

EAST AFRICA PROTECTORATE.



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NAIROBI TOWNSHIP RULES

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EAST AFRICA PROTECTORATE.

GOVERNMENT NOTICE No 305]

THE EAST AFRICA TOWNSHIPS ORDINANCE, 1903.

RULES

IN EXERCISE of the powers conferred upon him by the East Africa Townships Ordinance, 1903, the Governor's Deputy has been pleased to make the following Rules —

1 These Rules may be cited as the Nairobi Township Rules of 1917, and shall apply to the Township of Nairobi

2 The Governor may by notice published in the *Official Gazette* apply any of these Rules to any other Township

3 The Township Rules of the following dates in so far as they apply to Nairobi and in so far as not already repealed are hereby repealed —

19th May, 1904 (1904 <i>Official Gazette</i> , p 169)				
19th May, 1904 (1904 <i>Official Gazette</i> , p 170, Township Rules, 1904)				
23rd November, 1904 (Nairobi Township Rules, 1904, No 3)				
11th January, 1905				
9th October, 1905 (Nairobi Township Rules No 3 of 1905)				
26th May, 1906 (Nairobi Township Rules No 2 of 1906)				
7th June, 1906				
2nd October, 1906				
27th November, 1906				
28th November, 1906 (Township Rules, 1906)				
30th March, 1907				
23rd August, 1907				
2nd December, 1907 (Livery Stables)				
29th January, 1908				
12th March, 1909 (Nairobi Township Rules No 1 of 1909)				
16th April, 1909				
28th April, 1909				
4th September, 1909				
25th June, 1910				
1st July, 1910				
5th July, 1910				
27th July, 1910				
11th November, 1910				
20th October, 1911				
11th November, 1911				
15th December, 1911 (Tailboards)				
15th December, 1911 (Workmen's latrines)				
15th December, 1911 (Footbridges over drains)				
15th January, 1912				
13th February, 1912				
19th February, 1912				
11th March, 1912 (Aerated water factories)				
23rd July, 1912 (Town Clerk)				
8th September, 1912				
12th November, 1912				
7th December, 1912				
14th December, 1912				
28th December, 1912 (Government Notice No 3 of 1913)				
9th January, 1913	"	"	"	8 ,
12th May, 1913	"	"	"	115 ,
29th May, 1913	"	"	"	128 ,
10th June, 1913	"	"	"	137 ,
25th July, 1913	"	"	"	174 ,
1st August, 1913	"	"	"	169 ,
1st August, 1913	"	"	"	170 ,
30th July, 1913	"	"	"	173 ,
21st August, 1913	"	"	"	193 ,
25th October, 1913	"	"	"	220 ,
4th November, 1913	"	"	"	231 ,
15th November, 1913 (Nairobi Building Rules, 1913)				
(Government Notice No 230 of 1913)				
22nd November, 1913	"	"	"	239 ,
30th December, 1913	"	"	"	2 of 1914)
12th January, 1914	"	"	"	19 ,
3rd March, 1914	"	"	"	54 ,
27th April, 1914	"	"	"	90 ,
1st July, 1914	"	"	"	139 ,

3rd July, 1914	(Nairobi Building Rules, 1913) (Government Notice No 140 of 1914)				
22nd July, 1914	"	"	"	162	"
31st August, 1914	"	"	"	193	"
25th September, 1914	"	"	"	211	"
30th September, 1914	"	"	"	223	"
5th November, 1914	"	"	"	254	"
8th December, 1914	"	"	"	278	"
14th December, 1914	"	"	"	279	"
18th December, 1914	"	"	"	287	"
5th January, 1915	"	"	"	2 of 1915)	
11th February, 1915	"	"	"	30	"
20th March, 1915	"	"	"	60	"
22nd March, 1915	"	"	"	61	"
9th April, 1915	"	"	"	73	"
8th May, 1915	"	"	"	89	"
15th May, 1915	"	"	"	93	"
29th June, 1915	"	"	"	114	"
13th July, 1915	"	"	"	127	"
19th August, 1915	"	"	"	154	"
4th September, 1915	"	"	"	167	"
29th December, 1915	"	"	"	288	"
6th April, 1916	"	"	"	92 of 1916	
18th April, 1916	"	"	"	119	"
3rd August, 1916	"	"	"	231	"
24th October, 1916	"	"	"	310	"
24th November, 1916	"	"	"	355	"
24th November, 1916	"	"	"	356	"
31st January, 1917	"	"	"	44 of 1917	
28th February, 1917	"	"	"	74	"
14th March, 1917	"	"	"	89	"
27th April, 1917	"	"	"	160	"
1st May, 1917	"	"	"	160	"
17th May, 1917	"	"	"	175	"
20th August, 1917	"	"	"	285	"

4 Throughout these Rules 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 the point where it crosses the township boundary, thence along the township boundary to the point where it crosses the south-eastern boundary of the Southern Factory Sites reserve, thence along the said last mentioned boundary as far as the Western Irrigation Channel, thence in a north-westerly direction along the said Channel to Whitehouse Road Bridge, thence in an east by north-easterly direction along the centre line of Whitenouse 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 343 and 1015 bifurcates, thence across the Railway following the north-western and northern boundaries of plot 342 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 Rules.

5 Notwithstanding anything hereinbefore contained all licences registrations and permits current at the date hereof under the Rules specified in Rule 3 hereof shall be deemed to have been issued under these Rules and nothing contained in these Rules shall be held prejudicially to affect any rights or claims or actions competent to the Town Clerk or Government as at the date hereof under any of the Rules so specified.

SERVING OF NOTICES, ETC

6 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 Rules made or which may hereafter be made under the East Africa Township Ordinance, 1903, 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 I.**MUNICIPAL COMMITTEE**

7 The Governor shall in the month of January in each year nominate a Committee consisting of —

(a) Nine Government servants, of whom one shall be the Assistant to the Provincial Commissioner of the Ukamba Province or the District Commissioner of Nairobi

(b) Five Europeans, not being in the permanent service of the Government, residing or carrying on business within the Township of Nairobi, and

(c) Two non-Europeans, not being in the service of the Government, residing or carrying on business in the Township of Nairobi

8 The Assistant to the Provincial Commissioner of the Ukamba Province or the District Commissioner of Nairobi, as the case may be, shall be Chairman of the Committee, and seven members of such Committee shall form a quorum

9 The Governor may at any time remove any member of the Committee, and may at any time nominate a new member in the place of any member who shall have been removed or who shall have resigned or who shall have otherwise vacated his membership of the Committee

10 (a) The Chairman of the Committee shall in the month of March in each year prepare Estimates of revenue and expenditure for the ensuing financial year commencing on April 1st Such Estimates shall be submitted to the Governor through the Chief Secretary

(b) The Township Estimates when approved by the Governor shall be published in the *Official Gazette*

11 The Committee shall, from time to time, frame and submit to the Governor, through the Attorney General and Chief Secretary, Rules for the health, order and good government of the Township

TOWN CLERK

12 The Nairobi Municipal Committee with the approval of the Governor may appoint a suitable person to be Town Clerk for the Township of Nairobi. Such Town Clerk will perform such duties as the Committee, subject to the Governor's approval, or the Governor, may direct and shall receive such remuneration payable from the rates and fees levied in the said Township as the Committee with the Governor's approval may appoint

13 The Town Clerk shall have power to sue in his own name for payment of all fees and for imposition of all penalties prescribed under these or any Rules issued or that may hereafter be issued under the East Africa Townships Ordinance 1903, in respect of Nairobi, as also for payment of all monies that are or shall be due or alleged to be due to the Municipal Committee, and generally to prosecute legal actions of whatever description on their behalf

PART II**BUILDING**

14 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 thereof for separation of adjoining buildings, occupied or adapted to be occupied by different persons

(b) A wall forming part of a building and projecting as to any part of its length other than the projection of the footings upon land not being part of the plot or sub-plot upon which such building stands

(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 Town Clerk liable to become, surrounded with buildings or erections of any description either wholly or to such an extent that in the opinion of the Town Clerk the free passage of air throughout such space is or may be insufficiently provided for

