CHAPTER 66

FREETOWN IMPROVEMENT
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CHAPTER 66.
FREETOWN IMPROVEMENT.

An Ordinance for the improvement of the City of Freetown.

[1st January, 1900.]

PART I.—PRELIMINARY.

1. This Ordinance may be cited as the Freetown Improvement Ordinance.

2. This Ordinance, except in cases where its application is expressly limited, applies to the whole of the city:

Provided nevertheless that this Ordinance shall not apply to any land or building belonging to or held in trust for the Imperial or Colonial Government.

3. This Ordinance is divided into eight parts as follows—

Part I.—Preliminary.
Part II.—Sub-divisions of Wards.
Part III.—Buildings (general).
Part IV.—Roofing of buildings.
Part V.—Unfinished and dilapidated buildings.
Part VI.—Fences.
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4. (1) In this Ordinance, unless the context otherwise requires—

“barbed wire” means any wire with spikes or jagged projections;
“builder” means the master builder or other person who is employed to execute or who actually executes any work upon any building;
“building” means any structure whatsoever, including a wall, except where such wall is used only as a fence;
"dwellings house" means any building used wholly for human habitation;

"owner" includes any person in possession of any land building, other than as a tenant from year to year or for less term, or as a tenant at will, and also includes a person receiving or entitled to receive the rent of any land building whether on his own account or on behalf of his and others or as an agent or trustee, or who would so rent or be entitled to receive it if the land or building let to a tenant;

"street" includes any highway, road, avenue, footpath, square, court or other thoroughfare or open space over which the public have a right of passage;

"ward" means a ward of the city;

any reference to "this Ordinance" shall be deemed to include a reference to any rules which may be made under the powers conferred by section 62.

(2) Any of the powers or duties conferred or imposed by Ordinance on the Director of Public Works may, when exercised by the Director of Public Works so determines, be exercised by other servant of the Government appointed by the Director of Public Works to act on his behalf, and all references to the Director of Public Works in this Ordinance shall be construed accordingly.

PART II.—SUB-DIVISION OF WARDS.

5. For the purpose of this Ordinance the wards of the city are sub-divided into sections, each of which is named after a ward of which it forms a part.

6. The Central Ward is sub-divided into, and consists of four sections to be called—Central Ward—First, Second, Third, Fourth, Fifth and Sixth Section respectively. The sections are as follows, that is to say—

(1) The Central Ward (First Section) comprises the area within a line which starts from a point on the bank of the Sierra Leone River, opposite Bathurst Street, and thence up Bathurst Street to its junction with Pad Road, thence along Pademba Road to its junction with Pultney Street, thence across Government House ground to the top of Garrison Street, thence down Garrison Street to the beach at Susan's Bay, thence along the bank of the Sierra Leone River in a westerly direction till the said line returns to its starting point.
(2) The Central Ward (Second Section) comprises the area within a line which starts from a point on the bank of the Sierra Leone River, opposite Bathurst Street, and passes thence up Bathurst Street to its junction with Pademba Road, thence in a southerly direction along Pademba Road to its junction with Upper Brook Street, thence down Upper Brook Street to its junction with Westmoreland Street, thence along Sanders or Ede-oko Brook to its junction with the Sierra Leone River, and thence in an easterly direction along the bank of the Sierra Leone River till the said line reaches its starting point.

(3) The Central Ward (Third Section) comprises the area within a line which starts from a point on the beach at Susan's Bay, opposite Garrison Street, and passes thence in an easterly direction along the said beach to Nicol Brook, thence up Nicol Brook, to where Frederick Street crosses the said brook, thence along Frederick Street to its junction with Circular Road, thence along Circular Road in a northerly direction to its junction with the top of Upper Howe Street, thence down Upper Howe Street to its junction with Garrison Street, thence down Garrison Street till the said line reaches its starting point.

(4) The Central Ward (Fourth Section) comprises the area within a line which starts at the junction of Pulney Street and Pademba Road, and passes thence in an easterly direction along the north ends of Soldier Street, Fort Street and Hill Street until it meets the boundary of the War Department property at Tower Hill, thence in a southerly direction along the said boundary till it meets Circular Road, thence along Circular Road in a westerly direction to its junction with Pademba Road, thence along West Street to the point where it meets Sanders Brook, thence along Sanders Brook to the point where Upper Brook Street meets Westmoreland Street, thence up Upper Brook Street to its junction with Pademba Road, thence along Pademba Road in a northerly direction till the said line reaches its starting point.

(5) The Central Ward (Fifth Section) comprises an area within a line which starts at the junction of Nicol Brook and the Western Boundary of War Department property at Mount Aureol; thence in a southerly direction along the War Department Boundary to the Freetown Water Works Reservation Boundary, thence in a westerly direction along the Freetown Water Works Reservation Boundary to its junction with Highbay Brook, thence in a northerly direction
along Highbay Brook to its junction with Sanders Brook, then in a north-westerly direction along Sanders Brook until its junction with West Street, then in an easterly direction along West Street to its junction with Pademba Road, then in an easterly and northerly direction along Circular Road to its junction with Frederick Street, then in an easterly direction along Frederick Street to its junction with Nicol Brook, then in a southerly direction along Nicol Brook till the said line reaches its starting point.

(6) The Central Ward (Sixth Section) comprises the area within a line which starts at the junction of Fort Street with Circular Road, and passes thence up Circular Road in an easterly direction to its junction with King Street, then in an easterly direction to its junction with King Street, then in a northerly direction till it meets Frederick Street, then in a northerly direction till it meets Upper Howe Street, then down Upper Howe Street to its junction with Garrison Street, then in a westerly direction along Garrison Street and across Government House grounds until it meets Pademba Road at its junction with Pultney Street, then in an easterly direction along the north ends of Soldier Street, Fort Street and Hill Street till it meets the boundary of War Department property at Tower Hill, then along the said boundary in a southerly direction till the said line reaches its starting point.

7. The East Ward is sub-divided into, and consists of, three sections to be called East Ward—First, Second and Third Section respectively. The said sections are as follows, that is to say—

(1) The East Ward (First Section) comprises the area within a line which starts at the crossing of First Street over Nicol Brook and passes thence along First Street to its junction with Mountain Cut, then in a northerly direction along Mountain Cut to its junction with Kissy Road, then in a northerly direction along Kissy Road to its junction with Bombay Street, then in a northerly direction along Bombay Street to its junction with George Street, then in a northerly direction along George Street to its junction with Patton Street, then in a northerly direction along Patton Street to its junction with Malta Street, then in a northerly direction along Malta Street to its junction with Savage Square, then in a northerly direction along Savage Square to its junction with Davies Street, then in a northerly direction along Davies and Maltby Streets to the junction of Maltby Street with Ross Road, then down Ross Road to the bank of the Sierra Leone River, then in a westerly direction along the bank of the Sierra Leone River to the mouth of
Nicol Brook, thence up Nicol Brook till the said line reaches its starting point.

(2) The East Ward (Second Section) comprises the area within a line which starts at a point on the left bank of Granville Brook which the centre line of Kissy Road if produced in a straight line in an easterly direction will meet, and passes thence along this last-mentioned line in a westerly direction to Kissy Road, and along Kissy Road to its junction with Bombay Street, thence along Bombay Street to its junction with George Street, thence along George Street to its junction with Patton Street, thence along Patton Street to its junction with Malta Street, thence along Malta Street to its junction with Savage Square, thence along Savage Square to its junction with Davies Street, thence along Davies and Malby Streets to the junction of Malby Street with Ross Road, thence down Ross Road to the bank of the Sierra Leone River, thence in an easterly direction along the bank of the Sierra Leone River until it joins the left bank of Granville Brook, thence up the left bank of Granville Brook till the first-mentioned line reaches its starting point.

(3) The East Ward (Third Section) comprises the area within a line which starts from the point where the southern boundary of the city crosses Nicol Brook, and passes in an easterly direction along the said boundary until it meets the left bank of Granville Brook, thence down the left bank of Granville Brook to a point on Granville Brook which the centre line of Kissy Road if produced in a straight line will meet, thence along the last-mentioned straight line to Kissy Road, thence along Kissy Road to its junction with Mountain Cut, thence in a southerly direction along Mountain Cut to its junction with First Street, thence along First Street in a westerly direction to where it crosses Nicol Brook, thence up

8. The West Ward is sub-divided into and consists of five sections to be called West Ward—First, Second, Third, Fourth and Fifth Section respectively. The said sections are as follows, that is to say—

(1) The West Ward (First Section) comprises the area within a line which starts from the junction of Upper Brook Street and Westmorland Street, and passes thence along Sanders Street to its junction with Priscilla Street, thence along Priscilla Street to Alligator Brook, thence down Alligator Brook to the bank of the Sierra Leone River,
thence along the said bank to the mouth of Sanders Brook and thence up Sanders Brook till the said line reaches starting point.

(2) The West Ward (Second Section) comprises the area within a line which starts at the junction of Priscilla Street and Sanders Street, and passes thence along Priscilla Street till it meets Alligator Brook, thence up the said brook to crossing with Morgan Street, thence along Morgan Street to the junction of Sanders Street with Campbell Street, thence along Campbell Street to its junction with Pademba Road, thence along Pademba Road to Sanders Brook, thence down Sanders Brook to Westmoreland Street, thence along Westmoreland and Sand Streets till the said line reaches its starting point.

