



Towns Improvement Clauses Act 1847

1847 CHAPTER 34

Precautions during Repairs

And with respect to Precautions during the Construction and Repair of the Sewers, Streets, and Houses, be it enacted as follows:

LXXIX Bars to be erected across Streets while Repairs or Alterations are making, and Lights placed at Night.

The Commissioners shall, during the Construction or Repair of any of the Streets vested in them, and during the Construction or Repair of any Sewers or Drains, take proper Precaution for guarding against Accident, by shoring-up and protecting the adjoining Houses, and shall cause such Bars or Chains to be fixed across or in any of the Streets, to prevent the Passage of Carriages and Horses while such Works are carried on, as to them shall seem proper; and the Commissioners shall cause any Sewer or Drain or other Works, during the Construction or Repair thereof by them, to be lighted and guarded during the Night, so as to prevent Accidents; and every Person who takes down, alters, or removes any of the said Bars or Chains, or extinguishes any Light, without the Authority or Consent of the Commissioners, shall for every such Offence be liable to a Penalty not exceeding Five Pounds,

LXXX Hoards to be set up during Repairs.

Every Person intending to build or take down any Building within the Limits of the special Act, or to cause the same to be so done, or to alter or repair the outward Part of any such Building, or to cause the same to be so done, where any Street or Footway will be obstructed or rendered inconvenient by means of such Work, shall before beginning the same cause sufficient Hoards or Fences to be put up, in order to separate the Building where such Works are being carried on from the Street, with a convenient Platform and Handrail, if there be Room enough, to serve as a Footway for Passengers, outside of such Hoard or Fence, and shall continue such Hoard or Fence, with such Platform and Handrail as aforesaid, standing and in good Condition, to the Satisfaction, of the Commissioners, during such Time as the public Safety or Convenience requires, and shall in all Cases in which it is necessary, in order to prevent Accidents, cause the same to be sufficiently lighted during the Night; and every such

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Person who fails to put up such Fence or Hoard, or Platform with such Handrail as aforesaid, or to continue the same respectively standing and in good Condition as aforesaid during the Time aforesaid, or who does not, while the said Hoard or Fence is standing, keep the same sufficiently lighted in the Night, or who does not remove the same, when directed by the Commissioners, within a reasonable Time afterwards, shall for every such Offence be liable to a Penalty not exceeding Five Pounds, and a further Penalty not exceeding Forty Shillings for every Day while such Default is continued.

LXXXI Penalty for not lighting Deposits of Building Materials or Excavations.

When any Building Materials, Rubbish, or other Things are laid, or any Hole made, in any of the Streets, whether the same be done by Order of the Commissioners or not, the Person causing such Materials or other Things to be so laid, or such Hole to be made, shall at his own Expence cause a sufficient Light to be fixed in a proper Place upon or near the same, and continue such Light every Night from Sun-setting to Sun-rising while such Materials or Hole remain; and such Person shall, at his own Expence, cause such Materials or other Things and such Hole to be sufficiently fenced and inclosed until such Materials or other Things are removed or the Hole filled up or otherwise made secure; and every such Person who fails so to light, fence, or inclose such Materials or other Things, or such Hole, shall for every such Offence be liable to a Penalty not exceeding Five Pounds, and a further Penalty not exceeding Forty Shillings for every Day while such Default is continued.

LXXXI Penalty for continuing Deposits of Building Materials or Excavations an unreasonable Time.

In no Case shall any such Building Materials or other Things or such Hole be allowed to remain for an unnecessary Time, under a Penalty not exceeding Five Pounds to be paid for every such Offence by the Person -who causes such Materials or other Things to be laid or such Hole to be made, and a further Penalty not exceeding Forty Shillings for every Day during which such Offence is continued after the Conviction for such Offence; and in any such Case the Proof that the Time has not exceeded the necessary Time shall be upon the Person so causing such Materials or other Things to be laid, or causing such Hole to be made.

LXXXI Dangerous Places to be repaired or inclosed.

If any Building or Hole or any other Place near any Street be, for Want of sufficient Repair, Protection, or Inclosure, dangerous to the Passengers along such Street, the Commissioners shall cause the same to be repaired, protected, or inclosed, so as to prevent Danger therefrom; and the Expences of such Repair Protection, or Inclosure shall be repaid to the Commissioners by the Owner of the Premises so repaired, protected, or inclosed, and shall be recoverable from him as Damages.