15. The following buildings shall be exempt from the operation of Rules 21 to 42 and 49 to 63 hereof inclusiv —

(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

(c) Any native hut

16 Any building hereinafter described shall be exempt from the operation of the Rules numbered 21, 24, 25, 26, 27, 28, 29, 31 and 32 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 Rule 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 Rules in that behalf

Provided further than 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

SITES OF BUILDINGS

17 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

18 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

19 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

20 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 Committee

21 Subject to Rule 16 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 Town Clerk

22 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

23 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 Town Clerk

The concrete must be composed of clean gravel, broken hard brick, properly burnt ballast, or other hard material to be approved by the Town Clerk, 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

24 Subject to Rule 16 hereof, every wall of a house or building shall have a damp course composed of materials impervious to moisture to be approved by the Town Clerk, extending throughout its whole thickness at the level of not less than 6 inches below the level of the lowest floor provided that this Rule 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 water-tight

25 Subject to Rule 16 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

26 For the purposes of these Rules 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 the 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 Rule 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

27 Subject to Rule 16 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

28 (a) Subject to Rule 16 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 17½ 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 22½ inches thick from the base for the height of one storey, then 17½ 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 exceed 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 22½ inches thick from the base for the height of one storey, then 17½ 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 4½ inches

(g) Where the wall exceeds 75 feet but does exceed 85 feet in height, its thickness shall be as follows —

If the wall does not exceed 45 feet in length it shall be 22½ inches thick from the base for the height of one storey, then 17½ 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 4½ inches

29 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 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 17½ 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 17½ inches thick at its base

If the wall exceeds 45 feet in length, it shall be 22½ 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 17½ inches thick at its base

If the wall exceeds 35 feet but does not exceed 45 feet in length it shall be 22½ 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 22½ 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 rules relating to the thickness of walls and of new buildings a certain thickness is required this thickness may with the consent of the Town Clerk 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

30 Nothing contained in these rules 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 Town Clerk

31 Subject to Rule 16 hereof, the thickness of every cross wall shall be at least two thirds the thickness prescribed by these Rules for an external wall or party wall of the same height and length and belonging to the same class of building but, subject to Rule 29 (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 Rule 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

32 Subject to Rule 16 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

33 Subject to Rule 16 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 rules in that behalf

34 Every person who shall erect a new building of the warehouse class, or a new domestic building which may according to the original application and plans therefor be intended to be used as a shop or a place of habitual employment for any person or as a dwelling house shall cause every party wall of such building to be carried up nine inches at least measured at right angles to the slope of the roof above such part of any roof as is opposite to and within 4 feet from the party wall

35 No party wall shall be constructed so that any opening shall be made or left in such wall except by consent of the Town Clerk

36 A person who shall erect a new building shall not place in any party wall of such building any bond timber or any wood plate

37 Every person who shall erect a new building shall cause such part of any external wall of such building as is within a distance of 10 feet from any other building to be carried up so as to form a parapet 9 inches at least above the highest part at the point of abutment of any roof or gutter which adjoins such part of such external wall

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

39 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

40 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

41 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

42 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 Rule 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

43 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 Rule 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 rule, 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 Rule 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

44 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 two-thirds 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 two thirds of such plot or sub-plot shall be built over. Provided that notwithstanding anything contained in these Rules, any such building erected before the 15th day of November, 1913, and occupying more than two-thirds 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 Committee necessary such residence shall not be deemed to constitute human habitation for the purpose of this Rule

45 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 Rule 51 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

46 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

47 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 debouchement to his satisfaction and such owner shall comply with such notice within the time specified therein

VENTILATION, ETC

48 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 rule in connection with such building and no person shall erect any building upon any open space provided under this rule

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

50 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 Town Clerk 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 Town Clerk may think fit

51 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-eighth 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 Town Clerk 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 Town Clerk 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

52 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 Town Clerk

53 Every person who shall erect a new domestic building shall so construct every room which shall be situated in the lowest storey 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 Town Clerk He shall also cause the surface of the ground beneath any floor to be effectually protected against the lodgment of water thereon

54 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 Town Clerk

55 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 judg-

ment of the Municipal Committee effectually to prevent the passage of rats, or that the respective parts of the building shall be in the judgment of the Municipal Committee so separated from each other as effectually to prevent the passage of rats from one to the other

SIZE AND HEIGHT OF ROOMS

56 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

57 Every room designed for human habitation shall have a superficial area, in the case of native quarters, of at least 48 square feet and in all other cases, of at least 100 square feet.

STRUCTURE OF FLOORS

58 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

59 The requirements of the preceding rule 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 and 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 Rules 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 Rules 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 PUBLIC BUILDINGS

60 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 and fire resisting material, 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

61 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 Rule 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

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 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 16 hereof and where there is a clear space of at least 2 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 therewith 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 Town Clerk 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 Rules, 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 Protectorate may declare the same to be applicable and that from the date of notice to that effect published in the *Official 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

EARTH CLOSETS

71 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

72 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

73 No person shall construct an earth closet otherwise than in accordance with a standard pattern approved by the Town Clerk or with plans and specifications submitted to and approved by him

74 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.

75 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

76 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 prescrib.

NATIVE QUARTERS

77 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

78 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 Rule shall remain the property of the Municipal Committee.

79 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.

80 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

81 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

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

83 So soon as the Town Clerk is satisfied that such plans do not contravene any of the conditions set forth in these rules, and are in other respects satisfactory, he shall signify the approval of the Municipal Committee in writing under his hand

84 The Town Clerk may disapprove of any plans on any of the following grounds —

- (a) that they show a contravention of any Township Rules
- (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 Committee, 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 subdivision has been sanctioned by Government, or that such new building is not in conformity with a scheme of subdivision 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 Committee, that no provision or inadequate provision is shown therefor

85 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 Rule 84 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

86 No person shall begin to erect any building or execute any such work as is described in Rule 78 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 described in that behalf

87 Every person who shall erect a building, or execute any work to which any of the rules 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

88 Subject to Rule 85 hereof, if within 30 days of the receipt of any plans or notice or further particulars delivered in accordance with these Rules, 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 Rules or any amendments thereof in force for the time being

89 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

90 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 Committee 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 Rule 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

91 If any person who is entitled to proceed with any building or work under Rules 83, 88 or 103, 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

92 In every case where a person who shall erect a building, or shall execute any other work to which the Rules 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 Rule 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 Rule to be amended or to do anything which by any such Rule 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 Rule shall be held to affect the liability of such person to prosecution for breach of any of these Rules

93 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 Committee free access to such work for the purpose of inspection

94 Every person who shall erect a building or shall alter a building in regard to any matter as to which a Rule was in force when such building was first erected or shall execute any other work to which any of the Rules 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 Committee free access to such building or work for the purpose of inspection

95 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 Committee free access to every part of such building for the purpose of inspection

96 A person shall not occupy any new building, or, being the owner thereof, suffer the same to be occupied, until such building shall after examination have been certified by the Town Clerk to be erected in accordance with the approved plans and the Township Rules Provided that in the case of any new building erected in pursuance of plans approved under the provisions of the Nairobi Building Rules, 1913, before the sixth day of April, 1916, no person shall occupy such building or being the owner thereof, suffer such building to be occupied until after examination such building shall have been certified by the Medical Officer of Health to be in his opinion in every respect fit for occupation or in the case of a domestic building fit for human habitation

97 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 Rules, 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

98 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 Town Clerk 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

SANITARY LANES

99 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

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 Town Clerk 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 Town Clerk shall have powers in every case to determine whether any street is a sanitary lane or passage and his 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

100 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 Town Clerk

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

UNAUTHORISED BUILDINGS, ETC

101 Any person who shall erect or begin to erect a building before he has given notice of his intention to erect such building as prescribed by these rules, 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 Rules or to remove or demolish the same

102 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 Rules, or to remove or demolish the same

TEMPORARY BUILDINGS

103 Notwithstanding anything contained in the foregoing Rules 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 Rules with the exception of Nos 17, 18, 19, 32, 41 to 57, 62 to 87, 89, 90, 92 to 97, 101 and 102, 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 Rule for a building any of the walls of which are to be constructed wholly or partly of stone bricks or concrete