(3) The West Ward (Third Section) comprises the area within a line which starts at Alligator River at its crossing with Morgan Street, thence it passes along Morgan Street to its junction with Sanders Street; thence along Sanders Street to its junction with Pademba Road, thence along Pademba Road to Sanders Brook, thence up Sanders Brook to its junction with Highbay Brook, thence up Highbay Brook to the Freetown Water Works Reservation Boundary, thence in a westerly direction along the Freetown Water Works Reservation Boundary to Alligator River, thence down Alligator River till the said line reaches its starting point.

(4) The West Ward (Fourth Section) comprises the area within a line which starts at a point on Alligator Brook where it is crossed by King Tom Bridge and passes thence down Alligator Brook to the bank of the Sierra Leone River, thence along the said bank in a westerly direction until it meets the point on the right bank of Congo Town Brook where that brook is crossed by Ascension Town Road, thence along Ascension Town Road in an easterly direction till the said line reaches its starting point.

(5) The West Ward (Fifth Section) comprises the area within a line which starts at a point on Alligator River where it is crossed by King Tom Bridge, thence it runs in a southerly direction along Alligator River to Mereweather Road, thence in a westerly direction along Mereweather Road to its junction with King Harman Road, thence in a north-westerly direction along King Harman Road to its junction with Admiralty Road, thence in a westerly direction along Admiralty Road to its junction with Riverside Drive, thence due west to Cantonments Road, thence in a south-westerly
direction along Cantonments Road to the right bank of the Congo River, thence in a northerly direction along the right bank of the Congo River to its junction with Ascension Town Road, thence along Ascension Town Road till the said line reaches its starting point.

(6) The West Ward (Sixth Section) comprises the area within a line which starts at a point on Alligator River where it is crossed by Mereweather Road, thence in a westerly direction along the Mereweather Road to its junction with King Harman Road, thence in a north-westerly direction along King Harman Road to its junction with Admiralty Road, thence in a westerly direction along Admiralty Road to its junction with River side Drive, thence due West to Cantonments Road (footpath), thence in a south-westerly direction along Cantonments Road to the right bank of the Congo River, thence in a southerly direction along the Congo River, to its junction with the Freetown Water Works Reservation Boundary, thence in an easterly and northerly direction along the Freetown Water Works Reservation Boundary until its junction with Alligator River, thence in a north-westerly direction along Alligator River till the said line reaches its starting point.

9. Where the line of delimitation of any section passes up, down or along any street or brook, it shall, unless the contrary appears, be deemed to pass along the middle of such street or brook.

PART III.—BUILDINGS (GENERAL).

10. The provisions of this Part of the Ordinance shall have effect subject to such Orders as may be made by the Governor in Council in accordance with the powers conferred by section 63.

11. Every new building shall be constructed in accordance with the provisions of this Ordinance and of any Rules made thereunder.

A building shall be deemed to be new whenever the external walls thereof have not been carried higher than the footings previously to the day on which this Ordinance shall come into operation. Any other building shall be deemed to be an old building.
12. Any alteration, addition, or other work made or done for any purpose, except that of necessary repair not affecting the construction of any external or party wall, in, to or upon any old building, or in, to or upon any new building after the roof has been covered in, shall to the extent of such alteration, addition or work be subject to this Ordinance; and whenever mention is hereinafter made of any alteration, addition or work in, to, or upon any building it shall, unless the contrary appears from the context, be deemed to imply an alteration, addition or work to which this Ordinance applies.

13. Whenever any old building has been, or shall be, taken down to any extent exceeding one-half of such building, such half to be measured in cubic feet, or shall be converted into a dwelling house, such building not having been originally constructed for human habitation, the rebuilding or conversion thereof shall be deemed to be the erection of a new building, and every portion of such old building that is not in conformity with this Ordinance shall be forthwith altered or taken down as the case may require.

14. Before the erection of a new building is commenced, the person or builder intending to erect the same shall give to the Director of Public Works notice in writing of such intention, and shall accompany such notice with a plan of the proposed building, which shall include or be accompanied by such particulars as to the construction and intended use thereof as will enable the Director of Public Works to ascertain that the provisions of this Ordinance will be complied with:

Provided always that in the case of buildings of not more than one storey—

(1) where the frontage on any street does not exceed twenty-five feet,

(2) where the external walls thereof are principally constructed of wood,

the Public Works Department may dispense with a plan if the design of the proposed building is sufficiently indicated by a description thereof. Such notice shall be upon the form according to the first schedule hereto or upon any other form made in pursuance of this Ordinance, and copies of such forms shall be obtainable on application at the Public Works Department, free of cost.
15. In the notice accompanying the plan or description of any proposed building, the person giving such notice shall state the limit of time within which he proposes to complete the building; and the Director of Public Works may, within one month after receiving the same, fix any other time for the completion thereof; and if the Director of Public Works shall not fix any other time for that purpose, the time stated in the said notice shall be deemed to be fixed by the Director of Public Works for the completion of the building.

16. (1) Within one month after receiving a notice of intention to erect a new building the Director of Public Works may either—

(a) if he is of the opinion that the plan and description of the proposed building comply in all respects with the provisions of this Ordinance, signify his approval thereof by issuing a permit in writing (hereinafter called a building permit) authorising the erection of the building and specifying, if he thinks fit, the purposes for which the building or any part thereof may be used; or

(b) if he is of the opinion that the plan or description of the proposed building fails to comply with any of the provisions of this Ordinance (for which purpose he may take into consideration any statement by the applicant as to the intended use of the building), signify his disapproval thereof by issuing a notice to the applicant pointing out in what respects the plan or description fails to comply with the said provisions:

Provided that if for any reason the Director of Public Works is unable to arrive at a decision within the said period of one month he shall issue a notice to the applicant informing him that a decision will be communicated to him within such further period, not exceeding one month, as may be specified in the notice.

(2) If, within one month after receiving a notice of intention to erect a new building accompanied by a description and plan (unless a plan be dispensed with), the Director of Public Works fails to signify his approval or disapproval as aforesaid or to issue a notice in accordance with the proviso to the last preceding sub-section or, having issued such notice, fails to communicate his decision to the applicant within the time specified therein, the applicant may, notwithstanding anything hereinbefore contained, proceed to erect the building according to the plan and description, provided that the building be otherwise in accordance with the provisions of this Ordinance.
(3) In the event of any discrepancy between the plan or description of the building and any of the provisions of this Ordinance, the said provisions shall prevail, notwithstanding that the Director of Public Works may have signified his approval of the plan or description as aforesaid.

17. Where the Director of Public Works has signified his approval of the erection of a new building subject to the condition that such building or some part thereof shall be used for a specified purpose, any person who, without the permission in writing of the Director of Public Works, uses the building or that part thereof for a different purpose shall be guilty of an offence and shall be liable, on summary conviction, to a fine not exceeding one hundred pounds, and to a further fine not exceeding ten pounds for every day during which the offence continues:

Provided that a Magistrate shall not convict any person charged with an offence against this section if such person proves to the Magistrate's satisfaction—

(a) that, at the time when he first used the building for a purpose different from that specified in the condition, he had no notice of the condition; and

(b) that, within a month of receiving such notice, he complied with such condition and has continued to do so since.

18. (1) If such building be begun without such notice having been given and, where a plan is required, without such plan having been furnished, or without the approval of the Director of Public Works within the said one month, or otherwise not in accordance with the provisions of this Ordinance, the owner and builder thereof shall be deemed to have committed an offence and shall for every such offence be liable, upon summary conviction, to a penalty not exceeding one hundred pounds; and the Director of Public Works may, at any time before or within twelve months next after the completion of the building, make complaint thereof before a Police Magistrate, who, upon being satisfied of the default of such owner or builder, shall order such building to be altered, taken down or demolished as the case may require, and upon failure of the owner or builder within one month from the date of such order to alter, take down or demolish the building, the Director of Public Works may cause it to be altered, taken down or demolished pursuant to such order, and the expenses, incurred by the Director of Public Works in respect thereof shall be repaid to him by the
person failing to comply with the provisions aforesaid, and shall be recoverable as damages.

(2) The Director of Public Works shall be under no liability to any person in consequence of anything done or omitted to be done by him in accordance with the provisions of this section.

19. Upon the commencement of any building and also upon the completion of the structure of the said building when the roof has been covered in, and at any time thereafter, in case of any repair, addition or alteration thereto, the owner, occupier or builder shall give to the Director of Public Works notice in writing of such commencement and completion as the case may require. Such notice shall be upon the form according to the second schedule hereto or upon any other forms made in pursuance of this Ordinance, and copies of such form shall be obtainable on application to the Director of Public Works, free of cost.

20. Any person neglecting to give notice for seven days after the commencement or completion of any building, or of any repair, addition or alteration thereto, shall be deemed to have committed an offence under this Ordinance, and shall for such offence be liable, upon summary conviction, to a penalty not exceeding one hundred pounds.

