clerk and submitting to him if required a block plan of the plot drawn to a scale of not less than forty feet to one inch, showing the position of existing buildings thereon and the position and direction of fall of the proposed drain.

481. If within 30 days from the receipt of such application, the Town Clerk shall fail to intimate disapproval thereof, the applicant shall (subject to any other Bye-laws applicable to Nairobi), be at liberty to proceed with the construction of the drain.

482. The Town Clerk shall supply any such applicant on request with information as to the position and reduced level of the bench marks in the vicinity of, or nearest to the house or premises to be drained.

483. Except as provided in Bye-law 481 hereof no person shall construct any drain for the purpose of discharging or which may discharge outside the limits of his holding storm water or soiled water from any house or premises occupied by him without the written permission of the Town Clerk.

SECTION VII.

CONNECTIONS WITH SEWERS.

484. If any privy, earth-closet, pail-closet, pit-closet or other closet not being a water closet, or the building served by such privy, earth-closet, pail-closet, pit-closet, or other closet not being a

water-closet, be within 120 feet of any sewer belonging to the Municipal Corporation, and if there be a sufficient water supply, the Town Clerk may by written notice require the owner of the same, within a reasonable time, to be specified in the notice, not being more than twelve months, to convert the privy, earth-closet, pail-closet pit-closet, or other closet not being a water-closet into a water-closet, and to connect the same to the said sewer, all as the case may require in a manner and by the use of materials to be approved by the Medical Officer of Health; and the Town Clerk may, if he think fit, by written notice addressed to the owner, order the removal of such privy, earth-closet, pail-closet, pit-closet, or other closet not being a water-closet, within the same period, and such owner shall comply with the terms of such notice.

485. Every person who shall erect a building shall, where any part of such building shall be within 120 feet of a sewer belonging to the Municipal Corporation, and unless the Medical Officer of Health shall certify that the water supply is insufficient for the purpose, cause such building to be adequately and efficiently drained into such sewer in a manner and by the use of materials to be approved of by the Medical Officer of Health; he shall also provide in connection with such building a proper and sufficient number of water-closets to the satisfaction of the Medical Officer of Health.

486. Where any cess-pit, septic-tank or cess-pool shall be within 120 feet of any sewer belonging to the Municipal Corporation the Town Clerk may, by written notice, require the owner of the same, within a reasonable period to be specified in the notice, to cease to discharge or permit to be discharged into the said cess-pit, septic-tank or cess-pool any sewage or other liquid waste, and to cause all such sewage or other liquid waste to be discharged into the said sewer in a manner and by the use of materials to be approved of by the Medical Officer of Health; and the Town Clerk may, by written notice addressed to the owner, order such cess-pit, septic-tank or cess-pool to be removed, filled in, or otherwise suitably dealt with to his satisfaction, within a period to be specified in such notice, and such owner shall comply with the terms of such notice.

487. No person shall cause any drain to empty into a sewer belonging to the Municipal Corporation except with the written permission of the Town Clerk and upon such conditions as he may prescribe.

488. A drain other than a drain constructed for the drainage of storm water shall be made of good sound pipes of approved material.

If such drain is constructed or adapted for conveying sewage it shall have a clear internal diameter of not less than four inches, and shall be laid with a proper fall and with water-tight socketted or other approved joints. Such drain shall also be laid in an adequate and efficient bed of good cement concrete at least 3 inches in thickness, or, if such drain be constructed of approved metal pipes, may be supported upon a sufficient number of suitable piers constructed of good cement concrete.

Provided that where any such drain is to be laid upon a natural bed of hard murrum or rock the said bed of cement concrete or the said cement concrete piers, as the case may be, may, with the approval of the Medical Officer of Health, be omitted.

And provided further that where any such drain as aforesaid is to be laid on made or bad ground and where, in the opinion of the Medical Officer of Health, such a precaution is necessary, every such drain shall be laid on a bed of good cement concrete not less than six inches in thickness and projecting on each side of the drain to an extent at least equal to the external diameter of such drain, and good cement concrete shall be filled in so that it shall extend to the full width of the cement concrete bed already prescribed, and so that such drain shall be embedded to the extent of not less than half its diameter.

489. No person shall connect or cause to be connected any drain with a public drain save as provided in these bye-laws.

490. Any person desiring to have a drain connected with a public drain shall notify in writing the Town Clerk who if he approves of such connection shall connect such drain with the public drain and shall recover the cost of such connection from such person.

491. Any person who connects or causes to be connected any drain with a public drain in contravention of these bye-laws shall be guilty of an offence and further shall be liable to make good any damage he may have done to the public drain; and the Town Clerk may recover such damage in summary manner.

SECTION VIII.
CULVERTS.