RUINOUS BUILDINGS

104 Where any house or building appears to the Town Clerk to be in a ruinous and dangerous condition, he may serve a notice on the owner requiring him forthwith to repair or remove the same. If the owner fails to comply with the notice for a period of one month the Town Clerk may cause the house or building to be removed, and may recover the expenses of such removal from the owner

SCHEDULE I TO PART II

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 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
- (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

- 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

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

106 The Municipal Committee 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 carcases and no animals shall be there slaughtered except within the hours so notified

*107 No carcase and no portion of any carcase (exc pt 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 order shall be guilty of an offence against this Rule

*108 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

109 The Medical Officer of Health Sanitary Inspector, or any duly authorised servant of the Municipal Committee shall at all times have free access for the purpose of inspection to any portion of any premises licensed under Township Rules 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

*110 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

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

*112 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

113 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

SCHEDULE TO SECTION I

FEES FOR INSPECTION OF MEAT

	Rs C
For sheep, goats, gazelles, swine, per carcase	0 25
For oxen and other animals not mentioned above, per carcase	1 00

The word " Ox " signifies and includes any head of horned cattle

SECTION II

POUND

114 The Municipal Committee 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

115 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

116 Any police officer or any person in the service of the Municipal Committee 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 Committee, and may take such animal to the pound to be there impounded

117 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

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

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

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

121 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

122 Anything in the preceding Rule 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

*123 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.

	Rs C
On donkeys, sheep, goats, dogs, swine, per head per day or part of a day	0 25
On cattle, per head per day or part of a day	0 50
On horses, mares, foals, mules, zebras, camels and all animals not specified above, per head per day or part of a day	0 75

SECTION III

MARKETS

124 Public Markets shall be opened for the sale of goods at such times as the Town Clerk shall appoint

*125 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

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

*127 No fire or cooking shall be allowed within such markets

128 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

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

130 The public markets shall be under control of the Town Clerk, who shall appoint such persons as are necessary to manage the same

131 The Town Clerk may at his option let out any market on contract, and any authorized contractor shall have the power to collect the market fees prescribed by these Rules

*132 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

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

*134 No person shall remain in a public market at night

135 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

*136 No person shall hawk goods about a public market

137 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 rules, and may prevent such person from further carrying on any business in such public market, or occupying any stall therein

*138 No person shall commit a nuisance within the precincts of a public market

139 In the event of a market being leased out, the lessee shall be responsible for the due observance of the Rules of this Section

*140 Only such trades shall be carried on in any public market as the Town Clerk 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

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

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

143 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

144 The following rents shall be payable in advance for stalls or stands in the markets —

	Rs C
Jevanjee Market, per stall, per month	5 00
Native Market, per stand, per day	0 06

SECTION IV

CEMETERY, ETC

145 The term "Cemetery" in this Section means the Cemetery in Nairobi at present 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 Committee of Nairobi to act on his behalf

146 The Cemetery shall be under the sole control of the Municipal Committee of Nairobi and shall be open to the public only at such hours as may be from time to time prescribed by them

147 No person shall cause any interment to take place in the Cemetery 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

148 No person shall cause to be erected or deposited in the Cemetery 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 Rule, 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 Cemetery 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

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

150 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 10 days of the date when deposited

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

*152 No person shall except with the written permission of the Town Clerk bring or cause to be brought into the Cemetery or having brought or caused to be brought into the Cemetery 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

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

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

155 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

156 The fees specified in the Schedule to this Section shall be payable to the Town Clerk in respect of the Cemetery

157 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 Town Clerk

SCHEDULE TO SECTION IV

CEMETERY FEES	Rs C
For opening ground, per grave for a child under 2 years of age	7 . 50
For opening ground, per grave in every other case	15 00
For a reserved plot, 8 ft 6 in by 4 ft 8 in	50 00
For a reserved plot, 6 ft by 4 ft	50 00

SECTION V

CAMPING GROUND

*158 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 Town Clerk for that purpose

*159 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.

*160 Trading of any description on any camping ground is prohibited

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

*162 The collection of unauthorized persons on any camping ground is prohibited

163 There shall be a fee levied for each tent mentioned on any permit. Such fee shall be at the rate of Rs 5 per tent for each month, or Rs 2 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 AND ABORETUM

164 The Jeevanjee Garden and Arboretum referred to in this Section are the areas 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 Section

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

*166 The Arboretum shall be open to the public every day from 10 30 a m to sunset. Any person, other than an employee, found within the grounds after the gates have been shut for the day or before 10 30 a m, unless under authority of the Conservator of Forests shall be guilty of an offence

*167 Entrance to or exit from the Arboretum shall only be made by such gates as may be provided for the purpose and no person shall enter or leave the Arboretum except by such gates

*168 No vehicles (other than perambulators), shall be allowed entrance to the Jeevanjee Garden or Arboretum nor persons riding upon horses or other animals or bicycles. No cattle, donkeys, sheep or goats shall be brought or allowed to stray into the Arboretum, unless under authority of the Conservator of Forests, or into the Jeevanjee Garden

*169 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 Arboretum, unless under authority of the Conservator of Forests, or in the Jeevanjee Garden unless under authority of the Town Clerk

*170 No person shall play any games, climb any trees, shoot with guns or catapults, throw stones or be guilty of disorderly or indecent behaviour in the Jeevanjee Garden or Arboretum

*171 No person shall deposit paper, bottles, or other refuse of any sort in the Jeevanjee Garden or Arboretum

SECTION VII

172 The Rules of this Section shall not come into force until applied by special notice published in the *Official Gazette*

173 In this Section the words "public stockyards" shall mean the stockyards erected by the Municipality near the Thika Tramway and any future extension thereof, and any other public stockyards which may be erected by the Municipality

174 In this Section the word "Stock" shall include all horses, mares, asses, mules, camels, ostriches, cows, bulls, bullocks, calves, pigs, goats and sheep

175 In this Section the words " Stockyards Clerk " shall mean any person or persons authorised by the Municipal Committee to superintend sales at the public stockyards

176 A person shall not expose or cause to be exposed any cows, bulls, bullocks, calves, pigs, goats or sheep for public sale within the township except at the public stockyards

177 Such portion of the public stockyards as the Municipal Committee may decide on shall be set apart for sales other than auction sales Such portion is hereinafter referred to as the stockmarket

178 A person shall not sell any stock privately at the public stockyards, except in the stockmarket

179 Sales of stock shall take place at the public stockyards at such times and within such times and within such hours as shall be appointed by the Municipal Committee

180 It shall be the duty of the Stockyards Clerk to see that the Rules of this Section are duly observed and good order maintained to demand and receive all dues and charges and to allot the principal and drafting yards to the use of the various agents or salesmen in such manner in each particular case as may seem to him most convenient

181 All stock brought into the public stockyards for sale by auction shall be consigned to an agent or salesman and placed in the yards allotted to him

182 A true statement of the number and description of stock brought to the public stockyards for sale by auction shall in every case be rendered to the Stockyards Clerk by the agent in charge of such stock on the day of sale and certified in a book to be kept for that purpose by the Stockyards Clerk

183 Salesmen shall have the use of the stockyards for drafting stock on the day prior to each sale day (Sunday excepted) but that always at their own risk

184 Salesmen shall occupy only such sale and drafting yards, pens and races as shall from time to time be allotted to them by the Stockyards Clerk

185 Salesmen using the public stockyards for auction sales, shall on Monday in each week draw for priority of sale by auction within the public stockyards for such week and it shall be the duty of the Stockyards Clerk to certify and direct precedence and succession of sales in the order in which lots shall have been drawn provided that in no case shall transfer of a lot for any day be made from one salesman to another except by and with the consent of all the salesmen having sales on that day

186 On a sale day, each salesman who may have stock in the public stockyards for sale by auction shall not be allowed more than one hour and thirty minutes for the sale thereof except by consent of all other salesmen offering stock for sale by auction on that day If a sale does not last the time allotted, the salesman who may be next in rotation shall begin at the close of such sale A salesman shall not sell by auction a second time on any day until other salesmen who have drawn lots shall have sold in rotation, subject always to Rule 187 hereof