21. If the Director of Public Works has reasonable grounds for believing that any of the provisions of this Ordinance have not been or are not being complied with in respect of any building, whether such building has been completed or is in the course of construction, he may enter upon any land for the purpose of inspecting the building, and may enter and inspect the building; and any owner, occupier or builder refusing to admit the Director of Public Works or to afford him reasonable facilities for the purpose of inspection shall be guilty of an offence and shall be liable on summary conviction, to a fine not exceeding one hundred pounds and to a further fine not exceeding ten pounds for every day during which the offence continues:

Provided that in the case of an occupied building the Director of Public Works shall not, without the consent of the occupier, enter the building and inspect the interior thereof unless he shall first have obtained a search warrant as provided in the Criminal Procedure Ordinance.

22. If the Director of Public Works on inspection of any building finds any portion of any work proceeding thereat not in compliance with the provisions of this Ordinance, the Director may order such portion to be removed, and the owner, occupier or builder shall forthwith remove the same.
to be in accordance with the provisions of this Ordinance he shall cause notice in writing, in the form according to the third schedule hereto, to be given or left on the said premises for the person engaged in carrying out such work to amend the same.

23. If the person so engaged shall not forthwith amend the same in the manner necessary to make such work conform to this Ordinance, he shall be deemed to have committed an offence punishable, upon summary conviction, by a penalty not exceeding one hundred pounds, and not exceeding ten pounds for every day that he shall so make default.

24. (1) When any building, any part of which projects on to or over any street, has been taken down in order to be rebuilt or altered, the Director of Public Works may require the same to be set backwards to such extent and in such manner as he shall direct.

(2) Failure to comply with any such requirement of the Director of Public Works shall be deemed to be a failure to comply with the provisions of this Ordinance.

25. The Director of Public Works may give notice to the occupier of any building to remove or alter any porch, shed, projecting window, balcony, verandah, shoot, step, or similar projection which, after this Ordinance comes into operation, shall be erected or placed against or in front of any building, on or over any street contrary to this Ordinance, and such occupier shall, within fourteen days after the service of such notice upon him, remove such porch, shed, projecting window, balcony, verandah, shoot, step, or projection or alter the same in such manner as shall have been directed by the Director of Public Works, and in default thereof shall be liable to a penalty not exceeding one hundred pounds; and the Director of Public Works in such case may remove any such porch, shed, projecting window, balcony, verandah, shoot, step, or projection, and the expenses of the Director of Public Works for, or incident to, such removal shall be paid by the occupier so making default, and shall be recoverable as damages:

Provided always that, except in the case in which such porch, shed, projecting window, balcony, verandah, shoot, step, or projection shall be made or put up by the occupier, such occupier shall be entitled to deduct the expenses of removing the same from the rent payable by him to the owner of the building.
26. If any such porch, shed, projecting window, balcony, verandah, shoot, step, or projection was, or shall be, erected or placed against, or in front of, any building on, or over, any street before this Ordinance comes into operation, the Director of Public Works may cause the same to be removed or altered as he thinks fit:

Provided that the Director of Public Works gives notice of such intended removal or alteration to the occupier of the said building fourteen days before such alteration or removal is begun, and if such porch, shed, projecting window, balcony, verandah, shoot, step, or projection shall be proved by the owner or occupier to have been lawfully made and without a condition subjecting the same to removal, the Director of Public Works shall make reasonable compensation to every person who suffers damage by such removal or alteration.

27. (1) If the Director of Public Works is of the opinion that any building or any thing attached thereto is in a ruinous state or is, by reason of its condition, construction or situation, likely to cause danger to any person, he may forthwith cause the building to be fenced off for the protection of passers-by, and if he considers that there is any immediate danger, he may take all such steps as he deems necessary to prevent any person from being injured thereby, and shall forthwith cause notice in writing, in the form in the fourth schedule to this Ordinance, to be given to the owner of the building, if he be known and resident within the city, and shall cause a copy of the said notice to be affixed to the door or other conspicuous part of the building or shall otherwise give notice to the owner thereof, requiring him to take down, repair, rebuild or secure the building or thing attached thereto in such manner and within such time as may be specified in the notice.

(2) The Director of Public Works shall be under no liability to any person in consequence of anything done or omitted to be done by him in accordance with the provisions of this section.

28. (1) If the owner, after notice has been given as provided in section 27, does not begin to take down, repair, rebuild or secure the building referred to in the notice within the space of seven days or such shorter period as may be specified in the notice, and complete the taking down, repairing or securing as speedily as the circumstances will allow, or if no owner can be found, the Director of Public Works may make complaint thereof before a Magistrate, who upon being satisfied of the failure of the owner to comply with the requirements of the
notice (whether it has been served upon him or not) shall mak
an order directing the owner to take down, repair, rebuild or
secure, to the satisfaction of the Director of Public Works
within such time as may be fixed by the Magistrate, the building
or such part thereof as appears to the Director of Public Works
to be in a ruinous state or likely to cause danger to any person;
and in case the same be not taken down, repaired, rebuilt or
secured within the time so limited, or if no owner can be found
on whom to serve the order, the Director of Public Works shall,
with all convenient speed, cause the building or so much thereof
as appears to him to be likely to cause danger to any person, to
be taken down, repaired, rebuilt or secured in such manner as
he deems necessary; and all the expenses incurred by the
Director of Public Works in connection with the putting up of
any fence and the doing of any other thing which he is authorised
to do by section 27, and of taking down, repairing, rebuilding
or securing the building shall be paid by the owner of the
building.

(2) The Director of Public Works shall be under no liability
to any person in consequence of anything done or omitted to
be done by him in accordance with the provisions of this section.

29. If such owner can be found within the city, and if on
demand of the expenses aforesaid, he neglect or refuse to pay
the same, then such expenses, upon proof thereof before the
Magistrate, may be levied by distress, and the Magistrate may
issue his warrant for the levy to be made accordingly.

30. If such owner cannot be found within the city, or sufficient
distress of his goods and chattels cannot be made, the Director
of Public Works, after giving twenty-eight days' notice of his
intention to do so by posting a printed or written notice in a
conspicuous place on such building, or on the land whereon
such building stood, may take such building or land, provided
that such expenses be not paid or tendered to him within the
said twenty-eight days, making compensation to the owner of
such building or land in the manner provided by the Public
Lands Ordinance, in the case of lands taken otherwise than
with the consent of the owners and occupiers thereof, and the
Director of Public Works shall be entitled to deduct out of
such compensation the amount of the expenses aforesaid, and
thereupon to sell or otherwise dispose of the said building or
land.
31. If any building or any part of the same be taken down or demolished by virtue of the powers conferred by this Ordinance, the Director of Public Works may sell the materials thereof, or so much of the same as shall be taken down or demolished, and apply the proceeds of such sale in payment of the expenses incurred in respect of such building, and the Director of Public Works shall restore any overplus arising from such sale to the owner of such building, on demand; nevertheless the Director of Public Works, although he sell such materials for the purposes aforesaid, shall have the same remedies for compelling the payment of so much of the said expenses as may remain due after the application of the proceeds of such sale, as are hereinbefore given to him for compelling the payment of the whole of the said expenses.

32. It shall be lawful for the Director of Public Works to require the payment of any expenses, which the owner of any premises may be liable to pay under this Ordinance, from any person who then, or at any time thereafter, occupies such premises; and the owner shall allow every such occupier to deduct all sums of money, which he so pays or which are levied by distress, out of the rent from time to time becoming due in respect of the said premises, as if the same had been actually paid to such owner as part of such rent:

Provided always that no such occupier shall be required to pay any further sum than the amount of rent for the time being due from him or which, after such demand of such expenses from such occupier, and after notice not to pay the owner any rent without first deducting the amount of such expenses, becomes payable by such occupier, unless he refuse, on application made to him for that purpose by, or on behalf of, the Director of Public Works, truly to disclose the amount of his rent and the name and address of the person to whom such rent is payable; but the burden of proof that the sum demanded from any such occupier is greater than the rent due by him at the time of such notice, or which has since accrued, shall lie upon such occupier.

PART IV.—ROOFING OF BUILDINGS.

33. The provisions of this Part of the Ordinance shall have effect subject to such Orders as may be made by the Governor in Council in accordance with the powers conferred by section 63.
34. From and after the times hereinafter respectively mentioned no roof of any building within the sections hereinafter specified shall be, or remain, covered externally with any other than non-inflammable materials, that is to say—

(1) within the First, Second and Third Sections of the Central Ward, from and after the expiration of one year from the date of the coming into operation of this Ordinance;

(2) within the Fourth Section of the Central Ward, the First Section of the East Ward and the First Section of the West Ward, from and after the expiration of two years from the date of the coming into operation of this Ordinance;

(3) within the Second Section of the East Ward and the Second Section of the West Ward, from and after the expiration of three years from the date of the coming into operation of this Ordinance:

Provided nevertheless that the Governor in Council may by Order exempt any building from the operation of this section, and for such time, if any, as may be prescribed in the said Order:

Provided also that a dwelling house may be thatched for such period and subject to such conditions as may be specified in writing by the Director of Public Works. For the purpose of this proviso “dwelling house” means a building intended wholly for human habitation and excludes the use of any part thereof for the purposes of trade.

35. The owner of any building having any roof made of materials contrary to the provisions of the last preceding section of this Ordinance, shall be guilty of an offence, and shall be liable, upon summary conviction, to a penalty not exceeding one hundred pounds, and to a further penalty of ten pounds for each day that the offence continues.