492. Where the access from a road or street to any premises has been so constructed as to be likely to cause obstruction to the flow of water in any drain or roadside ditch, the Town Clerk may serve upon the owner of the plot on which such premises stand a notice in writing calling upon him to provide a culvert or pipe of such material and dimensions and in such a manner and position as may be specified in such a notice and so as to prevent such obstruction, and that within such period after service of such notice as may be prescribed in such notice: and such person shall comply with the terms of such notice.

493. Where under the preceding Bye-law or otherwise a culvert or pipe has been provided over which the access to any premises is carried, the occupier of such premises, or the occupiers jointly if more than one, shall keep such culvert or pipe open and unobstructed and in a state of good repair and if they fail to do so the Town Clerk may execute such work as he may consider necessary and recover the cost thereof from such person or persons as a civil debt.

PART VIII.

SANITARY, ETC.

SECTION I.

SUPPRESSION OF MOSQUITOS.

494. The Medical Officer of Health, Sanitary Inspector, or any person authorised in writing by the Medical Officer of Health shall have power to enter any lands between the hours of 7 a.m. and 6 p.m. and the Medical Officer of Health and any European Sanitary Inspector shall have power to enter any house or building between the said hours for the purpose of satisfying himself that there is no breach of the bye-laws of this Section in existence upon such lands or premises.

495. The occupier of any area plot or premises on which mosquito larvae are found shall be guilty of an offence.

496. No person shall permit any old tins, bottles, boxes, tubs, calabashes, vases, drinking troughs, washing tubs or any other receptacle holding water or capable of holding water, to remain on his or her premises or lands so as to be a nuisance or injurious or dangerous to health by affording facilities for breeding by mosquitos or other insects, and the owner or occupier of any premises or lands omitting to remove or remedy the nuisance when duly notified of its existence shall at the expiration of such period as may be prescribed in notice in writing from the Medical Officer of Health be guilty of an offence.

497. No person shall permit water to accumulate in any gutter, drain pipe or trench on his premises or lands so as to be a nuisance or injurious or dangerous to health by affording facilities for breeding by mosquitos or other insects, and the owner or occupier of any premises or lands omitting to remove or remedy the nuisance when duly notified of its existence shall at the expiration of such period as may be prescribed in notice in writing from the Medical Officer of Health be guilty of an offence.

498. No person shall permit water to accumulate in any artificial hollow in the ground on his premises or lands, or on lands over which he has control, so as to be a nuisance or injurious or dangerous to health by affording facilities for breeding mosquitos or other insects, and the owner or occupier of any premises or lands or the person having control over any premises or lands omitting to remove or remedy the nuisance when duly notified of its existence shall at the expiration of such period as may be prescribed in notice in writing from the Medical Officer of Health be guilty of an offence.

499. No person shall permit any lands owned or occupied by him or over which he has control to become overgrown with jungle bush or long grass of such a nature as in the opinion of the Medical Officer of Health to be likely to harbour mosquitos or to afford facilities to natives or others for committing nuisances: and the owner or occupier of any lands or the person having control over any lands so overgrown omitting to remove or remedy the nuisance when duly notified of its existence shall at the expiration of such period as may be prescribed in notice in writing from the Medical Officer of Health be guilty of an offence.

500. The Medical Officer of Health, or Sanitary Inspector, shall have power to enter on any premises or lands on which water may have accumulated in any natural hollow and take such steps.

as he may consider necessary for the removal or insecticidal treatment of such water on giving notice in writing of intended entry to the occupier of such premises or lands if occupied: provided that such power shall not be so exercised as to inflict damage or loss of any kind other than the actual loss of the use of such water upon the owner or occupier of such premises or lands.

501. If the owner or occupier of any premises or lands or the person having control over any premises or lands neglects to carry out any works necessary in the opinion of the Medical Officer of Health for compliance with any of the provisions of this Section, the Town Clerk or Executive Engineer of the Public Works Department or such other person as may be appointed by them may enter upon such premises or lands and carry out the necessary works, the cost of which shall be recovered in Court from the owner or occupier of such premises or lands or the person having control over such premises or lands independently of any fine which may have been imposed.

SECTION II.

SANITARY NUISANCES, ETC.

502. For the purposes of this Section the term "Nuisance" shall include:—

(a) Any premises or part thereof of such construction or in such a state as to be, in the opinion of the Medical Officer of Health, a nuisance or injurious or dangerous to health.

(b) Any street, pool, ditch, gutter, water-course, sink, cistern, water-closet, earth-closet privy, urinal, cesspool, drain, dung-pit or ash-pit so foul or in such a state or so situated as to be a nuisance or injurious or dangerous to health in the opinion of the Medical Officer of Health.

(c) Any well or water supply injurious or dangerous to health in the opinion of the Medical Officer of Health.

(d) Any stable, byre or other building or premises in which any animal or animals are kept in such a manner or in such numbers as to be a nuisance or dangerous to health in the opinion of the Medical Officer of Health.