187 No salesman shall delay or cause any delay in the sale of stock by auction and in the event of a salesman not being ready to sell when his turn comes and he is called upon by the Stockyards Clerk, he shall not be allowed to sell until all other salesmen have sold in rotation

188 Stock shall not be brought into the public stockyards at any time except on a day of sale or the day preceding such day and no stock shall be removed from the public stockyards during any day of sale except by authority of the agent in charge thereof, who shall give a voucher therefor to the Stockyards Clerk

189 The fees specified in the Schedule hereto shall be paid to the Stockyards Clerk or to the Town Clerk in respect of stock brought into the public stockyards

The fees for stock brought in for sale in the stockmarket shall be paid on admission

190 No person shall drive or ride any animal whether attached to any vehicle or not at more than a walking pace within the precincts of the public stockyards or allow or cause any animal (not being for sale therein) or vehicle to stand or remain therein, except in such place as may be set aside for the purpose by the Stockyards Clerk

191 The owner or person in charge of any animal brought into the public stockyards for sale shall remove the same or cause it to be removed before 6 p m , on the day of sale, unless specially authorised to leave it under written permission by the Stockyards Clerk

192 An owner of an animal shall not permit the same to remain in the public stockyards for a period exceeding 30 hours without supplying it with sufficient food and water to the satisfaction of the Stockyards Clerk

193 Every person not being the Stockyards Clerk who —

(a) shall contravene or fail to comply with any of these Rules or

(b) shall remove any stock from one part of the public stockyards (not being part of the Stockmarket) to another during a sale, or shall allow any stock under his charge to remain in the public stockyards after the time of closing, except under written permission as aforesaid or

(c) shall refuse or neglect when required by the Stockyards Clerk to remove any stock in his charge from the public stockyards or to drive any stock to any part of the enclosures thereof pointed out by the Stockyards Clerk or

(d) shall rope or fasten any stock to any part of the stockyards erections except the parts appropriated for the purpose without permission of the Stockyards Clerk or

(e) shall wilfully or carelessly damage any fence or premises of the public stockyards or

(f) not being a salesman or salesman's employee duly engaged in an auction sale shall buy or sell in the public stockyards and outside the stockmarket when the same are closed to persons other than stock salesmen and their employees or

(g) shall buy or sell in the public stockyards before the opening or after the closing thereof or

(h) shall assault, obstruct or resist the stockyards Clerk or any assistant while in the execution of his duty or

(i) Shall be drunk or disorderly in the public stockyards or shall use profane, indecent or abusive language therein or

(j) shall wilfully continue at a time other than his allotted time to sell by auction having been required by the Stockyards Clerk to desist from selling or

(k) shall bring stock into the public stockyards for sale in the stockmarket without having paid the prescribed fees therefor and shall fail to pay the said fees on demand to the Stockyards Clerk or in default of payment to take such stock out of the public stockyards forthwith as so required by the Stockyards Clerk —

shall be guilty of an offence

SCHEDULE TO SECTION VII

STOCKYARDS FEES

For horses, mares, zebras, camels and mules, each	75 Cents
For grade oxen, grade bulls, all cows and heifers and ostriches, each	35 ,,
For native oxen and native bulls, donkeys and male yearling stock, each	25 ,,
For calves under 6 months of age, each	15 ,,
For pigs	10 ,,
For sheep and goats	3 ,,
For poultry	2 ,,

SECTION VIII

NATIVE LOCATION

194 The Rules of this Section shall not come into force until a date to be hereafter fixed by Notice in the *Official Gazette*

195 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 the area shown as such upon the plan thereof registered in the Registry of Documents as relative to these Rules

The word 'Superintendent' shall mean any person duly appointed by the Municipal Committee 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

196 The Native Location shall be under the sole supervision and control of the Municipal Committee

*197 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 Rule, 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 Rule 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 Rule at a time when he shall be able to prove that he was lawfully occupied in the service of his employer

*198 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 Rule

199 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, hereinafter 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

200 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

201 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

202 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

203 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

204 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 Committee

205 Every structure erected upon a stand in respect of which a permit shall be current shall so far as the Municipal Committee 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

206 The Town Clerk may on the direction of the Municipal Committee without cause shown serve upon 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 Rule shall have a right to appeal to the Municipal Committee and to be heard by them, and a notice under this Rule shall not become final until 30 days shall have elapsed from the date of service thereof

207 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

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

209 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 1/10th 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

210 Such monthly quarterly or annual rents as shall be fixed from time to time in respect of stands by the Municipal Committee shall be payable in advance by the holders thereof to the Superintendent and if such rent or any part thereof shall at any time be in arrear in the case of a monthly rent, for 20 days, in the case of a quarterly rent, for 30 days, and in the case of an annual rent, 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 Rules 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

211 In the event of any lease or permit for a stand on which any hut or building is erected lapsing under the last preceding Rule the Municipal Committee 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 Committee shall set aside the purchase price so realised, and, after deducting (1) all arrears of rent, 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 Committee

212 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 Committee

213 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 Rule, and such price shall be subject in all respect to the provisions of Rule 210 hereof

214 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 Protectorate Police Force forthwith furnish him with his name and occupation

215 The Municipal Committee 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

216 The Superintendent shall have power to refuse admission to any lodging house erected under the preceding Rule, 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

217 The Municipal Committee 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

*218 No native shall use any place in the Native Location not set apart by the Municipal Committee for the purpose for trading or for the purpose of selling goods of any description

219 The Municipal Committee 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 Rules 492 and 505 to 508 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

220 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

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

PART IV.

LICENSING OF TRADES, ETC

222 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 Rules of this Part

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

224 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

225 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

SECTION I

LAUNDRIES, ETC

226 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 rules

"Laundry Licence" shall mean a licence to carry on the business of a laundry issued under these rules

"Dhobie" shall mean any Asiatic or African who carries on the trade of washerman on his own account and is not the proprietor or an employee of the proprietor of any laundry licenced under these rules

227 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

228 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

229 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

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

231 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

232 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

233 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

234 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

235 Every Dhobie holding a washing licence 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

236 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

237 Every Dhobie shall on the expiration of his licence return his badge to the Town Clerk, and any Dhobie who loses a badge issued to him as aforesaid, or fails to return the same as herein required shall pay the sum of Rs 2 to the Town Clerk, and shall not have another badge issued to him until such sum has been paid

238 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 Chairman of the Municipal Committee

239 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 licenced or authorised for the purpose, and no person shall use any place where such clothing is kept as a living or sleeping apartment

*240 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 licenced under this section or shall engage in any washing or shall perform or assist in performing any work in connection therewith

241 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

242 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

243 The Medical Officer of Health or Sanitary Inspector or any other 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

244 No Dhobie while holding a licence under these rules shall reside on any premises except those provided for the purpose by the Municipal Committee and called the Dhobie Quarters, unless with the written consent of the Town Clerk, and no person other than a licensed Dhobie or a member of the family of such Dhobie shall reside in the Dhobie Quarters

245 The rent specified in the Schedule to this Section shall be paid to the Town Clerk by every Dhobie residing in the Dhobie Quarters subject to such alterations as may be made from time to time by the Municipal Committee and published in the *Official Gazette*, and the said rent shall be payable on the first working day of each month. In return for such rent the person paying the same shall be entitled to occupation of one room in the Municipal Dhobies Quarters and to the use in common with the other dhobies there resident of the facilities there provided by the Municipal Committee for washing

246 Nothing in these rules 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

247 The Town Clerk may demand from each dhobie residing in the Dhobies' Quarters a deposit of Rs 15, and may withhold a licence from any dhobie until such deposit shall have been paid by him

Such deposits shall be retained as security against damage to Municipal property, and for good behaviour

248 In the event of damage being caused to property belonging to the Municipality at the Dhobies' Quarters, the Town Clerk may confiscate either such part of the deposit of the dhobie responsible for such damage as shall be required to make good the same or such part of the total deposits of the dhobies as shall be so required, in which case the sum confiscated shall be debited to each of the dhobies in equal portions