36. Where the owner of a building fails to make the roof in accordance with the provisions of section 34 of this Ordinance, it shall be lawful for the Director of Public Works, by notice in writing to be given to the occupier of such building, to require him to do so; and if he thereafter continue in the occupation thereof he shall be liable to make such roof in accordance with the provisions of the said section:

Provided nevertheless that, subject to any contract made or to be made between the occupier and the owner, the occupier shall upon making the roof as aforesaid be entitled to deduct the cost thereof from the rent payable to the owner, and to
occupy the building until the rent paid shall be sufficient to repay such cost, unless the owner shall in the meantime pay the cost to him.

37. In default of the owner or occupier making the roof of a building in accordance with the provisions of section 34 of this Ordinance, it shall be lawful for the Director of Public Works to make such roof, or otherwise to take down the same or the whole building, and the expenses for so making or taking down the roof or building shall be repaid by the owner to the Director of Public Works and be recoverable in the manner prescribed in sections 30, 31 and 32 of this Ordinance in the case of dangerous or ruinous buildings pulled down.

PART V.—UNFINISHED AND DILAPIDATED BUILDINGS.

38. The provisions of this Part of the Ordinance shall have effect subject to such Orders as may be made by the Governor in Council in accordance with the powers conferred by section 63.

39. Part V of this Ordinance shall apply to the First, Second, Third and Fourth Sections of the Central Ward, the First Section of the East Ward and to the First Section of the West Ward.

40. There shall be paid to the Director of Public Works in respect of every building which shall be commenced, and shall be and remain in an unfinished state for a period of six months from and after the time which the Director of Public Works may as aforesaid fix for its completion, a sum equal to double the value of the city rate at which the same, if finished, would be liable to be assessed under the provisions of the Freetown Municipality Ordinance, and such amount shall be paid by the occupier of such unfinished building, and if there be no occupier by the owner thereof.

PART VI.—FENCES.

41. Every plot of land, or part thereof, which shall have no building thereon abutting on a street, and every stone quarry abutting on a street, whether public or private, shall be enclosed and kept enclosed by the owner or occupier thereof with a fence not less than four feet high and of uniform height or level, and made with stone, brick, iron, wood, or living plants where the use of a fence of living plants is not prohibited by this Ordinance:
Provided always that all such fences made of living plants shall be kept carefully cropped of all superfluous branches.

42. Such fence if made with wood in any of the First, Second, Third and Fourth Sections of the Central Ward, or in the First Section of the East Ward, or in the First Section of the West Ward shall be of wood cut in uniform widths and fixed at uniform distances, and shall be secured with nails or screws and not with rope or withes.

43. In the First, Second, Third and Fourth Sections of the Central Ward, in the First Section of the East Ward, and in the First Section of the West Ward, no fence shall be made of living plants except with the written approval of the Director of Public Works.

44. No fence abutting on any street shall be made with barbed wire.

45. (1) Where, at the date of the coming into operation of this Ordinance, there is abutting on a street any fence which shall not be in accordance with the provisions of this Ordinance such fence shall, within six months thereafter, be removed by the owner or occupier thereof—

(a) if such owner or occupier fail to remove any such fence, or

(b) where any fence abutting on a street shall be made contrary to the provisions of this Ordinance, such fence shall be deemed to be a nuisance to such street; and it shall be lawful for the Director of Public Works to serve a notice in writing on the occupier of the land on which such fence is found, requiring him within a time therein stated, which shall not be less than one month, nor more than three months after the date of the notice, to abate such nuisance.

(2) If on the expiration of the time stated in the notice the occupier shall have failed to comply therewith, it shall be lawful for the Director of Public Works to apply to the Magistrate for a summary order, and the Magistrate, if satisfied that such fence is a nuisance as aforesaid, shall, by summary order, direct the occupier, within a time to be stated in the order, to abate such nuisance; and on his failure to comply with such order, the Director of Public Works may do whatever may be necessary to abate the nuisance and otherwise, in the execution of the order, and recover in a summary manner the expenses incurred in connection therewith.
46. Any person who contravenes any of the provisions of Part VI of this Ordinance shall be guilty of an offence, and shall upon summary conviction thereof be liable to a fine not exceeding one hundred pounds, and a further penalty of ten pounds for every day that the offence continues after the expiration of the time stated in the notice which shall have been served by the Director of Public Works under the provisions of the last preceding section.

PART VII.—STREETS.

47. Every plot of land abutting on a street on which no building is, or shall be, erected or is in the course of erection, shall be deemed to be occupied by the owner thereof unless the same shall be proved by the owner to be in the actual occupation of some other person.

48. Any person—

1) who shall place or leave or cause to be placed or left, without the consent of the Director of Public Works, any lumber, brick or stone, or any goods, bale, package, puncheon, barrel or cask, or any box, basket, tray or other impediment whatsoever—

(a) in any street,

(b) upon any quay or wharf, except within the space of twenty feet from the outward edge of such quay or wharf, or within such space for any time exceeding three days from the time of the same being first placed upon such quay or wharf, or

2) whosoever by leaving, washing, cleaning or repairing any vehicle, whether a motor vehicle, cart or gig and whether in good or dismantled condition, or any part of such vehicle, in any street, quay or wharf shall obstruct or impede the free passage of such street, quay or wharf, or

3) who shall do any of the aforesaid acts mentioned in this section on any land abutting on any street and not enclosed within a wall or fence,

shall be guilty of an offence, and shall be liable, upon summary conviction, to a penalty not exceeding five pounds for each such offence and to a further penalty of ten shillings for each day that the offence continues.

Provided nevertheless that it shall be lawful for the Director of Public Works to cause any such article to be removed from the street, and to sell the same, unless it be claimed and taken away by the owner thereof within seven days after such removal;
and the expenses of the Director of Public Works for, or inc
for, the removing, keeping or selling of any such article sh
repaid to him by the owner, and be recoverable as damag
be deducted from the proceeds of the sale of any such arti

49. No crossing over any open drain or gutter in any : shall be constructed except with the permission of the Dir of Public Works and upon an approved plan.

50. After two years from the date of the coming into oper of this Ordinance, it shall be lawful for the Director of P Works to remove, or order the owner to remove, any cro made by any private person over any open drain or guilt any street.

51. It shall not be lawful for any person to remove any earth or other material from any street, or to change, divi obstruct, or attempt to change, divert or obstruct, any w course without the consent of the Director of Public W under a penalty not exceeding twenty pounds, upon sum conviction before the Magistrate.

52. Every person who intends to make or lay out any street, or to lay out any piece or parcel of land for bui purposes, shall give notice in writing to the Director of P Works and shall accompany such notice with a plan of said street or piece of land, and lands adjoining thereto, scale of not less than forty feet to one inch. The level, v and building line of every new street, the size of the s blocks and building plots, the drainage arrangements and areas as shall remain open spaces, shall be fixed under direction of the Director of Public Works, and the bui line so fixed shall be kept thereafter by every person ere any building or structure in such street.

53. If the Director of Public Works does not fix such and width within six weeks from the time of the deliver such notice as aforesaid, unless the fixing of such level width be delayed by the appeal hereinafter provided, person giving such notice may proceed to lay out the stre any level and width which will allow of compliance with other provisions of this Ordinance, as if such level and v had been fixed by the Director of Public Works; and in case every change of the level and width which the Direct Public Works afterwards deems requisite, and the v consequent thereon, shall be made by the Director of P
Works, and the expense thereof, and any damage which any person sustains in consequence of such alterations, shall be defrayed by the Council.

54. Every person who makes or lays out any such new street as aforesaid without causing such notice to be given to the Director of Public Works as aforesaid, shall be liable to defray all the expenses consequent upon any change of the level or width of the said street deemed requisite by the Director of Public Works, and every person who, in erecting any building in such street, does not keep the level and width fixed by the Director of Public Works, shall be liable to defray all the expenses consequent upon any change, which the Director of Public Works deems requisite, of the level or width of that part of the street on which such building abuts.

PART VIII.—MISCELLANEOUS.

55. (1) No person shall establish and carry on any foundry, forge, farrier's shop, or cooperage within the city without the licence in writing of the Director of Public Works, and any person who shall establish or carry on any such foundry, forge, farrier's shop or cooperage without such consent as aforesaid, shall be guilty of an offence, and upon summary conviction thereof be liable to a penalty of twenty pounds and to a further penalty of one pound for every day he shall so carry on the said business.

(2) Any person who shall be desirous of obtaining such consent shall, fourteen days before making application for the same, put up in front of the office of the Director of Public Works, and in front of the police office for Freetown a notice in the form prescribed in the fifth schedule hereto, within which period any person who shall deem that he would suffer annoyance or detriment, either in person or property, by the granting of such licence, shall be at liberty to state in writing to the Director of Public Works his objection to the granting thereof; and at the expiration of the said period the Director of Public Works, after hearing the opposing parties, shall either grant or refuse the licence, as to him in his discretion shall seem meet.

56. If the occupier of any premises prevent the owner thereof from carrying into effect, with respect to such premises, any of the provisions of this Ordinance, or any order made in pursuance thereof, he shall be liable to a penalty not exceeding one hundred pounds for every day during the continuance of
such refusal or neglect; and if the occupier of any premises who requested by, or on behalf of, the Director of Public Works to state the name and description of the owner of the premises occupied by him refuse, or wilfully omit, to disclose or wilfully mis-state the same, it shall be lawful for the Magistrate to summon the party to appear before him, and if the party summoned neglect or refuse to attend at the time and place appointed by the Magistrate and do not show good cause for such refusal, or if such wilful omission or mis-statement be proved, the Magistrate may impose upon the offender a penalty not exceeding one hundred pounds.