(e) Any accumulation or deposit including any deposit of mineral refuse which is a nuisance or injurious or dangerous to health, or any deposit of offensive matter, refuse or offal or manure wherever situated, so as to be a nuisance or injurious or dangerous to health in the opinion of the Medical Officer of Health.

(f) Any building or premises on which there shall be an accumulation of water causing or likely to cause damage to health as a breeding place for mosquitoes or in any other respect or causing or likely to cause damage to the foundations of any building.

(g) Any work, manufacture, trade or business injurious to the health of the neighbourhood or so conducted as to be a nuisance or injurious to health, or any collection of rags, bones, or other refuse.

(h) Any house or part of a house or any buildings or premises so overcrowded as to be, in the opinion of the Medical Officer of Health, injurious to the health of the inmates.

(i) Any school house or any factory that is not kept in a cleanly and sanitary state or is not properly ventilated or is so overcrowded while work is carried on as to be injurious to the health of those employed therein in the opinion of the Medical Officer of Health.

(j) Any tent, hut, or premises occupied by natives or others in such a state or so overcrowded as to be injurious or dangerous to health in the opinion of the Medical Officer of Health.

503. If the Medical Officer of Health or Sanitary Inspector has reasonable ground for suspecting that a nuisance exists on any premises such officer may demand admission for himself, the Engineer or his assistants, any Police Officer or such person as he may authorise: and any or all of them may enter, inspect and make enquiries upon such premises at any time between 9 a.m. and 6 p.m., or at any time when operations suspected of causing the nuisance are believed to be in progress or are usually carried on and may cause the surface of the ground or the floors or partitions or ceilings or wainscoting to be opened, the drains to be tested or such other work to be done as may be necessary for the effectual examination of the said premises; provided always that if no nuisance be found to exist the Corporation shall restore the premises at its own expense.

504. Whenever a nuisance exists or has existed and is likely to recur on any land or premises within the township the Town-

Clerk may serve a notice on the person by whose act, default or sufferance the nuisance exists or is liable to recur or if such person cannot be found on the occupier of the said land or premises requiring him within the time specified in the notice to abate the nuisance or to do what is necessary to prevent its recurrence or in any case in which such works as are necessary cannot be executed without trespassing upon property or land in the possession of the Crown or Corporation to make application to the Director of Public Works or Corporation to execute such work at the expense of the applicant, in which case the Director of Public Works or Corporation shall be entitled to recover all expenses incurred in connection with such work from the applicant or his representatives, and such notice may contain a specification of any works to be executed for the purpose of abating the nuisance or preventing its recurrence; provided that:—

(a) When the nuisance arises from any want or defect of a structural character or when the premises are unoccupied the notice shall be served on the owner.

(b) When the person causing the nuisance cannot be found and it is clear that the nuisance does not exist by the act or default or sufferance of the owner or occupier of the premises, the Municipal Council may abate the same and do what is necessary to prevent the recurrence thereof.

Provided further that it shall not be competent under this bye-law to charge any person with the expense of constructing upon land in the possession of the Crown or Corporation a drain exceeding sixty feet in length.

For the purpose of this bye-law where any drain constructed whether before or after the date of these bye-laws upon unalienated Crown land shall serve for the conveyance of surface water or effluent of any kind from any plot or subplot into any public drain the owner of such plot or subplot shall be deemed to be the owner of such first mentioned drain in so far as lying within 6 feet of any part of such plot or subplot, and the occupier of such plot or subplot or the occupiers of any portions thereof or premises thereon shall be deemed to be the occupier or occupiers of such first-mentioned drain, in so far as lying within 6 feet of any part of such plot or sub-plot or of such portions or premises as the case may be.

505. Where a notice has been served on any person under this Section and either:—

(a) The nuisance arose from the wilful act or culpable negligence of the said person, or,

(b) Such person makes default in complying with any of the requisitions of the notice within the time specified, he shall be guilty of an offence.

506. If either:—

(a) The person on whom notice to abate a nuisance has been served as aforesaid makes default in complying with any of the requisitions thereof within the time specified therein; or,

(b) The nuisance though abated since the service of the notice is in the opinion of the Medical Officer of Health likely to recur on the same premises; then,

(1) If it is proved to the satisfaction of the Municipal Council that by reason of the nuisance a dwelling house or room or premises is or are unfit for human habitation, the Municipal Council may by special order prohibit the use of such dwelling house, room or premises for human habitation; or,

(2) In any case the Municipal Council may enter upon the premises or land in respect of which the nuisance exists or is likely to recur and execute such works as may in the opinion of the Municipal Council be necessary to prevent the continuance or recurrence of the nuisance and may recover the costs of so doing from the person on whom the notice was served.