249 In the event of any portion of the deposit of any dhobie being so confiscated the Town Clerk shall give notice thereof to such dhobie who shall thereupon renew his deposit to the extent of the sum confiscated and in the event of his failing so to do, the Town Clerk may withdraw the licence of such dhobie and may withhold a licence from him till such deposit be so renewed

250 On the death of any dhobie or upon his ceasing to reside in the Dhobies' Quarters the balance of his deposit shall be refunded to his representatives or to himself as the case may be

SCHEDULE TO SECTION I

	Rs C
<i>Washing Licences</i> —Fee per month or part of a month	1 00
<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	5 00
(b) more than 5 but not more than 10	7 50
(c) more than 10	10 00
Rent for a room in the Dhobies' Quarters, per month or part of a month	10 00

SECTION II

INDIAN AND NATIVE EATING HOUSES

251 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 rules

" Licensee " shall mean a person holding such licence

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

252 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 rules

253 The Licence shall be in such form and shall contain such conditions as shall be from time to time determined by the Municipal Committee 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

254 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

255 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

256 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 Rules 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 rule

257 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 Rules

(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 store-rooms 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

258 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

259 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

260 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

261 The licensee shall not permit any Indian or Native not in his employ to loiter or remain on the licensed premises except when obtaining food or refreshment

262 The licensee shall at all times allow the Police, Medical Officer of Health and Sanitary Inspector and any duly authorised servant of the Municipal Committee 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

263 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 Rules

264 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

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

266 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

267 (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

268 The licensee shall be responsible for the due observance 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

269 For every licence issued under this Section there shall be payable to the Town Clerk a fee of Rs 75 per quarter or Rs 20 per month

SECTION III

AERATED WATER MANUFACTORIES

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

271 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

272 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

273 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

274 The Medical Officer of Health or Sanitary Inspector may, at any time, enter any premises licensed under these Rules 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

275 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

276 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

277 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 Rule 273 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 Rule 275, shall be guilty of an offence

278 For every licence issued under this Section there shall be levied and paid a fee of Re 10 per mensem payable on the issue of the licence

SECTION IV

LODGING HOUSES

279 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 Rules, 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 Rs 15 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

280 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 Rules of this Section in connection with such lodging house

281 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

282 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 Rule, 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

283 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

284 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

285 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 portion 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

286 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

287 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

288 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

289 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

290 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

291 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

292 If in any proceedings under the Rules 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

293 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*

191

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, 50 cents per annum

SECTION V

BILLIARD SALOONS

294 No building shall be used as a public Billiard Saloon unless registered by the Town Clerk as such provided that this rule 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

295 A fee of Rs 5 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

296 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

297 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

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

299 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

300 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

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

302 A fee of Rs 5 per month shall be paid to the Town Clerk in respect of every registration under this Section

SECTION VII**BUTCHERS AND FISHMONGERS**

*303 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 Committee of Nairobi as a Native Market in the township of Nairobi as shall be assigned for the purpose by the Town Clerk without registration

*304 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

*305 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

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

307 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

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

309 A fee of Rs 7 per month shall be paid to the Town Clerk in respect of every registration of a butcher, and a fee of Rs 5 per month in respect of every registration of a fishmonger, under this Section

SECTION VIII**VEGETABLE DEALERS**

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

311 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

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

*313 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

314 A fee of Rs 4 per month shall be paid to the Town Clerk in respect of every registration under this Section

SECTION IX**HAWKERS**

315 No person shall hawk any goods in the township unless provided with a permit, or shall hawk any fresh foods in the township

*316 A fee of Rs 10 per month shall be paid to the Town Clerk for every permit issued under this Section

SECTION X**CYCLE HIRERS**

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

318 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

*319 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

320 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

321 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 Rules 318 and 319 hereof shall be guilty of an offence

322 A fee of Re 5 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**

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

324 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

325 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)**

	Rs C
For registration of a building for one or more days, for each day	5 00
For registration of a building for one month	20 00
For registration of a building for one year	150 00

SECTION XII
PETROLEUM STORES

326 For the purposes 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 other 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

327 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

328 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

329 The registration of any premises under these Rules may on breach of any condition imposed under Rule 268 hereof or of any of the provisions of the Rules 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 Chairman of the Municipal Committee, whose decision shall be final and cancellation shall in that case not take effect until the decision of the Chairman shall have been notified to such party

330 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 Committee for the purpose as in accordance with the approved plans thereof and approval of plans shall not be held as equivalent to registration

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

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

of Petroleum oil	40 gallons
of Petroleum spirit	10 gallons
or if both together are kept—	
of Petroleum oil	10 gallons
of Petroleum spirit	10 gallons

333 For storage of petroleum in the place or places provided by the Municipal Committee 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

	Rs C
For a month or part of a month, per cwt	0 06
Minimum charge for any one consignment	0 50

SECTION XIII

TRADE LICENCES

334 For the purposes of this Section

- (a) the words "store premises" shall mean any premises in which goods or 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

335 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

336 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 Rules 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

337 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 shall have elapsed from the date of service of such notice, or until any appeal made as hereinafter provided in Rule 279 hereof shall have been disposed of

338 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

339 Any decision by the Town Clerk under this Section shall be subject to review by the Municipal Committee, on written notice of appeal given to them through their Chairman within 14 days of the date of service of notice of such decision

340 Every 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

341 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 Rs 2 cents 50, and for an annual licence, Rs 5

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

342 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 Rule 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

SECTION XV

CAMELS, SHEEP, ETC

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

344 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 Town Clerk

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

SECTION XVI

DOGS

346 No person shall keep a dog within the limits of the Township unless such person or the owner of the dog has registered the same at the office of the Town Clerk and is the holder of a certificate of registration granted in respect of such dog

A fee of Rs 5 shall be charged for a certificate of registration and such certificate shall expire on the 31st day of December of the year in which it is granted. Provided that a valid certificate of registration duly granted in any other township shall authorise the holder thereof to keep the dog in respect of which the certificate has been granted in the Township of Nairobi without further registration

347 Every dog kept within the Township shall be provided with a collar inscribed with the name of the owner

348 Rules 346 and 347 hereof shall not apply to dogs under five months of age

349 The Town Clerk may cause all dogs found within the Township without collars, or dogs that he has reason to believe are ownerless, savage, or dangerous, to be seized, and may deal with them as follows —

(a) If the dog is diseased it shall be forthwith slaughtered,

(b) In any other case it may be destroyed, detained, kept, or otherwise dealt with as the Town Clerk may think fit, provided that when the dog bears a collar it shall be kept for three clear days and the owner notified, if possible, to give him an opportunity of claiming it

SECTION XVII

LICENCES TO EXCAVATE

*350 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

351 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

352 The two foregoing Rules are subject to the Notice by the Land Officer dated 22nd November, 1910, and published in the *Official Gazette* of 1st December, 1910

353 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	Rs 9 per 1,000 cubic feet.
Murrum	„ 5 „ „
Earth	„ 10 „ „

PART V.

VEHICLES

354 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**

*355 No vehicle other than a vehicle belonging to the Government or to the Municipal Committee 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

356 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 Rule

357 Every licence under this Section shall expire on the 31st day of December of the year for which it shall have been granted

358 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

359 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 Rules

360 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 Committee. The owner of any vehicle whose licence shall be so suspended or withdrawn shall forthwith deliver up to the Town Clerk on demand the ticket applicable thereto

361 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**

<i>Private Carriages</i>	Rs C
With 2 wheels	7 50
With 4 wheels	10 00
<i>Carts Drawn by any Animal and not included in above</i>	
On springs—Tyres 3 in and over	7 50
Without springs—Tyres 3 in and over	15 00
On springs—Tyres less than 3 in	10 00
Without springs—Tyres less than 3 in	25 00

<i>Hand Carts</i>	
2 wheel	2 00
4 wheel	7 50

<i>Rickshaws</i>	
For hire	5 00
Private	2 00

<i>Fee Payable on Re-registration on Transfer</i>	
On re-registration of any vehicle under Rule 358	1 00

If it be proved to the satisfaction of the Town Clerk that a vehicle is the property of a person having his residence or place or 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

362 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

*363 Every public vehicle shall be registered and licensed under this Section as well as under any Ordinances or other Rules 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

364 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

365 Every licence under this Section shall expire on the 31st day of December in the year for which it shall have been granted

366 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

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

*368 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

*369 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

*370 No person shall act as 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 providing for licensing of drivers of vehicles. A driver's licence shall only entitle the licensee to act as driver of a vehicle of the description specified in the licence

*371 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

372 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 Rules

*373 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 Committee and published in the "Official Gazette"

374 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 Committee and published in the " Official Gazette "

*375 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.