57. (1) Any person who deems himself aggrieved by an order or direction of the Director of Public Works in relation to the level or width of a new street or to the level of any building thereon, or by any notice, order or act of the Director of Public Works in relation to the construction, repair, alteration, taking down or demolition of any building may within fourteen days after notice to the occupier of any such order or notice, or after such act of the Director of Public Works, appeal to the Supreme Court against the same.

(2) Such person shall give seven days’ clear notice in writing of his intention to appeal and the grounds thereof to the Director of Public Works.

(3) The said Supreme Court shall hear and determine the appeal, and either allow or disallow the same or make such order in the premises as shall be lawful.

(4) The said Supreme Court shall, subject to this Ordinance have the same powers, jurisdiction and authority with respect to any appeal, and the proceedings thereon and the costs as if the appeal were an ordinary action within its jurisdiction.

58. Every notice, demand, or other document required by this Ordinance to be given or made by, or on behalf of, the Director of Public Works shall be in writing and signed by the person issuing the same, or by such other person as is duly authorised in that behalf.

59. In every case where the amount of any damage, costs or expenses is by this Ordinance directed to be ascertained or recovered in a summary manner, or the amount of any damage, costs or expenses is by this Ordinance directed to be paid and the method of ascertaining the amount or enforcing the payment thereof is not provided for, such amount shall, in case of dispute, be ascertained and determined by, and shall be
recovered before, the Magistrate in the manner provided by section 79 of the Public Health (Colony) Ordinance, for the recovery of a debt directed by the last-mentioned Ordinance, to be recovered summarily.

60. The Director of Public Works may, from time to time as to him shall seem fit, alter or add to the forms contained in the schedules hereto or make other forms in substitution therefor.

61. It shall be lawful for the Director of Public Works to authorise any officer or person to do or perform any act which the Director of Public Works himself is empowered by this Ordinance to do or perform.

62. (1) The Governor in Council may make rules for the better carrying into effect of the provisions of this Ordinance.

(2) In particular, and without prejudice to the generality of the powers conferred by sub-section (1) of this section, the Governor in Council may make rules for all or any of the following purposes—

(a) prescribing the materials of which buildings generally or specified classes of buildings or any parts thereof shall be constructed;

(b) restricting the heights of buildings;

(c) prescribing the thickness of walls of buildings;

(d) providing, in relation to the construction, materials or situation of buildings, for the prevention of fire;

(e) determining and regulating the building line of buildings fronting on streets;

(f) prescribing the distances to be left between buildings, and the distances between buildings and the boundary lines of the plots on which they are situate;

(g) prescribing the proportion of the area of any plot which may be built upon;

(h) regulating the position of outhouses, cesspits and drains;

(i) regulating the drainage and disposal of rain water and waste water and prescribing the gutters and drains which shall be provided for that purpose;

* Cap. 190 of the 1946 Edition. It has been omitted from this Edition.
(j) prescribing the foundations upon which buildings shall be constructed;

(k) providing for the paving of the curtilage of buildings;

and

(l) prescribing penalties, not exceeding a fine of one hundred pounds, and in the case of a continuing offence a fine of ten pounds for every day during which the offence is continued, on summary conviction for the breach of any rule made under this section.

(2) The Governor in Council may, by Order, from time to time extend to any section of any ward, or any part thereof, the application of Parts IV, V and sections 42 and 43 of Part VI of this Ordinance, and shall cause the said Order to be published in the Gazette on two occasions, with an interval of not less than one month; and any such Order shall, from the date of the Gazette in which the second publication shall be made, be deemed to be incorporated with this Ordinance, and the part or parts of this Ordinance, the application of which is so extended, shall then apply to the sections or places which the Order shall specify.

63. (1) The Governor in Council may from time to time by order declare any area, to which this Ordinance applies or to which it may hereafter be applied, to be a Town Planning Area.

(2) Notwithstanding anything contained in this Ordinance the Governor in Council if satisfied that it is necessary in order to give proper effect to the purposes of a Town Planning Scheme may by order prohibit or restrict the construction or repair of any building within the whole or any specified part of a Town Planning Area. Such orders may impose penalties for contravention thereof not exceeding a fine of one hundred pounds and give such powers of demolition of any unlawfully constructed or repaired building as the Governor in Council may think fit.
FIRST SCHEDULE.

THE FREETOWN IMPROVEMENT ORDINANCE.

Notice of intention to build.

Ward (Section).

I hereby give to the Public Works Department notice that I intend to erect a* upon the side of Freetown, particulars of which are described at the foot hereof.

[Describe nature of building, such as dwelling house, dwelling house and outbuilding, shop, etc.]

plan of said premises accompanies this notice.

I propose to complete the building within the commencement thereof.

Dated this day of 19.

(NAME)  

(Address)

To the Director of Public Works.

Description of premises above referred to.

SECOND SCHEDULE.

THE FREETOWN IMPROVEMENT ORDINANCE.

Notice of commencement of Building.

Ward (Section).

I do hereby give you notice that I have commenced the erection of a* upon the side of Freetown pursuant to my notice of intention to build dated the day of 19.

The erection of the building was commenced on the day of 19.

Dated this day of 19.

(NAME)  

(Address)

To the Director of Public Works.

THE FREETOWN IMPROVEMENT ORDINANCE.

Notice of completion of Building.

Ward (Section).

I hereby give you notice that I have completed of the upon the side of referred to in my notice to you of the day of 19.

Dated this day of 19.

(NAME)  

(Address)

To the Director of Public Works.
THIRD SCHEDULE.

The Freetown Improvement Ordinance.

Notice to Amend.

To ___________________________________________ or other, the owner, builder or persons engaged in erecting ___________________________ upon the ___________________________ side of ___________________________.

Take notice that the ___________________________ are not in accordance with the Freetown Improvement Ordinance, and the Orders in Council made thereunder, and require amending in the following particulars—

It is my duty to request you to at once carry out these works to avoid further proceedings under the provisions of the above-mentioned Ordinance.

Dated the ___________________________ day of ___________________________.

Public Works Department.

________________________________________
Director of Public Works.

FOURTH SCHEDULE.

The Freetown Improvement Ordinance.

Notice as to Dangerous Buildings.

To ___________________________________________ or other, the owner or occupier of a ___________________________ situated at ___________________________ or to whomsoever it may concern.

Take notice that I have this day found the said ___________________________ premises to be in a dangerous state so far as regards ___________________________ and, pursuant to section twenty-six of the above-mentioned Ordinance, I hereby give you notice to ___________________________ within ___________________________ days of the date hereof.

Dated the ___________________________ day of ___________________________.

Public Works Department.

________________________________________
Director of Public Works.

FIFTH SCHEDULE.

The Freetown Improvement Ordinance.

Notice of Application for Licence.

Notice is hereby given, that I ___________________________________________ residing in ___________________________ Street, in ___________________________, do intend to make application to the Director of Public Works on the ___________________________ day of ___________________________ for a licence to establish* upon the premises belonging to ___________________________ situated in ___________________________ Street in the City of Freetown and numbered ___________________________ in the plan of town lots.†

________________________________________

* [A foundry, or as the case may be.]
† [If lot is numbered.]
SCHEDULE.

All that land in the East Ward of the City of Freetown in the Colony of Sierra Leone excluding Sierra Leone Railway land and bounded as follows—

On the East by a line commencing where the western boundary of the grounds of the Princess Christian Mission meets the high water mark of the Sierra Leone River; thence in a southerly direction along the western boundary of the Princess Christian Mission to its junction with the northern boundary of the Sierra Leone Railway; thence in an easterly direction along the northern boundary of the Sierra Leone Railway for a distance of four hundred feet; thence due south across the Sierra Leone Railway to Fourah Bay Road; thence in a westerly direction along Fourah Bay Road to Patton Street; thence in a south-easterly direction along Patton Street to Kissy Road; On the South by Kissy Road and Kissy Street; On the West by Nicol Brook; On the North by the Sierra Leone River.

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CLINE TOWN.

1. This Order may be cited as the Freetown Improvement (Clane Town Area) Order in Council.

2. The area specified in the Schedule hereto is hereby declared to be a Town Planning Area to be known as the Clane Town Town Planning Area.

3. No person other than a person executing work on behalf of the Imperial or Colonial Government shall construct any building within the Clane Town Town Planning Area or repair any existing building within that Area without having first obtained the consent in writing of the Director of Public Works.

4. Any person contravening any of the provisions of this Order shall be liable on summary conviction to a fine not exceeding £100 and any building so unlawfully constructed and any part of any building unlawfully repaired may be demolished by the Director of Public Works.

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SCHEDULE.

