

## New Zealand.



### ANALYSIS.

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### 1930, No. 2.—*Local and Personal.*

AN ACT to empower the Rotorua Borough Council to levy a Sanitation Fee on Property within the Borough. Title.  
[29th September, 1930.]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Rotorua Borough Empowering Act, 1930. Short Title.

2. In this Act, unless a contrary intention appears,— Interpretation.  
“Borough” means the Borough of Rotorua constituted by the Rotorua Borough Act, 1922:

“Council” means the Rotorua Borough Council:

“Department” means the Department of Tourist and Health Resorts incorporated as provided in section eight of the Rotorua Borough Act, 1922.

3. (1) The Council may from time to time, in manner provided by the Municipal Corporations Act, 1920, make by-laws providing for the payment of an annual fee for sewerage purposes (hereinafter referred to as the sanitation fee), and may in every year levy a sanitation fee in accordance with such by-laws on all rateable property situated within the borough, and also on all non-rateable property (other than lands vested in His Majesty of which there is not an owner or occupier as defined by the Rating Act, 1925, other than His Majesty) situate within the borough connected with and receiving service from the Council's sewerage system. Council may make by-laws levying annual fee for sewerage purposes.

(2) No such by-law shall be made affecting any land or building now or hereafter served by the existing drainage-works within the

borough, the property of the Department, without the precedent consent in writing of the Minister for the time being in charge of the Department.

(3) Any such by-laws may make provision for the exemption from payment of the sanitation fee of any owner or occupier of property which is not served, or is not likely to be served, by the Council's sewerage system.

(4) The sanitation fee may in any year be of a sufficient amount to provide for the payment in whole or in part of the interest and other charges for that year on any loan or loans heretofore or hereafter raised by the Council for sewerage purposes and of the cost of maintaining the Council's sewerage service.

(5) Where any loan has been raised by the Council for the purpose of carrying out any sewerage or drainage scheme and has been secured by a special rate and levied over the rateable property within the borough, or any defined portion of the borough, the Council may, in any year in which the amount collected or to be collected by way of sanitation fees is available and sufficient for the payment of the whole or part of the interest and other charges on the loan, refrain from levying the said special rate, or reduce the amount thereof to be levied in that year, as the case may be.

(6) The proceeds of any sanitation fee shall be available only for the purposes mentioned in subsection four hereof.

(7) A sanitation fee shall for all purposes be deemed to be a separate rate.

(8) In the event of any conflict between the by-laws of the Council pursuant to this Act and any rules or by-laws made by the Department under the powers in that behalf contained in section eight of the Rotorua Borough Act, 1922, the latter shall prevail.

4. Nothing in this Act shall in any way affect the rights or interests of any debenture-holder or other creditor of the Council.

Act not to affect  
rights of debenture-  
holders or creditors.