507. When a special order has been made for the closing of any building or part of a building or for prohibiting the use thereof for human habitation, any person who shall after the date specified in such order and before the building or part of a building has been rendered fit for human habitation to the satisfaction of the Municipal Council inhabit or cause or suffer to be inhabited such building or part of a building, shall be guilty of an offence.

SECTION III. INSANITARY PREMISES.

508. All back premises and passages leading to such premises shall be maintained in a cleanly and sanitary condition and shall be properly drained to the satisfaction of the Medical Officer of Health.

If in the opinion of the Medical Officer of Health any back premises or passage are or is in an uncleanly or insanitary condition or improperly drained, or of such construction as to cause such a condition to exist a notice signed by the Medical Officer of Health shall be served upon the owner or occupier of such back premises or passage calling upon him to remedy the said condition or defective drainage in the manner and within the time specified in the said notice. If the person upon whom the notice is served fails to comply with any of the terms of the said notice he shall be guilty of an offence.

509. If in the opinion of the Medical Officer of Health any tent or tents or any hut constructed of wood, mud or grass, or any other temporary erection used for human habitation is unfit for that purpose or is dangerous or likely to be dangerous to health the Medical Officer of Health may serve a notice upon the owner or occupier of such tent, hut or temporary erection to remove or destroy the same within the time specified in the notice; and if the owner or occupier fails to comply with any of the terms of the said notice he shall be guilty of an offence, and the Municipal Council may then undertake the work of such removal or destruction the cost of which shall be borne by the said owner or occupier in addition to any fine or imprisonment that may have been imposed.

SECTION IV.

LATRINES, ETC.

510. Every owner of a house or building used as a dwelling or otherwise shall provide such house or building with proper and sufficient pail closets and pails to the satisfaction of the Medical Officer of Health and any owner who, on notice from the Medical Officer of Health, shall fail to supply the same within the period prescribed in the notice shall be guilty of an offence, provided that an earth closet inside a building shall not be deemed to be a sufficient compliance with this rule. The occupier of such building shall provide a proper and sufficient supply of earth, sand, ashes or disinfectants for use in such pail closets to the satisfaction of the Medical Officer of Health.

511. The Medical Officer of Health or Sanitary Inspector or any authorised servant of the Municipal Council may enter upon any premises and examine any pail closet, waste water tank, refuse receptacle or cesspool, and any sink, pipe or other works or apparatus in connection therewith for the purpose of ascertaining the compliance with these rules.

512. The owner of every well, tank or cistern shall cleanse the same once in every year to the satisfaction of the Medical Officer of Health and, in addition, at any time that the Medical Officer of Health may deem necessary for purposes of health.

513. The Medical Officer of Health shall have the power to condemn any latrine, earth closet, cesspool, urinal or privy on or within any premises and shall call upon the owner thereof by notice to reconstruct such latrine, earth closet, cesspool, urinal or privy according to a plan approved by the Medical Officer of Health within the time specified in the said notice. If the said owner fails to comply with any of the terms of the said notice he shall be guilty of an offence.

514. No latrine, earth closet, urinal or privy that has been condemned by the Medical Officer of Health shall be used until such time as the Medical Officer of Health shall certify that the same has been reconstructed to his satisfaction and the occupier of any premises upon which any latrine, earth closet, urinal or privy has been used in contravention of this rule shall be guilty of an offence.

515. Any person on whose premises there shall be any escape of night soil or urine from any latrine, closet or privy shall be guilty of an offence.

516. Any person who shall be guilty of digging or constructing any hole for the reception of night soil, urine, dirty water or rubbish of any description except as authorised under these rules or by written permission of the Medical Officer of Health or of throwing any foul matter or thing or dirty water or allowing any such foul matter or thing or dirty water to flow on to any yard, plot, street, footpath or public place or into any drain not constructed for the purpose of receiving such foul matter or thing or dirty water shall be guilty of an offence.

517. The Medical Officer of Health may for purposes of health serve a notice upon the owner or occupier of any premises to cause the same to be limewashed or otherwise cleansed or disinfected and if the said owner or occupier fail to comply with any of the terms of the said notice he shall be guilty of an offence and the Council

may enter upon the said premises and cause such acts to be performed as specified in the notice and recover the costs of the same from the said owner or occupier.

518. Every person causing any house, building or work to be erected, altered or demolished shall, if so required by the Medical Officer of Health, forthwith erect in an approved position and thereafter maintain for such time as workmen are engaged thereon good and sufficient temporary latrine accommodation for such workmen, to the satisfaction of the Medical Officer of Health who shall at his discretion have power to order pail closets and pails with a proper supply of earth, sand, ashes or disinfectants to be provided by such person notwithstanding that conservancy fees may be exigible in respect thereof; and every person who shall cause any such erection, alteration or demolition to be begun without having erected latrine accommodation as aforesaid shall be guilty of an offence.

SECTION V.