All that portion of the East Ward of the City of Freetown in the Colony of Sierra Leone which is bounded as follows—

Starting from a point situated on the centre line of Fourah Bay Road and which is 230 feet more or less west of the junction of Fourah Bay Road, Clane Street, College Road and Ross Road; thence due north
for a distance of 20 feet more or less to the south east corner of Crown
Land on the north of Fourah Bay Road; thence in a general north-
westerly direction along the eastern boundary of the said Crown Land
for a distance of 510 feet more or less to the High Water Mark; thence
along the High Water Mark in a clockwise direction round Cline Town
to a point where the centre line of Kissy Road produced in an east-south-
easterly direction meets the west bank of Granville Brook; thence in a
straight line in a west-north-westerly direction for a distance of 1,200 feet
more or less to the junction of Kissy Road and Ross Road; thence in a
north-north-easterly direction along the centre line of Ross Road to the
junction of Fourah Bay Road, Cline Street, College Road and Ross Road;
thence in a westerly direction along the centre line of Fourah Bay Road
for a distance of 250 feet more or less to the Starting Point.

FREETOWN.

1. This Order may be cited as the Freetown Improvement
(Freetown Town Planning Area) Order in Council.

2. The area specified in the Schedule hereto is hereby
declared to be a Town Planning Area to be known as the
Freetown Town Planning Area.

3. No person shall construct any building within the Freetown
Town Planning Area without having first obtained the consent in
writing of the Director of Public Works.

4. Any person contravening any of the provisions of this
Order shall be liable on summary conviction to a fine not
exceeding one hundred pounds and any building so unlawfully
constructed may be demolished by the Director of Public Works.

SCHEDULE.

The City of Freetown as delimited in section 5 of the Freetown Munici-
pality Ordinance, but excluding—

(i) All that land in the East Ward of the City of Freetown in the
Colony of Sierra Leone bounded as follows—

On the East by a line commencing where the western boundary
of the grounds of the Princess Christian Mission meets the high
water mark of the Sierra Leone River; thence in a southerly
direction along the western boundary of the Princess Christian
Mission to its junction with the northern boundary of the Sierra
Leone Government Railway; thence in an easterly direction along
the northern boundary of the Sierra Leone Government Railway for
a distance of 400 feet; thence due South across the Sierra Leone
Government Railway to Foursah Bay Road; thence in a westerly
direction along Foursah Bay Road to Patton Street; thence in a
south-easterly direction along Patton Street to Kisay Road; On the
South by Kisay Road and Kisay Street; On the West by Nicol
Brook; On the North by the Sierra Leone River; and

(ii) All that portion of the East Ward of the City of Freetown in
the Colony of Sierra Leone which is bounded as follows—

Starting from a point situated on the centre line of Foursah Bay
Road and which is 236 feet more or less West of the Junction of
Foursah Bay Road, Cline Street, College Road and Ross Road;
thence due north for a distance of 20 feet more or less to the south-
east corner of Crown Land on the North of Foursah Bay Road;
thence in a general north-westerly direction along the eastern
boundary of the said Crown Land for a distance of 310 feet more or
less to the high water mark; thence along the high water mark in a
clockwise direction round Cline Town to a point where the centre
line of Kisay Road produced in an east-south-easterly direction
meets the West bank of Granville Brook; thence in a straight line in
a west-north-westerly direction for a distance of 1,200 feet more or
less to the junction of Kisay Road and Ross Road; thence in a north-
north-easterly direction along the centre line of Ross Road to the
junction of Foursah Bay Road, Cline Street, College Road and Ross
Road; thence in a westerly direction along the centre line of Foursah
Bay Road for a distance of 230 feet more or less to the Starting Point.

FREETOWN IMPROVEMENT RULES
made by the Governor in Council under section 62.

1. These rules may be cited as the Freetown Improvement
rules and shall come into force on the same day as that on
which the Freetown Improvement (Amendment) Ordinance,
653, comes into force.

2. In these rules, unless the context otherwise requires—
"approved" means approved by the Director;
"bressummer" means a timber, cement concrete or rein-
forced concrete beam or a metal girder which carries a wall;
"building of the warehouse class" means any warehouse,
factory, machine shop or brewery whether of one or more than
one storey in which, or in any part of which, the floor loads
are or are likely to be more than 224 pounds per square foot;

* 20th April, 1955 (P.N. 43 of 1955).
"burnt brick" means hard, tough, well fired clay rectangular in form, of even texture throughout and free from limy or organic matter;

"ceiling" means the covering of the underside of floor joists, roof, rafters, collar ties or ceiling joists, and where such covering is used means the underside of the floor material of the floor above a room;

"cement" means approved cement;

"cement blocks" means blocks made of cement and clean sharp sand, properly mixed with clean fresh water on a clean platform in the proportion of not more than five parts of sand to one part of cement, which blocks have been thoroughly tamped in the moulds and cured by being wetted for at least three days before being used;

"cement concrete" means a concrete made of cement, clean sharp sand, and hard tough stone broken so as to pass through a two-inch ring all ways and properly mixed with clean fresh water on a clean platform in the proportion not more than six parts of stone and three parts of sand one part of cement;

"cement concrete blocks" means blocks made of cement, clean sharp sand and hard tough stone broken so as to pass through a one-inch ring all ways and properly mixed with clean fresh water on a clean platform in the proportion not more than three parts of stone and three parts of sand one part of cement, which blocks have been thoroughly tamped in the moulds and cured by being wetted for at least three days before being used;

"cross wall" or "internal wall" means any wall built regularly with the external or party walls so as to divide building into rooms;

"Director" means the Director of Public Works or any servant of the Government appointed by him to act on his behalf;

"dwelling house" means a building used or constructed adapted to be used wholly or principally for human habitation;

"external wall" means an outer wall of a building, other than a party wall;

"fence line" means the fence line fixed or to be fixed by the Director;

"floor" includes any horizontal platform forming the surface of any storey and every joist, board, stone, or bri
and all timber or concrete or other substance connected with
or forming part of such platform;
“foundations” means the artificial base on which the walls,
piers or columns of a building rest;
“habitable room” means—
(a) in relation to a dwelling house, any room constructed
or adapted to be used as a living room, dining room or
bedroom; and
(b) in relation to any other class of building, any room
constructed or adapted to be occupied by persons for the
purpose of work or business or as a place to which persons
may resort for the purposes of worship, instruction,
recreation or entertainment;
“lime” means well-burnt lime of approved quality;
“non-inflammable material” means metal, slate, tiles,
burnt bricks, cement concrete, cement blocks, reinforced
concrete, and any other material which in the opinion of the
Director is non-inflammable; and
“inflammable” has a contrary meaning;
“outhouse” means any building constructed or adapted
for use or used for purposes ancillary to the use of another
building, and situated in the same curtilage as the said other
building but not forming part thereof nor attached thereto;
“party wall” means a wall forming part of a building and
either used, or constructed to be used, in any part of its
height or length for the separation of adjoining buildings
belonging to different owners or occupied or constructed or
adapted to be occupied by different persons;
“premises” means a building and the plot of land on which
it is built and all outhouses on such plot of land;
“prescribed” means prescribed by these rules;
“public building” means a building other than a dwelling
house, used or constructed or adapted to be used, either
ordinarily or occasionally, as a church or chapel or other
place of public worship, or as a hospital, public institution,
college, school, theatre, public hall or other building used for
any other public purpose of any kind whatsoever;
“reinforced concrete” means concrete which has been
strengthened with steel;
“room” means any subdivision of any storey of a building;
“storey” means the space between the upper surface of
every floor and the upper surface of the floor next above it,
or if there is no such floor above it, then in the case of a flat roof, the surface of such roof, and in the case of a pitched roof, the underside of the tie or collar beam of the roof or other covering when ceiled at such level, or if there be no tie or collar beam, then the level of half the vertical height measured from the bottom of the wall plate to the underside of the ridge piece.

3. Rules 4, 5 and 6 of these rules shall apply to the sections of places within the city to which Part IV of the Freetown Improvement Ordinance applies or is extended, and the remainder of these rules shall apply to the whole of the city:

Provided that nothing in these rules shall apply to any building operations commenced or completed before these rules come into force.

4. The surface of the roof of every building and the surface of the roof and the sides of every dormer, or other erection placed on any roof, other than a roof exempted by section 34 of the Ordinance, shall, except so much as consists of the framed and glazed windows thereof, be externally covered with slates, tiles, corrugated iron or other similar hard and non-inflammable material.

5. The roof of every building and of every balcony, verandah, cornice, shoot or similar projection shall be so arranged and constructed as to prevent the water therefrom from discharging upon or over any adjacent building or plot.

6. All buildings used as kitchens, bakeries or smithies, or for the purposes of any trade or manufacture in which the use of fire is a main element, shall be constructed of brick, stone or other hard and non-inflammable material.

7. The roof of a building shall not be provided with guttering except with the written permission of the Director.

8. Every chimney shaft shall be carried up in some non-inflammable material to a height of not less than thirty inches above the part of the roof adjoining thereto.

9. In any room having a fireplace and a wooden floor, there shall be laid before the chimney opening and extending at least eighteen inches in front and twelve inches at the sides thereof, a
slab of stone, slate or other hard non-conducting and non-inflammable material bedded solid for a thickness of at least six inches below the upper surface of the slab.

10. No part of any building or of any drain, pipe or tank shall project on to, over, or under any street, except with the written permission of the Director and subject to such conditions as he may impose.

11. Every porch, verandah, balustrade, cornice, window-shoot or the eaves of any overhanging roof, which shall be within five feet distance horizontally from the ground of any adjoining owner shall be constructed of, or covered with, hard and non-inflammable material.

12. (1) Except as hereinafter provided or with the written permission of the Director, no building shall approach nearer than fifteen feet to the centre line of the street.

