

File No. 14053 Continued.

make such repairs.

The following supervision of Section 99 applies more particularly to extensive repairs, such as require the preparation of formal plans, yet it reflects some light on the duties of the Inspector of Buildings in relation to the matter of repairing buildings:

"Whenever the construction of a new school house or the enlargement and repairs of an old school house is authorized, the instructions of the Board of School Commissioners shall be regarded by the Inspector of Buildings in the preparation of his plans and no plans shall be finally adopted without the concurrence of said Board".

I am clearly of the opinion that the installing of electricity by means of wiring and other appliances incident thereto, or the changing of existing wiring are embraced within the meaning of the terms "construction and repairing" as used in section 89 of the Charter, and, therefore, come within the duties of the Inspector of Buildings.

The foregoing is supported by an opinion of Honorable William Cabell Bruce, former City Solicitor, contained in a letter dated February 20th, 1905, addressed to B. Howard Haman, Esq. (City Solicitor's File No. 2556).

Unless the purchase of the portable cleaning apparatus can be classed as the repair of a building, I do not find any power in the Inspector of Buildings to make such purchase.

I cannot bring myself to believe that the purchase of a "portable" cleaning apparatus, that can be carried easily from one part of the building to another, and is not fixed in position, and which, I understand, is not physically connected with the building other than by the temporary contact of a wire connected to the apparatus, with a wire fixed to the building, for the purpose of transmitting electric current to operate the apparatus, is, under most liberal construction, within the meaning of the terms "construction and repairing" of buildings built by the City.

This apparatus, portable in character, not permanently fixed to the building, temporarily attached through the medium of a wire, takes the place to a large extent, of a broom and dusting brush. The purchase of this apparatus including the wire permanently attached to it, does not, in my opinion, come within the duties prescribed for the Inspector of Buildings, namely "the superintendence of the construction and repairing of all buildings built by the City."