OVERCROWDING, ETC.

519. If it shall come to the notice of the Medical Officer of Health that any room in any building is being used to afford sleeping accommodation for such a number of persons that there shall be less than 500 cubic feet of space in such room for each such person, the Medical Officer of Health may serve a notice upon the owner of such building calling upon him to take such measures as to ensure that such room shall not be so used and that within a time to be specified in the notice, and if such notice be not complied with within the time so specified, such owner shall be guilty of an offence. For the purposes of this Bye-law a child being or appearing to be under the age of 10 years shall not be reckoned as a person, but two such children shall be reckoned as one person.

520. If it shall come to the notice of the Medical Officer of Health that any room the floor of which is below the mean level of the ground adjoining is being used for sleeping accommodation, the Medical Officer of Health may serve a notice upon the owner of the building in which such room is situated calling upon him to take such steps as to ensure that such room shall not be so used, and that within a time to be specified in the notice, and if such notice be not complied with within the time so specified such owner shall be guilty of an offence.

521. A person shall not reside in or use for sleeping accommodation any room in which foodstuffs are stored or sold. If it shall come to the notice of the Medical Officer of Health that any room is being used otherwise than in accordance with this bye-law or that any room which in his opinion is so situated with respect to any other room or other place in which foodstuffs are stored or sold as to be unsuitable for use as a sleeping apartment is being so used he may serve upon the person concerned or upon the owner of the house or upon both a notice calling for such measures to be taken as shall prevent the improper use of such room within a time to be specified in the notice and if such notice be not complied with the party upon whom it was served shall be guilty of an offence.

SECTION VI.

DANGEROUS AND OFFENSIVE TRADES.

522. No dangerous or offensive trade or business shall be established or carried on within the Municipal Area except with a special permit in writing from the Town Clerk, and under the conditions set forth in such permit.

For the purposes of this Bye-law any or all of the following trades or businesses shall be deemed to be offensive:—

Soap boiler, blood boiler, tallow melter, knacker, bone boiler, tanner, tripe boiler, charcoal burner, lime burner, brick burner or any other trade or business which may be declared to be dangerous or offensive by the Municipal Council by notice published in the *Gazette*.

The Town Clerk may serve a notice upon any person convicted of a breach of this Bye-law calling upon him to give up the trade or business concerned within a time to be specified in the notice, and such person shall comply with such notice.

SECTION VII.

DUSTBINS.

523. The occupier of any building or premises shall provide and maintain to the satisfaction of the Town Clerk a receptacle for ashes and other non-liquid domestic refuse of a sufficient size, of a capacity not more in any case than 6 cubic feet, of an approved pattern and

fitted with a good and efficient lid. Provided that in the case of any house occupied by more tenants than one the owner shall be deemed to be the occupier for the purposes of this Bye-law.

524. The occupier of any building or premises shall daily cause to be placed within the dustbin provided in the terms of the foregoing Bye-law the domestic refuse from the said building or premises in so far as such dustbin shall be sufficient to contain the same, and shall cause such dustbin to be placed and kept upon an approved place on the plot or sub-plot upon which such building or premises stand and shall not cause or suffer the same to be placed or kept elsewhere and shall make and keep such dustbin accessible to the Municipal Sweepers during the whole period between 9 a.m. and 2 p.m. on Saturdays and between 9 a.m. and 5 p.m. on other days.

525. For the purposes of this Section premises not occupied for human habitation shall not be deemed to be occupied on any day in which they are not actually occupied after the hour of 4 p.m.

526. If a nuisance shall exist upon or near any premises by reason of domestic or trade refuse produced thereon or proceeding therefrom, the Town Clerk shall serve upon the occupier of such premises a notice in writing requiring him to remove the nuisance within such period as may be specified in the notice, and to prevent its recurrence: and if after the expiry of notice as aforesaid such nuisance shall continue or shall by act default or sufferance of the person upon whom such notice shall have been served recur, such person unless he shall have ceased to be the occupier of the premises shall be guilty of an offence.

SECTION VIII.

CONVEYANCE OF MEAT.

527. Carcasses of animals or meat intended for sale for human consumption or undressed hides shall not be conveyed along any road in the Township otherwise than in a clean covered cart of a design approved by the Municipal Council. The owner of any carcase or meat or undressed hide conveyed in contravention of this Bye-law shall be guilty of an offence.

528. A person suffering from an infectious or contagious disease shall not be engaged in the conveyance of meat.

529. Save when engaged in the loading or unloading of any cart used for the conveyance of carcasses or meat as aforesaid, no person shall sit or otherwise be in any such cart in such position or in such part thereof that he may come into contact with any carcase or meat therein.