*376 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.

377 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.

*378 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.

*379 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 Rules or tamper with any taximeter apparatus upon any public vehicle.

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

*381 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.

*382 The Town Clerk 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 " Official 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 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.

383 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.

384 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.

385 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 Rules, refuse to accept any fare for whom there is room and to whom no reasonable objection can be taken.

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

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

*388 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.

*389 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.

*390 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

*391 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

392 The Town Clerk may cancel the licence of any driver of a public vehicle upon his conviction for any offence against the Rules of this Section

SCHEDULE I TO SECTION II

LICENCE FEES FOR PUBLIC VEHICLES

	Rs C
For a year or portion of a year	15 00

SCHEDULE II TO SECTION II

LICENCE FEES FOR DRIVERS OF PUBLIC VEHICLES

	Rs C
For a year or portion of a year	5 00

SCHEDULE III TO SECTION II

MAXIMUM FARES CHARGEABLE FOR USE OF PUBLIC VEHICLES

A —If hired by distance	Rs C
For 1 or 2 passengers, per mile or part of a mile	1 00
For each additional passenger	50
Detention charges	
For every 15 minutes after the first 5 minutes	1 00
B —If hired by time	
(a) Motor Cars	
For every 4 passengers or less number whom the vehicle is licensed to accommodate, per hour or part of an hour	10 00
(b) Horse or Mule drawn vehicles	
Per hour or part of an hour	5 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	

SECTION III

VEHICLES—GENERAL PROVISIONS

BRAKES

*393 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

*394 After the hour of 6 30 p m , and until 6 a m Railway time, every vehicle standing in or proceeding along a public road, public place 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

*395 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

*396 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

DRIVING

*397 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

*398 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

*399 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

*400 Oxen when drawing any vehicle shall not be driven from behind unless they are provided with nose ropes used for the purpose of driving. If nose ropes are not provided for the above purpose the oxen shall be led from the front. The person or persons in charge of any vehicle found driven otherwise than in accordance with the terms of this Rule shall be guilty of an offence

*401 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 Rule shall each severally be guilty of an offence

*402 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

*403 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 Municipal Committee and in every case where any such damages shall have been done or any such collision shall have occurred the driver or person in charge of the animal, animals or vehicle shall be guilty of an offence, and the owner of the animal, animals or vehicle by which any such imposed, damage as aforesaid shall have been done shall, in addition to any fine imposed, pay to the Town Clerk the amount of the damage

*404 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 Protectorate 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

*405 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

*406 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 tail board 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

*407 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. The owner and person or persons in charge of any vehicle in which timber or other material or thing so projecting shall be found carried shall each severally be guilty of an offence

STOCKWHIPS

*408 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

STANDS FOR VEHICLES ON HIRE

*409 The Town Clerk may set apart places in the township as stands for vehicles for hire other than rickshaws. From the date when any such place shall be so set apart for any such vehicles or for any particular class of such vehicles any person or persons in charge of any such vehicles or any vehicle of such class as the case may be who shall suffer the same, unless actually under hire, or disabled by accident, to stand in any place on any public road or street other than a place set apart as aforesaid shall be guilty of an offence

*410 The driver or person in charge of any vehicle shall not allow it to stand in any street except at a public stand longer than may be necessary

SECTION IV

PUBLIC RICKSHAWS

411 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 the person in charge of or engaged in hauling or pushing a public rickshaw

412 (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 Rule 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 Committee and such number shall be published in the *Official Gazette*

(c) Licences shall be issued upon the instructions of a Licensing Board appointed by the Municipal Committee and consisting of three of the members thereof, none of whom shall be interested directly or indirectly in any public rickshaw business

(d) Subject to the provisions contained in these Rules the Board shall have entire discretionary power to direct the withholding or granting of a licence in any case

(e) The Board shall hold a meeting for the consideration of applications for licences in December every year and at such other times as the Municipal Committee 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 Board 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 Board is satisfied with the accommodation provided by him for housing his rickshaws and native staff

(i) The Board shall have power at any time to order the cancellation of any licence upon failure on the part of the licensee to maintain proper housing for his rickshaws and native staff

(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) Every licensee shall keep at least two thirds of his rickshaws for which licences shall have been granted in proper condition and plying for hire

*413 (a) No person shall haul or push any public rickshaw until he shall have been registered as provided in this Rule, and licensed as provided in the following Rule

(b) No person shall be registered as a rickshaw boy unless and until he shall have been certified by a duly qualified 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 duly qualified Medical Practitioner by whom he is examined

(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 one rupee 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 duly qualified 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 one rupee

(g) Any registered and licensed rickshaw boy may be struck off the register and have his licence cancelled by the Town Clerk for misconduct or breach of the rules of this Section and in such a case shall return his badge and receive back his deposit

414 Every owner of a public rickshaw shall cause every boy who shall be engaged in hauling or pushing the same to be licensed monthly by the Town Clerk. A fee of 50 cents shall be payable for a monthly licence under this Rule. The Town Clerk shall not licence any boy who shall not have been registered under the foregoing Rule. The owner of a public rickshaw which shall be hauled by any boy or boys not licensed for the current month shall be guilty of an offence

*415 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

416 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 cancel or suspend his licence in respect of such rickshaw, without process of law

417 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

*418 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 Rules, 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 Rule 434 (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

*419 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

*420 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

421 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

422 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

*423 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 rule 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

*424 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

*425 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

*426 No rickshaw boy shall be allowed to charge more than the fare fixed from time to time by tariff of the Municipal Committee and published in the *Official Gazette*. Tariff cards (which will be supplied by the Town Clerk on application at a charge of 20 cents) shall be affixed and maintained in a conspicuous position inside public rickshaws by their owners

*427 All rickshaw boys shall be cleanly and decently clothed and shall conduct themselves in a proper civil and decorous manner

*428 No rickshaw boy or person on behalf of such rickshaw boy shall tout or solicit for passengers or engagement at the Railway Station, place of amusement or any public place

*429 (a) Such places as the Municipal Committee from time to time shall appoint by public advertisement in the *Official Gazette* shall be public stands where public rickshaws may stand, during such hours and for such class of rickshaws as may be prescribed by the said Committee 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 shewing 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

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

431 (a) The rates and fares to be charges 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 Committee and published in the *Official 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

*432 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

*433 If a rickshaw shall be left unattended at any public stand or in any road or public place, the owner thereof 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 Rs 5/- for each 24 hours or part thereof during which such rickshaw shall be at such place

*434 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

*435 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

*436 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

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

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

*439 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

*440 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

*441 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 Committee

SCHEDULE I TO SECTION IV

FARES

(a) By time —

A minimum fare of Rs 1/50, and 25 cents for each quarter of an hour or part thereof exceeding $1\frac{1}{2}$ hours

(b) By distance —

Except as after provided, per mile or part of a mile

50 cents

Provided 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

25 cents only

AREA OF SPECIAL 25 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 Rules

- NOTES —(1) The above fares are for the use of the rickshaw, whether by one passenger or by two
 (2) The special 25 cents fare applies only to journeys inside the area and not to any part of a journey begun or ended outside the area
 (3) No sum shall be charged for the return journey of a rickshaw after dismissal to the place at which it was engaged

EXTRA FARES

(1) 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 25 cents

(2) A passenger may break a journey and detain a rickshaw any number of times on any trip subject to paying an extra fare for waiting at the rate of 25 cents for each quarter of an hour or part thereof

