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THE BUILDING ALIGNMENT ORDINANCE, 1921.

Western Samoa.

No. 20, 1921.



## An Ordinance

made by the Administrator of the Territory of Western Samoa with the advice and consent of the Legislative Council of that Territory, and in pursuance of the Samoa Constitution Order, 1920.

1. This Ordinance may be cited as the Building Alignment Ordinance, 1921.
2. (1) The Chief Surveyor shall prepare a plan of the streets and parts of streets defined in the schedule hereto in the Town of Apia showing a building alignment to which all new buildings intended to front or border on such streets are to conform, and shall submit such plan to the Administrator for his approval of the alignment shown in such plan. No plan which provides for a street of less width than twenty (20) metres shall be approved by the Administrator.
- (2) On the approval by the Administrator of such building alignment being signified by his signature to such plan it shall be certified by the Chief Surveyor as the official building alignment plan and shall be deposited in the office of the Chief Surveyor where it shall be open for inspection.

3. Every person intending to build a new building or substantially to re-erect an existing building upon a site bordering any street shown in the official building alignment plan shall apply to the Engineer in Charge of Public Works, in writing, for his authority to proceed with the intended building and shall indicate the situation of the intended building with respect to such street upon a plan to be submitted to the Engineer in Charge for his approval with the application.

4. It shall be the duty of the Engineer in Charge to satisfy himself that no part of such new or substantially re-erected building is intended to be advanced beyond the building alignment and upon being so satisfied, but not otherwise, he shall, if all other requirements of the law are complied with, by a memorandum under his hand on the said plan authorise the building to be proceeded with in accordance with such plan.

5. If any person shall commence to build without such an authority or shall deviate in regard to alignment of the building from the plan approved as aforesaid the Engineer in Charge shall notify such person in writing that the building has not been authorised or of the deviation from the plan as the case may be and shall order such person to discontinue the building until the proper authority shall have been obtained or the deviation from the plan shall have been rectified.

6. Any person who disobeys any such order shall be guilty of an offence and liable to a fine of £5 for every day during which such disobedience is continued.

7. On any conviction under the last preceding clause the Court may order the removal of any part of the building in respect of which the offence has been committed which is advanced beyond the building alignment, and under the authority of any such order the Engineer in Charge may remove such part and sell the materials thereof to repay the expenses of removal and sale paying the surplus proceeds (if any) of such sale to the person entitled thereto.

8. Notwithstanding the foregoing provisions it shall be lawful for the Engineer in Charge to approve of the construction of any verandah or balcony although the same may advance beyond the building alignment, and for any person with such approval and subject to any conditions thereof to construct any such verandah or balcony.

#### THE SCHEDULE.

##### 1. MAIN ROAD.

All that portion of the Main Beach Road commencing at the western extremity of Mulinuu Point and extending to the Fuisaa River.

##### 2. VAIALA-VINI ROAD.

All that portion of Vaiala-Vini Road starting from its intersection with Main Beach Road and running inland to its junction with Matautu-Moataa Road.

3. MATAUTU-MOATAA ROAD.

All that portion of Matautu-Moataa Road commencing from its intersection with Main-Beach Road and running in the easterly direction to its junction with Vaiala-Vini Road.

4. FALEALILI STREET.

All that portion of Falealili Street commencing from its intersection with Main Beach Road and running inland in the southerly direction to its junction with Vailima Road.

5. IFI-IFI STREET.

All that portion of Ifi-ifi Street from its intersection with Main Beach Road to its junction with Tanugamanono Road.

6. MOTOOTUA ROAD.

All that portion of Motootua Road commencing from its intersection with Ifi-ifi Road and running in an easterly direction to its junction with Falealili Street.

7. TANUGAMANONO ROAD.

All that portion of Tanugamanono road from its intersection with Ifi-ifi Street to its junction with Falealili Street.

8. VAILELE ROAD.

All that portion of Vailele Road commencing from its intersection with Falealili street and running in the easterly direction to its junction with the Magiagi Road.

9. VAEA STREET.

All that portion of Vaea Street from its intersection with Main Beach Road to its junction with Vaitele Street.

10. FUGALEI STREET.

All that portion of Fugalei Street from its intersection with the Main Beach Road to its junction with Convent Street.

11. CONVENT STREET.

All that portion of Convent Street from its intersection with Fugalei Street to its junction with Vaea Street.

Assented to this 8th day of  
December, 1921.

[L.S.] R. W. TATE,  
Administrator.