530. No African or Asiatic shall carry any carcase or meat intended for human consumption into or serve in any butcher's shop, stall, meat market or slaughter house unless he shall be clothed in a clean white tunic or suit reaching from the neck to at least the knee; and no butcher or vendor of meat shall employ any African or Asiatic in carrying any carcase or meat intended for human consumption into or from or in serving in, any butcher's shop, stall, meat market or slaughter house unless such Native or Asiatic during such employment shall be clothed in a clean white tunic or suit reaching from the neck to at least the knee.

SECTION IX.

MILK.

531. No person shall sell, deliver, cause to be delivered or offer for sale any milk, to which any water or other matter or ingredient has been added. No person who sells milk elsewhere than at a cowshed, shop, or dairy shall sell or offer for sale milk until he shall have been registered by the Town Clerk as a milk boy, and then only at such places as the Municipal Council may appoint by public advertisement in the *Gazette*.

532. Any person offering milk for sale or delivering or causing to be delivered any milk and any proprietor, occupier, or manager of a cowshed, dairy, or place for the sale of milk, and any person entrusted for the time being with the charge of any milk shall permit any medical officer, or any officer duly authorized by the Medical Officer of Health or Sanitary Inspector to take such quantity of milk as such officer shall require for the purposes of analysis on his tendering payment therefor.

533. Every owner or occupier, or manager of a cowshed, dairy, or place for the sale of milk, having in his possession or under his charge any animal affected with disease, shall give immediate notice in writing of the fact to the Medical Officer of Health.

SECTION X.

NOTIFICATION OF DISEASES.

534. In this Section the term "Infectious Disease" shall mean plague, cholera, small-pox, typhus fever, typhoid fever, or enteric, scarlet fever, relapsing fever, yellow fever, epidemic cerebro-spinal meningitis, sleeping sickness, leprosy, beri-beri, yaws, diphtheria, puerperal fever, erysipelas and mumps.

535. Every duly qualified Medical Practitioner attending on or called in to visit a patient within the Township shall forthwith, on becoming aware or having reason to suspect that the patient is suffering from an infectious disease, send to the Health Office a report stating the name of the patient, the situation of the building of which the patient is an inmate and the infectious disease from which, in the opinion of such Medical Practitioner, such patient is suffering.

536. There shall be paid out of the revenues of the Colony and Protectorate to a duly qualified Medical Practitioner (other than a Medical Practitioner in the service of the Government) a fee of Shs. 4/- for every report furnished by him under the preceding Bye-law.

SECTION XI.

CONVEYANCE, ETC., OF DEAD BODIES.

537. No person shall deposit or cause to be deposited any corpse or carcase upon any street or into or on the banks of any river watercourse or drain.

538. No person or persons shall convey or cause to be conveyed any corpse or part of a corpse through any street, public thoroughfare, or place of public resort unless it be decently covered and concealed from public view. No person or persons while conveying a corpse or part of a corpse through the Township shall deposit it or cause it to be deposited in or near any street or public thoroughfare except for the purpose of ordinary relief.

SECTION XII.

REPORTS OF DEATHS AND BURIALS.

539. Every death occurring within the Municipal Area shall be reported to the Police Officer in charge of the nearest Police Station within 6 hours after the death has occurred by the nearest relative present at the death or in attendance during the last illness of the deceased or (in case of the death, illness, absence, inability or default of such relative) any other person present at the death; or (in default of such relative or other person) the occupier of the premises on which the death occurred; or (if such occupier be the deceased) any other person living in the premises in which the death occurred: provided that:—

(a) If any one of the aforesaid persons make such report, no other person shall be bound to make it;

(b) If such death occurs in a hospital none of the aforesaid persons shall be bound to make the report, but the Medical Officer in charge of such hospital shall within 6 hours of such death send written notice thereof to the Town Clerk.

540. No corpse shall be interred, cremated, or otherwise disposed of until a certificate of the cause of death has been signed and granted by a duly qualified medical practitioner in the prescribed forms which are to be obtained from the Principal Medical Officer's office and a written permit for such interment, cremation or disposal has been issued by the Police.

541. No corpse shall be buried, burnt, or otherwise disposed of within the Municipal Area in any place other than a place assigned for such burial, cremation or disposal by the Government or the Municipal Council. Burial will be permitted in a cemetery of the community to which the deceased person belonged but the interment shall be conducted with such precautions as the Medical Officer of Health shall direct.

542. The corpse of every person dying within the Municipal Area shall be buried, cremated or otherwise disposed of within 24 hours.

(a) If the corpse be required for Medico-legal examination it may, on a Magistrate's order, be kept undisposed of only so long as may be absolutely necessary in the opinion of the Medical Officer in charge of such examination;

(b) If the corpse be required (with the consent of the relatives if any) for purposes of a post-mortem examination or dissection by a Government Medical Officer, it may be kept undisposed of, under a Magistrate's order, as long as may be necessary.