(3) Between the hours of midnight and 6 a.m., double fares may be charged

SCHEDULE II TO SECTION IV

RICKSHAW BOY CERTIFICATE—NAIROBI TOWNSHIP

(Nairobi Township Rules of 1917)

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

Right Thumb Print

Date Medical Practitioner

Date Town Clerk

Height feet inches

Characteristic features

Issued Ticket No

SECTION IV.**REGISTRATION OF CYCLES**

442 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

The foregoing Rule 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

443 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

444 Every owner or person in possession of a cycle which has been registered under this Section shall cause a metal ticket painted black on one side and bearing thereon the registration number of the cycle in legible white figures at least two inches in height and on the obverse side the trade number of the cycle and the registration number both stamped into the metal, to be attached to the back of the saddle of the cycle or to some other place to be approved by the Town Clerk, and kept so attached in such a manner as to be wholly visible and kept in a clearly legible condition

*445 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 has failed to supply the same at the date of the commission of the offence

446 The following fees shall be payable to the Town Clerk under this Section —

For each ticket issued	50 Cents
Registration fee	Rs 2/-

PART VI**STREET LIGHTING RATE**

447 In respect of the lighting of the public streets and roads of Nairobi there shall be paid to the Town Clerk at the Municipal Office by every owner of a plot or sub-plot lying within the Commercial Area a charge of Re 1 per month, and by every owner of a plot or sub-plot lying outside the said Commercial Area a charge of 50 cents per month, for such plot or sub-plot provided that no charge shall be payable in respect of any plot or sub-plot covenanted to be held for religious or charitable purposes or purposes of sport if and so long as such plot or sub-plot is so used exclusively

448 The said charge shall be paid quarterly in advance on the 1st days of January, April, July and October in each year

PART VII

SECTION I

STREETS AND ROADS

449 No new street may be laid out in the township except in conformity with plans to be approved by the Town Clerk

450 All buildings within the township shall be constructed in accordance with the general plan of the town, referred to in Rule 4 hereof, and on the building line approved by the Town Clerk

SECTION II

NUMBERING OF HOUSES

451 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

SECTION III

ENCROACHING STRUCTURES, Etc

452 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 Rule 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 Rule for any article other than an article used for 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 Rule, a fee calculated at the rate of Re 1/- 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 Rs 5/-.

453 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 Rules, or to alter the same in such manner as the Town Clerk thinks fit to direct and such person shall comply with such notice

454 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

*455 No person shall, except with the written permission of the Town Clerk, place or deposit upon any street or public passage or upon any open channel, drain, or well in any street or public passage any stall, chair, bench, box, ladder, bale, or other thing so as to form an obstruction thereto or encroachment thereon

The Town Clerk may, without notice, cause to be removed from any place any stall, chair, bench, box, ladder, bale, or any other thing whatsoever placed in contravention of this Rule

SECTION IV

FOOTBRIDGES OVER DRAINS

456 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

457 The word "building" where it occurs in Rules 101 and 94 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

458 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

459 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

460 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

461 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

462 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

463 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 V

PRIVATE DRAINS

464 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

465 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 rule under the East Africa Townships Ordinance, 1903, applicable to Nairobi, be at liberty to proceed with the construction of the drain

466 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

467 Except as provided in Rule 465 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

468 A drain other than a drain constructed for the drainage of storm water shall either be made of good sound pipes of approved material, or properly constructed in concrete to the satisfaction of the Town Clerk

469 If such drain is constructed or adopted to be used for conveying sewage it shall have a clear internal diameter of not less than four inches and unless made in concrete shall be laid in a bed of good concrete with a proper fall and with watertight, socketted or other approved joints

470 In any case in which any private drain serving any house or premises and connecting with the public drainage system is considered unsatisfactory by the Drainage Authority, the Town Clerk may, on condition that he provides a drain or drains adequate and efficient for the drainage of such house or premises and communicating with the public system close the aforesaid private drain and do any works necessary for that purpose and for making good the site occupied by it. The expense of such works, removals, and making good shall not be a charge against such owner or occupier

Provided that the subsequent maintenance of such drain or drains shall be at the expense of the owner or occupier of the owner or occupier of the house or premises

471 Where any house or premises within the Commercial Area of the Township has a drain not connecting with the public system of drains or sewers, or has any drain which does so connect but which is not of a type or construction which has been approved by any authority, or which is not effectual for the drainage of any house or premises served by it, the Town Clerk may give written notice to the owner or occupier that such drain will be replaced by the drainage authority and shall at the same time require the drainage authority to provide a drain of approved type and construction from the house or premises served by such faulty drain to such public drain or sewer as may be approved by the drainage authority for the reception of the discharge from such house or premises. Such provision shall be executed by the said authority at the expense of the owner in respect of any length of drain required over public property for a distance of sixty feet from the nearest point of the plot to the drain or sewer receiving the discharge and at public expense in respect of any lower portion in excess of that length and the cost of the portion executed at the expense of the said owner shall be recoverable summarily

Provided that if such owner or occupier shall within 7 days of receipt of written notice as aforesaid intimate to the Town Clerk that he is desirous of himself constructing such part of such connecting drain as will lie upon the land owned or occupied by him he shall be at liberty to do so under the supervision and to the satisfaction of the Drainage Authority and shall do so within a time to be specified by the Town Clerk and in the event of his failing to do so within the prescribed period the Drainage Authority shall be entitled to proceed as if such option had not been exercised

Provided further that the Town Clerk shall exhibit to any applicant on request a drawing showing types of drains which are approved by the Drainage Authority and a specification covering the method of construction, and an estimate showing the cost then current per foot run

472 The Drainage Authority shall be the Director of Public Works or such other person or body of persons as the Governor in Council may appoint

SECTION VI

CONNECTIONS WITH PUBLIC DRAINS

473 No person shall connect or cause to be connected any drain with a public drain save as provided in Rule 474 of these Rules, notwithstanding anything to the contrary in Rule 63 hereof

474 Any person desiring to have a drain connected with a public drain shall notify in writing the Director of Public Works 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

475 Any person who connects or causes to be connected any drain with a public drain in contravention of the Rules of this Section 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 Director of Public Works may recover such damage in a summary manner

PART VIII.

SANITARY, ETC

SECTION I

SUPPRESSION OF MOSQUITOS

476 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 Rules of this Section in existence upon such lands or premises

477 The occupier of any area plot or premises on which mosquito larvae are found shall be guilty of an offence

478 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

479 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

480 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

481 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

482 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

483 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

484 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, cess-pool, 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

485 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 wainscotting 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 Municipal Committee shall restore the premises at its own expense

486 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, to make application to the Director of Public Works to execute such work at the expense of the applicant, in which case the Director of Public Works 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 Committee may abate the same and do what is necessary to prevent the recurrence thereof

Provided further that it shall not be competent under this Rule to charge any person with the expense of constructing upon land in the possession of the Crown a drain exceeding sixty feet in length

For the purpose of this Rule where any drain constructed whether before or after the date of these Rules 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 subplot or of such portions or premises as the case may be

487 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 requisition of the notice within the time specified, he shall be guilty of an offence

488 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 Committee that by reason of the nuisance a dwelling house or room or premises is or are unfit for human habitation, the Municipal Committee may by special order prohibit the use of such dwelling house, room or premises for human habitation, or,

(2) In any case the Municipal Committee 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 Committee 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

489 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 Committee 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

490 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

491 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 Committee 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

492 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

493 The Medical Officer of Health or Sanitary Inspector or any authorised servant of the Municipal Committee 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

494 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

495 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

496 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

497 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

498 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

499 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 Committee 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

500 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

501 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 Rule 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

502 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

503 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 rule 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

504 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 rule 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 Committee by notice published in the *Official Gazette*

The Town Clerk may serve a notice upon any person convicted of a breach of this Rule 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

505 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 these Rules

506 The occupier of any building or premises shall daily cause to be placed within the dustbin provided in terms of the foregoing Rule 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

507 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

508 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 suffeiance 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

*509 Carcases 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 Town Clerk The owner of any carcase or meat or undressed hides conveyed in contravention of this rule shall be guilty of an offence

*510 A person suffering from an infectious or contagious disease shall not be engaged in the conveyance of meat

511 Save when engaged in the loading or unloading of any cart used for the conveyance of carcases 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

*512 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

*513 No person shall sell or offer for sale any milk, to which any water or other matter or ingredient has been added

514 Any person offering milk for sale, 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

515 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 XI

NOTIFICATION OF DISEASES

516 In this Section the term "infectious disease" shall have the same meaning as in the preceding Section

517 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

518 There shall be paid out of the revenues of the Protectorate to a duly qualified Medical Practitioner (other than a Medical Practitioner in the service of the Government) a fee of Rs 2 for every report furnished by him under the preceding rule

SECTION XII

CONVEYANCE, ETC., OF DEAD BODIES

*519 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

*520 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 XIII

REPORTS OF DEATHS AND BURIALS

*521 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

*522 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

*523 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 Committee 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

524 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

525 Whenever a corpse is kept under Clause (a) or (b) of the previous Rule 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

526 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

527 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

*528 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 XIV

POST-MORTEM EXAMINATION

529 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

530 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 Protectorate

PART IX.

