

1914

c 252 Steam Boiler Act

Ontario

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CHAPTER 252.

An Act respecting Steam Boilers.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Steam Boiler Act*. Short title.
3-4 Geo. V. c. 61, s. 1.

2. In this Act and in the Regulations

Interpretation.

(a) "Inspector" shall mean an Inspector appointed by the Lieutenant-Governor in Council under and for the purposes mentioned in this Act; "Inspector."

(b) "Minister" shall mean the Minister of Public Works; "Minister."

(c) "Regulations" shall mean regulations made under the authority of this Act by the Lieutenant-Governor in Council; "Regulations."

(d) "Steam Boiler" shall mean and include a boiler used for generating steam for heating or power purposes, and every part thereof or thing connected therewith, and apparatus and things attached to or used in connection with any such boiler, but not "Steam boiler."

i. a boiler in a private residence, apartment house, office building, church, hotel, or public building used exclusively for heating purposes, and provided with a device approved by the Minister, limiting the pressure carried to fifteen pounds to the square inch, nor

ii. a portable boiler, rated at 25 horse-power or under, or a boiler used exclusively for horticultural or agricultural purposes. 3-4 Geo. V. c. 61, s. 2.

3. Upon the recommendation of the Minister of Public Works the Lieutenant-Governor in Council may make Regulations Power to make regulations as to construction, etc., of steam boilers.

(a) respecting the construction of steam boilers;

(b) prescribing specifications for the construction of steam boilers, including the material to be used,

the method and order of construction, the tests to be applied during and after construction;

(c) for the inspection of every steam boiler during its construction and before it is removed from the place of construction; and

(d) generally respecting such other matter as may be deemed proper to secure a uniform standard of strength, safety and efficiency in the construction of steam boilers. 3-4 Geo. V. c. 61, s. 3.

When to come into effect.

4. The Regulations shall be published in the *Ontario Gazette* and shall come into force and take effect at a date to be named by Proclamation. 3-4 Geo. V. c. 61, s. 4.

Note Regulations in pursuance of the Act, 10 Edw. VII. c. 98, s. 4, were proclaimed on 29th January, 1913, to come into force on 1st July, 1913.

Appointment of Inspectors.

5.—(1) The Lieutenant-Governor in Council may appoint Inspectors of steam boilers for the purposes of this Act and for the enforcement of the Regulations, and may designate one of them to be Chief Boiler Inspector.

Employment of boiler inspection company.

(2) The Minister may employ any boiler insurance company registered in the Department of Insurance, or any Inspection Company engaged in the inspection of steam boilers, to make any inspection of steam boilers during their construction, required by the Regulations, and the company making such inspection shall report upon the same within fourteen days thereafter to the Chief Boiler Inspector. 3-4 Geo. V. c. 61, s. 5.

Inspectors not to be agents for boilers or machinery.

6. No person shall be appointed or shall hold office as Inspector who is directly or indirectly interested in the manufacture or sale of steam boilers or steam machinery. 3-4 Geo. V. c. 61, s. 6.

Oath of office to be taken.

7. Every Inspector appointed under the provisions of this Act shall, before entering upon the performance of his duties, take and subscribe an oath that he will faithfully and impartially perform the duties of his office. 3-4 Geo. V. c. 61, s. 7.

Power to enter premises.

8. For the purpose of seeing that the provisions of this Act, and of the Regulations are complied with, an Inspector may at any reasonable hour enter upon any land or into any building where any steam boiler is under construction, alteration or repair. 3-4 Geo. V. c. 61, s. 8.

Obstructing inspectors.

9. Any person interfering with or obstructing any Inspector in the performance of his duties under this Act shall incur a penalty not exceeding \$50. 3-4 Geo. V. c. 61, s. 9.

10.—(1) An Inspector may by notice in writing require the attendance before him, at a time and place named in the notice, of any person, and may examine such person either alone or in the presence of any other persons as he may think fit as to any matter connected with the construction, alteration or repair of a steam boiler or its removal from any place in which it has been constructed, altered or repaired.

Power for Inspector to summon witnesses.

(2) For the purposes of subsection 1 the Inspector may administer an oath to any person to be examined by him.

To administer oath.

(3) Every person who wilfully neglects or refuses to attend before the Inspector after receiving notice so to do, or refuses to be sworn or to give evidence before the Inspector, or to answer any question put to him by the Inspector touching the matters mentioned in subsection 1, shall incur a penalty of \$25. 3-4 Geo. V. c. 61, s. 10.

Penalty for neglect to attend.

11.—(1) Upon completion of his inspection the Inspector shall issue to the owner or manufacturer of the boiler an inspection certificate; and the owner or manufacturer shall pay the Inspector a fee of \$5 for such inspection and the issue of such certificate.

Inspection certificate.

Fee.

(2) Any owner or manufacturer neglecting or refusing to pay the Inspector such fee shall incur a penalty not exceeding \$20. 3-4 Geo. V. c. 61, s. 11.

Penalty for refusal to pay fee.

12.—(1) Any person who is dissatisfied with the action of an Inspector or with a certificate of inspection issued by him may within one week after the inspection appeal to the Minister, who may thereupon cause another inspection to be made by one or more competent inspectors, who shall report to him, and the decision of the Minister shall be final.

Appeal to the Minister.

(2) Any expenses occasioned by the appeal and second inspection shall be paid as determined by the Minister.

Expenses, how paid.

13. All fees paid and all penalties recovered under this Act or the Regulations shall be paid to the Treasurer of Ontario. 3-4 Geo. V. c. 61, s. 13.

Application of fees and penalties.

14. The penalties imposed by or under the authority of this Act shall be recoverable under *The Ontario Summary Convictions Act*. 3-4 Geo. V. c. 61, s. 14.

Recovery of penalties. Rev. Stat. c. 90.

15. This Act shall not apply to

Exceptions to Act.

(a) a new boiler in the possession of the manufacturer or of a dealer in steam boilers on the 1st day of July, 1913, or to a boiler under construction on that date; or to

- (b) a second hand boiler in the possession of the manufacturer or of a dealer in steam boilers on that date, unless the same is re-built or extensively altered after that date. 3-4 Geo. V. c. 61, s. 15.
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