(c) If the corpse be enclosed in a metal coffin or case, and such coffin or case is hermetically sealed, it may be kept undisposed of in any place and for any period conditionally upon a written permit being previously obtained from the Medical Officer of Health, and upon compliance with the terms set forth in such permit.

(d) If the death was due to any infectious disease the corpse shall be disposed of in such manner and within such a time after permission for the burial or other disposal of the same has been granted as the Medical Officer of Health shall direct.

543. Whenever a corpse is kept under Clause (a) or (b) of the previous Bye-law the person authorised to make the examination or dissection, as the case may be under the aforesaid Clauses, shall keep the corpse in such a manner and at such a place so that it does not create a nuisance or become injurious to health.

544. The disposal of any African native's corpse by cremation or interment shall not be conducted otherwise than under the supervision and direction of the Town Clerk, or person acting under his authority.

545. The person in charge of any corpse that is disposed of by cremation shall take such measures as to ensure that no portion of such corpse remains without being completely reduced to ashes.

546. No person shall remove any part of a corpse that shall have been brought to the cremating ground; provided that:—

(a) The nearest relative in attendance upon a corpse so brought to the cremating ground may, after the corpse has been completely reduced to ashes, remove the ashes of the said corpse; and,

(b) In the case of Hindus the navel may be preserved and disposed of in accordance with their religious rules.

SECTION XIII.

POST-MORTEM EXAMINATION.

547. Any Magistrate of the First or Second Class may on the application of a Medical Officer in the service of the Government authorise such Medical Officer to hold a *post-mortem* examination on the body of any person who shall have died within the Township, provided that such authority shall not be granted unless such Medical Officer shall testify on oath as follows:—

(a) That a certificate setting forth the cause of the death of the person whose body it is desired to examine, has not been granted by a duly qualified Medical Officer.

(b) That he has reason to suspect that the death has been caused by an infectious disease within the meaning of the Infectious Diseases Ordinance, 1903, or of any Ordinance substituted therefor.

(c) That in the interests of the health of the inhabitants of the Township, such examination is necessary.

548. Nothing in this Section shall be deemed to affect the power of a Magistrate or other person to order a *post-mortem* examination under any law for the time being in force in the Colony.

PART IX.

MISCELLANEOUS.

CARRYING OF ARMS.

549. Any Asiatics or Africans other than Government Police, Troops or other duly authorized persons found within the limits of the Township armed in any manner will be liable to arrest and may be proceeded against for a breach of this Bye-law.

550. Spears, Bows and Arrows, swords, knob-kerries, and firearms of any description shall be considered arms for the purpose of these Bye-laws.

GRAZING OF CATTLE.

551. Cattle shall not be permitted to graze upon unoccupied Crown land in the Township except under written permit from the Town Clerk and in accordance with the terms of any conditions that may be prescribed in such permit.

552. The owner and person or persons in charge of cattle allowed to graze on unoccupied Crown land without permission as aforesaid shall each severally be guilty of an offence.

STACKING OF FIREWOOD.

553. A person shall not keep stacked for sale in the Township, or permit to be stacked for sale on any plot or sub-plot of which he is the occupier any firewood, otherwise than so that every part of the stack shall be at least 100 feet distant from (a) any part of any other stack of firewood or timber not the property of such person or situated upon any other plot or sub-plot: (b) any part of any building: and any such stack shall not be more than 10 feet in height.

554. Any person failing to comply with the provisions of these Bye-laws shall be guilty of an offence.

555. The Town Clerk may serve upon such person notice in writing calling upon such person to remove any stack of firewood for which he is responsible, within a period to be prescribed in such notice.

INFLAMMABLE ERECTIONS.

556. If in the opinion of the Town Clerk any native hut or any shed or banda constructed of or covered wholly or partly with combustible materials, and situated in any part thereof less than 40 feet from any part of any domestic building or building of the warehouse class, is a cause of danger by fire to such building, the Town Clerk may serve a notice on the owner or occupier of such hut, shed, or banda calling on him to remove or destroy the same within the time specified in such notice; and if the owner or occupier fails to comply with any of the terms of the said notice he shall be guilty of an offence and the Municipal Council may then undertake such removal or destruction, the cost of which shall be borne by the said owner or occupier in addition to any fine or imprisonment that may have been imposed.

CONGREGATION OF NATIVES.

557. The collection of natives or others in tents or outbuildings in the vicinity of shops or dwelling houses who are not the actual house or shop servants in the immediate employ of the owners or occupiers of such houses or shops is prohibited.

PRESERVATION OF ORDER BY NIGHT.

558. No ngoma, kinanda, native dancing or drumming shall be permitted in any street or open space, without leave first obtained from the District Commissioner.

559. Any person wishing to hold any ngoma, kinanda, dancing or drumming as aforesaid must first obtain a permit in writing from the District Commissioner or such person as he may appoint, who may grant or withhold permission at his discretion.