(2) In the case of the streets listed in the First Schedule to these rules no building shall be constructed nearer than twenty feet to the centre line of any such street; and in the case of the streets listed in the Second Schedule to these rules, no building shall be constructed nearer the centre line of each such street than is stated in that Schedule against such street.

(3) In the case of Brookfields Road, Wilkinson Road and Blackhall Road, no building shall be constructed nearer than fifty-five feet to the centre line of the road.

13. No part of any building shall be erected nearer to any street than the Director may in his discretion allow when issuing a building permit for such building.

14. (1) It shall be lawful to erect buildings constructed of non-inflammable materials on adjoining plots so that the buildings adjoin one another on one side only on the boundary line between the plots.

(2) Buildings shall be deemed to adjoin for the purposes of sub-rule (1) of this rule when the whole of a main side wall of one of the buildings is contiguous with a main side wall of the other.

(3) Except in the case of buildings constructed of non-inflammable materials adjoining as aforesaid—

(a) every building constructed of non-inflammable materials shall be erected so that no part of the building is nearer than four feet to any side boundary line; and
(b) every building constructed of inflammable material shall be erected so that no part of the building is nearer than fifteen feet to any other building or nearer than seven feet six inches to any side boundary line.

15. Where a dwelling house of a height of twenty feet or more is erected on any plot of land, there shall be left at the rear of the building an open space having thereon no building which is not either a kitchen, a bathhouse, a wash house or a latrine. The open space shall extend for the full width of the plot to a depth depending on the height of the building as follows—

(a) for a building between twenty and twenty-five feet in height, twenty feet deep;
(b) for a building between twenty-five and thirty feet in height, twenty-five feet deep;
(c) for a building over thirty feet in height, thirty feet deep.

16. No dwelling house (which expression for the purposes of this rule shall include any outhouses belonging thereto) shall occupy more than two-thirds of the total area of the plot of land upon which it stands.

17. In the case of plots of land bounded by other than four straight lines, the positions of buildings and spaces to be left vacant shall be as approved by the Director.

18. Whenever a plot of land is covered with buildings to an extent exceeding eighty per centum of the surface thereof, it shall be lawful for the Director, when giving sanction for any building work in connection with the premises, to require as a condition of such sanction that the whole area not built on of such lot shall be paved in a manner satisfactory to the Director, and failure to pave such area in such manner shall be deemed to be a failure to comply with the provisions of these rules.

19. No cesspit shall be constructed within fifteen feet of any building used as a dwelling house or kitchen.

20. No building shall be higher than twice the distance from the base of the same to the centre line of the street upon which it fronts:

Provided that the Director may at his discretion relax this rule in the case of buildings erected on one side of a street facing the sea, where there is no building space on that side of the street which is nearer to the sea.
21. (1) The subsoil of the site of every building shall, before
the erection of the building, be properly drained or the site
elevated to the satisfaction of the Director.

(2) Water draining from compounds shall be discharged
through a properly formed and graded concrete or masonry
drain into any street drain formed of concrete or masonry, and
if there be no such street drain, or if no access thereto be pro-
vided outside the boundaries of the land, or if such street drain
be situated at such a level that the waste water from any
bathroom or wash house cannot be made to drain into it by
gravity, the water may be discharged into a soak-away pit.

22. (1) Every person who shall erect a building shall cause
the foundation of every wall of such building to rest on the
solid ground or upon a sufficient thickness of good concrete, or
upon some solid and sufficient sub-structure.

(2) The foundation of all walls of buildings built of brick
stone or concrete shall project on each side of such wall to a
distance equal to not less than one-half of the thickness of such
wall. The depth to the underside of such foundations, except
where rock is met, shall be equal to not less than two-thirds of
the thickness of such foundation at its base.

(3) The foundations of pillars and columns shall be subject
to the approval of the Director.

23. (1) No wall of any building shall be constructed of any
material other than masonry, cement blocks, cement concrete,
cement concrete blocks, reinforced concrete, or other approved
material. All external walls (other than those composed of
cement concrete or cement concrete blocks) having a thickness
of less than nine inches shall be rendered externally with a
waterproof material.

(2) No wall of any building shall be constructed either
wholly or in part of corrugated iron or timber.

24. (1) All walls built of cement blocks or cement concrete
blocks shall be laid with mortar composed of not less than one
part of cement to six parts of sand.

(2) All walls built of stone or burnt brick shall be laid with
mortar composed of not less than one part of lime to two-and-
a-half parts of sand or alternatively with cement mortar as
specified in sub-paragraph (1).
(3) Where lime mortar is used, the lime shall be thoroughly slaked at the scene of operations by the addition of sufficient water. No lime which has been slaked for less than three days shall be used.

Recesses.

25. No recess shall be made in any external or return wall of a building unless—

(a) the back of such recess is at least nine inches thick, and
(b) an approved arch, steel joist or reinforced concrete bressummer be fixed in every storey over every such recess.

Construction.

26. (1) All walls shall be plumb, and the courses shall be truly horizontal and shall be properly bonded. All walls forming an angle shall be bonded together and built at one and the same time, course for course.

Raking back.

(2) No wall which is intended to be joined to and form part of another wall shall be built with vertical toothings, but shall be raked back at an angle of 45 degrees in such a manner as will enable a proper connection to be made.

Ornamental projections.

27. All veneer-finish, cornices, balustrading and ornamental details, whether of the exterior or interior of a building, shall be securely and permanently attached to the building so as to form an integral part of it.

Measurements.

28. For the purposes of the following rules—

(a) the height of a wall shall be measured from the top of the foundations to its highest part, or in the case of a gable, to half the height of the gable;

(b) a wall shall be deemed to be divided into distinct lengths by return walls, cross walls, buttresses or piers, when bonded thereto, and the length of a wall shall be measured from centre to centre of such dividing return walls, cross walls, buttresses or piers;

(c) no wall shall be deemed to be a cross wall unless it is carried up to the top of the external or party wall to which it is bonded. If a transverse wall be carried on a girder or reinforced concrete beam and be supported by piers and braced to the satisfaction of the Director, such wall shall be deemed to be a cross wall.

Length of walls.

29. The length of a wall in relation to its thickness shall not be greater than is prescribed in the Third Schedule to these rules:
Provided that where a wall is intended for use as a fence, the maximum distance between pier centres thereof in relation to the size of such piers and the thickness of the wall panels shall be as is prescribed in the Fourth Schedule to these rules.

Schedule 4.

30. The thickness of an external wall in relation to its height and the materials with which it is built shall not be less than as prescribed in the Fifth Schedule to these Rules:

Provided that where such a wall—

(a) does not carry a superimposed load, and serves merely as a panel between steel or reinforced concrete columns or beams; or

(b) is part of a building which includes a storey which exceeds 15 feet in height; or

(c) is constructed of an approved material not specified in the said Fifth Schedule; or

(d) forms part of a public building or a building of the warehouse class;

it shall be of such thickness as may be approved by the Director.

31. The thickness of every cross or internal wall shall be at least two-thirds of the thickness prescribed or approved for the external or party wall to which it is bonded:

Provided that no internal or cross wall shall be of less thickness than two inches.

32. Party walls shall be constructed of a thickness not less than 50 per centum greater than the thickness prescribed or approved for external walls of the same material and of the same height and length, and shall be extended up to the underside of the outer roof covering.

33. (1) Boundary walls and fences may be constructed of wrought or cast iron work, masonry, burnt brick, cement concrete, cement blocks, reinforced concrete, or a combination of these, and shall not exceed eight feet in height.

(2) No barbed wire, galvanised iron or corrugated iron shall be used in the construction of any boundary wall or fence. An approved wooden fence may be built as a boundary fence, provided it is erected on a dwarf wall of approved thickness and at least two feet high.

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(3) Subject to the provisions of section 43 of the Ordinance, live fences may be planted not less than three feet behind the fence line, but in no place may they project in front of the fence line or exceed eight feet in height.

Coping. 34. Properly throated copings of approved material shall be provided for every wall where such wall is carried above a flat roof or gutter, so as to form a parapet.

Soakers. 35. Proper soakers, flashings or cement filleting shall be provided where the slating or other covering of the roof is in contact with a parapet or other wall or chimney stack carried up above such roof.

Lintels. 36. (1) An approved lintel of sufficient strength and with proper bearings shall be built over every window, door or other opening in any wall of a building.

(2) All such lintels shall extend to the full thickness of the walls into which they are built.

(3) Where groups of openings are of less distance apart than the width of the openings, lintels shall be made continuous over the series.

Templates. 37. Every girder which forms part of a building shall be borne by a sufficient template of stone, iron or cement concrete.

Bressumers. 38. Every bressumer which forms part of a building shall have a bearing in the direction of its length of at least nine inches at each end, and shall be carried on a wall or piers capable of safely supporting the load to be imposed thereon.

Floor joists. 39. In any building all floor joists which are eight inches or more in depth shall be herring-bone strutted at not more than six foot intervals.

Floor boards. 40. No floor in any part of any building shall be constructed of floor-boards which are less than three-quarters of an inch in thickness.

Roof framing. 41. (1) No timber for roof framing shall be used for any building unless such timber is sound and thoroughly seasoned.