MISCELLANEOUS

CARRYING OF ARMS

*531 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 Rule

532 Spears, Bows and Arrows, swords, knob-kerries, and firearms of any description shall be considered arms for the purpose of these Rules

CONGREGATION OF NATIVES

533 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

*534 No ngoma, kinanda, native dancing or drumming shall be permitted in any street or open space, without leave first obtained from the District Commissioner

535 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

*536 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 the Rules, 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

537 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 to satisfy the police as to his respectability in such other manner as the District Commissioner may consider sufficient

BATHING

*538 Places may be set aside by the Town Clerk for the purpose of public bathing

Public bathing at any other place except such place or places set aside by the Town Clerk for that purpose is prohibited

WASHING OF CLOTHES, Etc

539 The Town Clerk may set apart certain points on any stream for public washing

*540 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 Town Clerk for that purpose is prohibited

GENERAL NUISANCES

*541 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

HEAVY TRAFFIC

542 No traction engine or other machine or engin 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 Rule, 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

543 No owner or occupier shall keep any animal within the Township that is a nuisance or injurious to health

BARBED WIRE

544 The use of barbed wire is prohibited except under special permit from the Town Clerk

FIREARMS

*545 Every person who within the limits of the Township shall wantonly or recklessly discharge any firearm to the danger of the public shall be guilty of an offence

POSTING OF BILLS, ETC

546 No person shall place or post or cause to be placed or posted any bill, sign, notice or advertisement upon any unalienated Crown Land within the Township or upon any bridge, tree, fence, pole, post or other structure or erection situated upon unalienated Crown Land within the Township without the written permission of the Town Clerk or otherwise than in strict accordance with any terms or conditions attached to such permission

547 The Town Clerk may remove without notice and dispose at his discretion, of any hoarding, signboard or similar structure, or any bill, sign, notice or advertisement placed or posted whether before or after the date hereof upon any unalienated Crown Land within the township or upon any bridge, tree, fence, pole, post or other structure or erection situated upon unalienated Crown Land within the township, without written permission of the Town Clerk or otherwise than in strict accordance with the terms or conditions attached to such permission. No liability shall attach to the Town Clerk in respect of his exercise of the powers conferred upon him by this Rule

TARIFF FOR REMOVAL OF CARCASES

548 The owner of any animal the dead body of which is disposed of by the Municipality shall pay to the Town Clerk on demand a fee in accordance with the following tariff —

For sheep, goats, swine, dogs	Rs 2 per head
For horses, ponies, mules, donkeys, horned cattle and other animals not specified above	Rs 5 , , ,

EXPLOSIVES AND FIREWORKS

549 No explosives as defined by Rules issued under the Indian Explosives Act, 1884, and dated 12th July, 1913, shall be stored in the Township Provided that nothing herein contained shall apply to explosives stored by a Government Department in a place and in such quantities as shall be approved of by the Governor Provided further that nothing herein contained shall apply to Explosives of Division 1 of the Ammunition Class and Firework Class (Classes VI and VII) as defined by the aforementioned Rules

*550 No person shall discharge fireworks in any street or public place unless he shall have first obtained a permit, which shall state date, time and place, in writing from the District Commissioner, who may grant or withhold permission at his discretion

SMOKE

*551 No person shall do any act which shall cause smoke or fumes of any sort so to be emitted as to constitute a nuisance or to be offensive to or injurious to the health of any person

BURNING OF RUBBISH, Etc

*552 No person shall make or cause to be made a fire in the open air in such a manner as to endanger the safety of any building No person shall, without first obtaining permission in writing from the Town Clerk burn, or cause to be burnt in the open air, whether on private property or not, any rubbish, wood, straw, or other material, provided, however, that a quantity of rubbish not exceeding 50 cubic feet may be burnt in the open air between the hours of 10 a m and 6 p m without obtaining such permission if due precautions are taken, and no nuisance is caused thereby

INFLAMMABLE ROOFS

553 The Town Clerk may give six months notice in writing to the owner or occupier of any hut roofed with makuti or other inflammable material that such material must be replaced by iron or other non-inflammable substance, and such owner or occupier shall be guilty of an offence if he shall fail to comply with such notice within the time specified

FIRES

554 On the occasion of any fire any European Police Officer may attend with such men and appliances as he may deem necessary, and may, in his discretion avail himself of the assistance and take command of any persons who may voluntarily place their services at his disposal, and generally may take any measure that may appear expedient for the protection of life and property, or the prevention or extinction of fire, and in particular he may, if it should be necessary for such purposes, break into or through or take possession of any premises, doing as little damage as possible, and shall have free right of access to and liberty to draw or take water from any hydrants, tanks, cisterns, pipes, or other supplies whether on public or private property

FIRE ALARMS

*555 Any person wantonly or mischievously interfering with or making use without probable cause or tampering with the wires or other appurtenances of any public fire alarm shall be guilty of an offence

PART X.

PENALTIES, ETC

556 Any person who shall contravene or fail to comply with any of the provisions of or shall be guilty of an offence against any of these Rules shall be liable on conviction to a fine not exceeding Rs 200, and in default of payment to imprisonment of either kind for a period not exceeding two months

557 Any person who shall fail to comply with the requisition of any notice served under these Rules or under any Rules that may be issued under the Township Ordinance, 1903, within the time specified by such notice, shall be guilty of an offence and shall be liable to a fine not exceeding Rs 15 for every day in which he shall be in default, and in default of payment of such fine to imprisonment of either kind to a period not exceeding two months

558 If any person shall fail to comply with any notice served under these Rules or under any Rules that may be issued under the Township Ordinance, 1903, the Town Clerk may cause the work or thing required by such notice to be done, and may recover before a Magistrate from the person in default the expenses incurred thereby

559 Offences against any of the following Rules, *viz*, Nos 107, 108, 110, 111, 123, 125, 126, 127, 129, 132, 134, 136, 138, 140, 141, 152, 153, 158, 159, 162, 165, 166, 167, 168, 169, 170, 171, 193, 197, 198, 214, 218, 228, 240, 296, 297, 298, 303, 304, 305, 310, 311, 312, 315, 318, 319, 321, 323, 332, 355, 359, 363, 368, 369, 370, 371, 373, 375, 376, 378, 379, 380, 381, 382, 385, 386, 387, 388, 389, 390, 391, 393, 394, 395, 396, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 412 (a), 413 (a), (d) and (e) 415, 417, 418, 419, 420, 422, 423, 424, 425, 426, 427, 428, 429, 430, 432, 433, 434, 435, 436, 438, 439, 440, 441, 442, 444, 445, 509, 510, 511, 512, 513, 519, 520, 521, 522, 523, 531, 533, 534, 536, 537, 538, 540, 541, 545, 546, 550, 551, 552, and 555 and shall be cognisable by the Police

BY COMMAND OF THE GOVERNOR'S DEPUTY

T S THOMAS,

for Acting Chief Secretary

Nairobi the 7th day of September, 1917

(NOTE —* Signifies cognisable by Police)