560. Any person obtaining a permit for an ngoma, kinanda dancing or drumming as aforesaid will be held responsible for the maintenance of due order thereat, and, in the event of a disturbance or breach of the peace taking place, will be held liable for a breach of these bye-laws unless such person can prove that he has taken due precautions for the maintenance of order, and that any disturbance or breach of the peace that may take place has been occasioned by causes beyond his control.

561. No person shall use the streets of the Township between the hours of 10 p.m. and sunrise, unless he carry a light, or be able otherwise to satisfy the police as to his respectability.

BATHING.

562. Places may be set aside by the Municipal Council for the purpose of public bathing.

Public bathing at any other place except such place or places set aside by the Municipal Council for that purpose is prohibited.

WASHING OF CLOTHES, ETC.

563. The Municipal Council may set apart certain points on any stream for public washing.

564. The washing of clothes, cooking utensils or any other articles in irrigation trenches, streams or pools, at water hydrants or standpipes or public bathing places or at any other place not set apart by the Municipal Council for that purpose is prohibited.

GENERAL NUISANCES.

565. No person shall

(1) Throw or discharge any stone or other missile in or into any street or place of public resort: or

(2) In any street or place of public resort, or in any place within sight or hearing of the persons then being in such street or place, disturb the peace by quarrelling with any other person, or use or apply to any other person then being in such street or place,

or within sight or hearing thereof, any violent, scurrilous, or abusive term of reproach; or

(3) In any street or place of public resort, or in any place within sight or hearing of the persons therein, shall with intention of annoying or irritating any other person, sing any scurrilous or abusive song or words, whether any person be particularly addressed therein or not: or

(4) Be drunk and incapable or drunk and disorderly in any street or public place whether a building or not or in any licensed premises or guilty of any violent or indecent behaviour; or

(5) Be guilty of any violent or indecent behaviour in any police office, or station house or lock-up house, or in any building used as a police office, station, or lock-up house; or

(6) Commit any nuisance in any street or place of public resort; or

(7) Behave irreverently or indecently in or near any church, chapel, or other building appropriated for religious worship; or

(8) Wilfully deface or remove any milestone or board or any public lawful notice or posting-bill from any building or place where such notice or bill may lawfully be affixed; or

(9) Cut, break down, uproot, lop or in any other manner destroy or injure any tree growing in any street or public garden; or

(10) Create any disturbance so as to be an annoyance to any residents or passengers; or

(11) Throw or deposit or cause to be thrown or deposited any dust, refuse, garbage, or any animal or vegetable matter in or upon any unalienated Crown land or public place except with the written consent of the Land Officer, or in or upon any street or public passage, except with the like consent of the Town Clerk.

(12) Spit upon any pathway, public place, or thoroughfare reserved for the use of foot passengers only under Bye-law 414.

GUTTERINGS, Etc.

566. Where the condition of any building is such, owing to the direction or manner in which storm water therefrom discharges, as to cause or be likely to cause a nuisance or to create an escape of water on to any street or passage and to damage the surface of such street or passage, the Town Clerk may call upon the owner of such building to provide gutterings and downspoutings or to alter, remove or repair existing gutterings and downspoutings to his approval, or to do such other thing or things as he may prescribe for the purpose of causing the storm water so to discharge as not to cause a nuisance or to endanger public property: and that within a period to be prescribed in the notice, and such person shall comply with such notice.

567. Where in any street no proper provision exists for leading storm water from the downpiping of any house underground into a public drain, the Town Clerk may serve upon the owner of such house a notice calling upon him to construct and lay such basins, traps, or other things as may be considered necessary, to his satisfaction, and to cause any pipe so laid to be connected by the drainage authority with the public drain, within a time to be specified in the notice, all at the expense of such owner, who shall thereupon comply with the terms of such notice, provided that no person shall be required under this bye-law to lay a length of piping exceeding 20 feet.

568. Where in any street underground pipes have been or shall be provided for the leading of storm water from the down-piping of any house into a public drain, the owner of such house shall keep such underground pipes clean and free from obstruction and in proper condition and repair at his own expense.

HEAVY TRAFFIC.

569. No traction engine or other machine or engine weighing over six tons gross weight shall be driven over any road or bridge without a special permit in writing from the Town Clerk which may embody such conditions as the Town Clerk may think fit; and the owner and person or persons in charge of any such engine or machine which shall be so driven without a permit or otherwise than in accordance with any conditions endorsed upon such permit shall each severally be guilty of an offence; and in addition to his liability to prosecution under this bye-law, the owner of any such engine or machine driven as aforesaid shall be liable to make good any damage done by such engine or machine to any road, bridge, or culvert.

OFFENSIVE ANIMALS.

570. No owner or occupier shall keep any animal within the Township that is a nuisance or injurious to health.