(2) Roof framing of every building shall be provided with such wrought iron stirrups, fishplates and angle ties as may be necessary.
42. The gables of a building shall be provided with sufficient openings to allow circulation of air within the roof spaces, but such openings shall be so constructed as to prevent the entry of bats.

43. No overhanging verandah or balcony shall be attached to a building by means of brackets or cantilevers unless it is constructed of an approved material which is fire-proof, rot-proof and rust-proof.

44. (1) Every flight of stairs in any staircase in any building shall be properly constructed to the satisfaction of the Director from sound and suitable materials and shall be securely fixed and of adequate strength.

(2) Where any such staircase is constructed in a verandah, the passage left at the side of the stairs shall not be less than two feet six inches in the clear.

45. Every landing constructed in the stairs of any building shall be of a depth not less than the width of such stairs, and landings shall be provided at intervals of not more than twelve feet vertical rise of the stairs.

46. Proper handrails, newels and balusters shall be provided for every staircase constructed in a building, and these shall be properly secured.

47. No trap door shall be attached to any building in such a way that it can close any stairs in such building.

48. The Director may require the provision of additional staircases in any building if he considers that the size of the building makes this desirable.

49. Every person who erects a building shall construct in every habitable room of such building one or more windows, of an approved design, opening directly into the external air or into a verandah. The total window area, clear of the sash frames, shall be equal to at least one-eighth of the floor area for each room, and windows shall be so constructed that at least one-half of each window can be opened.

50. Every habitable room shall have not less than ninety-six square feet floor area.
51. Every habitable room, except rooms wholly or partly in the roof, shall have a minimum height of eight feet from floor to the ceiling.

52. Every habitable room wholly or partly in the roof of a building shall be at least eight feet in height from floor to ceiling throughout not less than two-thirds of the area of any such room and shall not be at any part of such room less than four feet high.

53. No person shall place the underside of the lowest floor of any building at such a level as will render it liable to flooding; construct any building that cannot be properly and efficiently drained.

54. Water draining from bathrooms and washhouses shall be discharged through a properly formed and graded concrete masonry drain into any street drain formed of concrete masonry, and if there be no such street drain, or if no access thereto be provided outside the boundaries of the land on which the bathroom or washhouse is situated, or if such street drain be situated at such a level that the waste water from a bathroom or washhouse cannot be made to drain into it by gravity, the water may be discharged into a soak-away pit.

55. The owner and the builder of any building or premises which fails in any respect to comply with the provisions of the rules, shall be guilty of an offence and shall be liable on summary conviction therefore to a fine not exceeding one hundred pounds and in the case of a continuing offence the owner shall be liable to a further fine not exceeding ten pounds for every day during which the offence is continued.

**FIRST SCHEDULE.**

<table>
<thead>
<tr>
<th>Adelaide Street</th>
<th>Kissy Street</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ascension Town Road</td>
<td>Liverpool Street</td>
</tr>
<tr>
<td>Bathurst Street</td>
<td>Morgan Street</td>
</tr>
<tr>
<td>Brook Street, Upper</td>
<td>Oxford Street</td>
</tr>
<tr>
<td>Charlotte Street</td>
<td>Percival Street</td>
</tr>
<tr>
<td>Circular Road</td>
<td>Pultney Street</td>
</tr>
<tr>
<td>Cline Street (East)</td>
<td>Pademba Road</td>
</tr>
<tr>
<td>Campbell Street</td>
<td>Rawdon Street</td>
</tr>
<tr>
<td>East Street</td>
<td>Ross Road</td>
</tr>
<tr>
<td>Fourah Bay Road</td>
<td>Savage Square</td>
</tr>
<tr>
<td>Garrison Street</td>
<td>Savage Street</td>
</tr>
</tbody>
</table>
Rules

<table>
<thead>
<tr>
<th>George Street (Central)</th>
<th>Sanders Street</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gloucester Street</td>
<td>Syke Street</td>
</tr>
<tr>
<td>Howe Street</td>
<td>Trelawney Street</td>
</tr>
<tr>
<td>Hennessy Street</td>
<td>Westmoreland Street</td>
</tr>
<tr>
<td>Kings Road</td>
<td>Water Street</td>
</tr>
<tr>
<td>Kennedy Street</td>
<td>Walpole Street</td>
</tr>
<tr>
<td>Kroo Town Road</td>
<td>Winderforce Street</td>
</tr>
<tr>
<td>Wellington Street</td>
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</tr>
</tbody>
</table>

SECOND SCHEDULE.

<table>
<thead>
<tr>
<th>Streets</th>
<th>Distance from Centre Line</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arnold Street</td>
<td>35 feet</td>
</tr>
<tr>
<td>Boston Road</td>
<td>35 feet</td>
</tr>
<tr>
<td>Boyce Street</td>
<td>35 feet</td>
</tr>
<tr>
<td>Bren Street</td>
<td>35 feet</td>
</tr>
<tr>
<td>Brookfields Avenue</td>
<td>40 feet</td>
</tr>
<tr>
<td>Brookfields Crescent</td>
<td>35 feet</td>
</tr>
<tr>
<td>Concord Road</td>
<td>35 feet</td>
</tr>
<tr>
<td>Daisy Street</td>
<td>35 feet</td>
</tr>
<tr>
<td>Hill Cot Road</td>
<td>40 feet</td>
</tr>
<tr>
<td>Hill Top Crescent</td>
<td>35 feet</td>
</tr>
<tr>
<td>Hunter Street</td>
<td>35 feet</td>
</tr>
<tr>
<td>King Harman Road</td>
<td>50 feet</td>
</tr>
<tr>
<td>Morewether Road</td>
<td>50 feet</td>
</tr>
<tr>
<td>Penelope Road</td>
<td>35 feet</td>
</tr>
<tr>
<td>Portland Road</td>
<td>35 feet</td>
</tr>
<tr>
<td>Riverside Drive</td>
<td>35 feet</td>
</tr>
<tr>
<td>Valley Road</td>
<td>35 feet</td>
</tr>
</tbody>
</table>

THIRD SCHEDULE.

MAXIMUM LENGTH OF WALLS OF VARIOUS THICKNESSES.

<table>
<thead>
<tr>
<th>Thickness of Wall in inches</th>
<th>Maximum Length of wall in feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>15</td>
</tr>
<tr>
<td>6</td>
<td>20</td>
</tr>
<tr>
<td>9</td>
<td>30</td>
</tr>
<tr>
<td>12</td>
<td>40</td>
</tr>
<tr>
<td>13 1/2</td>
<td>45</td>
</tr>
<tr>
<td>18</td>
<td>50</td>
</tr>
<tr>
<td>24</td>
<td>60</td>
</tr>
</tbody>
</table>
FOURTH SCHEDULE.

FENCE WALLS.

<table>
<thead>
<tr>
<th>Type of Wall</th>
<th>Thickness of wall panel</th>
<th>Size of Pier</th>
<th>Maximum distance between pier centres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cement concrete block</td>
<td>4&quot;</td>
<td>12&quot; × 9&quot;</td>
<td>12' 0&quot;</td>
</tr>
<tr>
<td>Burnt brick</td>
<td>9&quot;</td>
<td>12½ × 18&quot;</td>
<td>15' 0&quot;</td>
</tr>
<tr>
<td>Rubble stone</td>
<td>12&quot;</td>
<td>—</td>
<td>—</td>
</tr>
</tbody>
</table>

FIFTH SCHEDULE

MINIMUM THICKNESS FOR EXTERNAL WALLS OF VARIOUS HEIGHTS AND MATERIALS.

<table>
<thead>
<tr>
<th>Type of Building</th>
<th>Stone minimum thickness in inches</th>
<th>Burnt brick minimum thickness in inches</th>
<th>Cement concrete minimum thickness in inches</th>
<th>Cement block and cement concrete block minimum thickness in inches</th>
</tr>
</thead>
<tbody>
<tr>
<td>Outhouses in which the height of walls does not exceed 10 feet</td>
<td>12</td>
<td>4</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>Single storey buildings—</td>
<td>12</td>
<td>9</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>(a) the walls not exceeding 15 feet in height</td>
<td>12</td>
<td>9</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>(b) the walls exceeding 15 feet in height but not exceeding 20 feet in height (if approved by the Director)</td>
<td>18</td>
<td>13½</td>
<td>9</td>
<td>9</td>
</tr>
<tr>
<td>(c) the walls exceeding 20 feet in height</td>
<td>As approved by the Director</td>
<td>—</td>
<td>—</td>
<td>—</td>
</tr>
<tr>
<td>Two storey buildings—</td>
<td>18</td>
<td>13½</td>
<td>9</td>
<td>9</td>
</tr>
<tr>
<td>First storey</td>
<td>12</td>
<td>9</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>Second storey</td>
<td>18</td>
<td>13½</td>
<td>9</td>
<td>9</td>
</tr>
<tr>
<td>Three storey buildings—</td>
<td>12</td>
<td>9</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>First storey</td>
<td>18</td>
<td>13½</td>
<td>9</td>
<td>9</td>
</tr>
<tr>
<td>Second storey</td>
<td>18</td>
<td>13½</td>
<td>9</td>
<td>9</td>
</tr>
<tr>
<td>Third storey</td>
<td>12</td>
<td>9</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>Buildings of more than 3 storeys</td>
<td>As approved by the Director</td>
<td>—</td>
<td>—</td>
<td>—</td>
</tr>
</tbody>
</table>