

# Market towns

Copenhagen and Frederiksberg were not alone in experiencing growth from the middle of the 1800s. The same thing was happening in many of the market towns (larger towns) up and down the country.

They therefore had a similar need for up-to-date legislation, and this came about with the *Building Act for the Market Towns of the Kingdom of Denmark of 30 December 1858*.

## Building Act of 1858

This Act used the Frederiksberg Building Act of the same year as a basic model, but was substantially different in terms of its technical provisions.

### Exterior walls

Brick-built exterior walls were required to be constructed as firewalls at the boundary only, and in all other respects observed the requirements for their use in buildings of two or more floors. There were provisions on the thickness of exterior walls according to the number of floors as well as a specified stone size. There were no other requirements – not even on the use of bricks laid with lime mortar.

### Interior walls

Interior walls were not mentioned except in the draft bill, which permitted the use of clay bricks for their construction, provided that a damp-proof layer was placed in the transition from the foundations. However, the legislators found the requirement for placing such a damp-proof layer to be quite sensible, and it was extended to apply to all walls regardless of material choice.

### Storey partitions

Provisions relating to storey partitions were limited to the requirement that ceilings must not consist of paper or canvas stretched beneath or between the beams.

### Roofs

Provisions relating to roof construction were expressed only in the requirement for the use of non-flammable materials for roof coverings and the prohibition of wooden cornices and channels. The requirement for maximum roof slope was set to 50 degrees, and the same possibility existed for raising the building height by lowering the roof ridge as in Copenhagen and Frederiksberg.

### Foundations

There were no provisions relating to foundations.

It was thus for good reason that the situation at the end of the 1880s could be described as follows:

*“As far as the Building Act of 1858 is concerned, it must be said to be rather unsatisfactory in the present circumstances; even though in its day it signified great progress, it was also generally less than concise in its expression and full wording, so that any interpretation has greater latitude and meaning than is either desired or necessary. Notably, apart from the very important provision on wall thickness, it offers next to*

*no guarantee against unsound construction, and permits the use of highly flammable wooden materials for the internal design of buildings, which should not be tolerated anywhere.” (E. Jürgensen: Bygningslovgivningen for Kjøbstæderne og Landet, Copenhagen 1887)*

### **Building statutes up to the 1890s**

However, this situation had clearly been foreseen, and under paragraph 40 of the Act, the town/municipal council was afforded the opportunity to issue a local statute to “complete the existing provisions of the Act”.

Such building statutes were simply registered without further publication following their approval by the (then) Ministry of Justice.

Between 1870 and 1924 the statutes were publicised through the official gazette. Thereafter, the building authorities came under the jurisdiction of the Minister for the Interior, and it was left to the individual municipalities/market towns to make the proclamations.

These proclamations were to be inserted three times in the newspaper used by the municipal council to publicise its decisions. The paragraph was to contain information on how copies of the statute could be acquired and at what price. Furthermore, the copies were to be printed at least eight days prior to the statutes entering into force and in “a suitable quantity”(!). (The same applied to the building regulations mentioned later.)

As paragraph 40 of the Market Town Building Act was formulated and understood, the statutes could only extend the requirements prescribed by the Act – they could not amend its provisions. However, the provisions concerning the technical conditions were so few (as can be seen from the above) that there was ample room for manoeuvre. And it was made use of!

It was natural enough to base such provisions on the Frederiksberg legislation – and thus, in practice, on the Copenhagen Building Act of 1856 (and later, on the Act of 1871). It would also have been quite sensible to transfer these provisions word for word into the statutes. But that did not happen.

The individual town councils “shopped around” in the Copenhagen/Frederiksberg regulations. Some were transferred directly, others were moderated or tightened and others still were omitted or added. The size of the statutes, expressed by the number of paragraphs therein, varied a great deal: in the examples below, they range from 22 (Odense) to 37 (Horsens).

Comparisons follow of the building statutes that had come into force by the middle of the 1880s, which were: Aarhus (1880), Odense (1881), Horsens (1883), Rønne (1884) and Fredericia (1885).

#### **Exterior walls**

Supplementary provisions in the market town act on wall thicknesses stipulated a minimum size for corner pillars (except in Odense).

Fredericia and Horsens had a maximum horizontal measurement for window openings corresponding to that in the Copenhagen Building Act (KBL-71), but it did not apply in the other towns. These two statutes also mentioned the possibility of using iron columns in facades – though only following special permission.

### **Interior walls**

Odense had no provisions relating to interior walls. In the other statutes, almost identical provisions were given for the construction of the main partition wall to be of at least one-brick thickness in the basement and in the basement and ground floor in buildings of two and three or more storeys respectively. However, in Fredericia this was conditional upon the number of transverse and thus supporting walls.

Where the room height was greater than five alen (corresponding to ca. three metres), the requirement was for all internal walls to be of either masonry of one-brick thickness or brick-lined timberwork of one half-brick thickness – except in Rønne: here the room height was 5½ alen.

### **Storey partitions**

In Horsens, the provisions on beam spacing and anchoring, on the minimum dimension of beams and on the simultaneous increasing of cross-sections and spans corresponded to those in KBL-71.

In Fredericia a slightly larger beam spacing was prescribed; in Aarhus and Rønne a slightly smaller dimension increase with larger spans was permitted; and Odense had no such provisions.

The requirement for pugging existed in other towns but not in Odense. The requirements for “plastered ceilings” in residential apartments existed in every town, but in Horsens the plastering could be replaced with a layer of planed tongue and groove boards.

In all statutes there was a requirement for kappedæk (expressed slightly differently) to be used as a separation between residential apartments and (especially) flammable commercial premises and horse stables.

### **Roofs**

Provisions on rafter spacing, on the minimum dimension of rafters and on the simultaneous increase of cross-section and span did not exist in Odense. However, in every other town they were identical to those in KBL-71.

(It seems strange that Odense, as the country’s second-largest city at the time and in contrast to the other towns, lacked detailed provisions on interior walls, storey partitions and roofs. This may be because they existed in a previous statute from 1861 – almost certainly the first of its kind – which was still in force. However, this has not been immediately available.)

### **Foundations**

In Fredericia, the provisions were similar to KBL-71 and were thus bereft of unambiguous descriptions. However, this was not the case in the other towns. The market town building statutes had a requirement for the foundations to be placed on “solid ground” and provisions (not completely identical) relating to the width and height of foundations; in some cases they were also described in relation to the building height.

In Horsens and Rønne, the provisions had further references to the use of masonry. Finally, in these four statutes there were also provisions on the minimum foundation depth corresponding to the frost line – ca. 90 cm below ground, except in Rønne, where the depth was stipulated as ca. 60 cm.

As illustrated with the above five statutes, there was a great deal of freedom around the requirements and their formulation.

#### **Building statutes after 1894**

With Frederiksberg having revised its building act in 1890, again (in terms of the technical provisions) with its roots in the Copenhagen Building Act of 1889, under the Act of 5 December 1894 the market towns were granted permission to draft the provisions in their building statutes according to the Frederiksberg Act. This was the case even if the provisions of the market town act were thereby amended or relaxed. Existing statutes were subsequently amended and new ones added in the vast majority of towns.

With regards to the interpretations of the provisions of the acts and, in particular, the statutes, and more so those of a technical nature, it is again necessary to refer (through the interpretations of the Frederiksberg building acts) to those applicable to Copenhagen.

The Market Town Building Act of 1858 and the statutes that followed were in force right up to 1960. By this time, virtually all towns had their own statutes. This was certainly the case for more than 60 of them by the start of the 1930s – only half a dozen remained without.