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42

Colonial Secretary's Office,
Perth, 5th September, 1877.

THE following By-Laws, compiled and passed by the Perth Municipal Council, have been confirmed by His Excellency The Governor, with the advice of his Executive Council.

ROGER TUCKER^D. GOLDSWORTHY,
Colonial Secretary.

By-Laws of the Perth City Council.

WHEREAS by "The Municipal Institutions' Act, 1876," section 49, it is enacted that "it shall be lawful for the Council to make, publish, alter, modify, amend, or repeal such By-Laws and Regulations as to them shall seem meet for regulating their own proceedings," and for certain other purposes in the said section particularly mentioned; and by the said Act it is further enacted that "such By-Laws should not be inconsistent with, or repugnant to, any of the provisions of that Act or to any Law in force, and when confirmed by the Governor, with the advice of the Executive Council, and published in the *Government Gazette*, but not sooner or otherwise, should have the force of Law." Now therefore, pursuant to the powers contained in the said Act, it is ordered and directed by the Council of the City of Perth that the following By-Laws shall, from and after confirmation and publication as aforesaid, be By-Laws of the said Perth City Council.

ORDER OF PROCEEDING.

1. The Council shall meet at the Town Hall on the first Friday in every month, at the hour of eight p.m., for the transaction of their ordinary business, and the business of the Council shall be conducted with open doors.

2. The Council shall commence business so soon after the above-mentioned hour as there is a sufficient number of members in attendance to constitute a quorum; but if at the

expiration of one half-hour from the above-mentioned hour there is not a quorum present, no business shall be transacted by the Council at that meeting.

3. That if at the expiration of the said one half-hour of the said hour of eight o'clock, p.m., the Chairman should not be present, the Council shall, if a quorum be present, proceed to elect a Chairman from the Councillors so present, who shall act as such during the absence of the Chairman of the Council.

4. At all meetings of the Council, when there is not a quorum present or when the Council is counted out (which counting out shall take place whenever there shall be less than one-third of the members of the Council present exclusive of the Chairman or Councillor chosen to preside in his absence), such circumstance, together with the names of the members present, shall be recorded in the Minute Book.

5. At all meetings of the Council the minutes of any preceding meeting, not previously confirmed, shall be read as the first business of all meetings of the Council, in order to their confirmation, and no discussion shall be permitted thereupon, except as to their accuracy as a record of the proceedings.

6. Immediately after confirmation of the minutes, the Chairman may make any communication to the Council which he may deem advisable, or bring under consideration any business he may think necessary, and then the ordinary business shall be proceeded with.

7. No By-Law shall be finally passed or adopted at the meeting at which it shall have been first proposed, nor until the next ordinary meeting of the Council; and every such By-Law shall, in the interim, remain open for the inspection of any of the Burgesses, at the office of the Council.

THE COLLECTOR, HIS POWERS AND DUTIES.

8. The Collector for the time being duly appointed by the Council, shall demand, collect,

and receive all rates, assessments, license fees, fines, forfeitures, rents, tolls, and other sums due to the Council, and his receipt shall be a full and sufficient discharge for any sums paid to him. And all sums, so received by the Collector, shall be by him paid to the Treasurer of the Council weekly.

THE CLERK TO THE COUNCIL.

9. The Clerk to the Council shall keep the books of the Council, and shall duly keep, and enter in a proper minute book, minutes of all proceedings of the Council. He shall attend all meetings of the Council, issue notices of all meetings, and shall prepare for the Council or Chairman thereof, and in due time, the voters' lists for the Municipality, and for the Wards thereof, and cause them to be affixed as by the said Act required, and shall supply copies thereof as by the said Act required; and shall make up and complete, under the direction of the Council, the Rate Book; and shall, under the like direction, prepare the annual estimates as by the said Act required. He shall also keep all such books of account as are required to be kept by the 124th section of the said Act. He shall also, under the like direction of the Council, cause the accounts of the Council to be balanced half-yearly as required by the said Act. He shall also, under the direction of the Council, prepare the annual financial statement or summary; and shall do and perform all such other acts as the Council or Chairman thereof may lawfully require him to do under or by virtue of the said Act; and shall attend the Council office during such hours as the Council may determine.

THE TREASURER.

10. The Treasurer shall have the custody of the Common Seal, and of all deeds and records of the Council; but he shall not affix the Common Seal to any Corporate document without the express order of the Council.

11. The Treasurer shall receive weekly from the Collector, all sums stated to be received by him under By-law No. 8, and give the Collector a receipt for such monies.

12. The Treasurer shall (if required by the Council at any time so to do) give a Bond with two sureties, in a sum to be named by the Council, conditioned for the fair and diligent discharge of his duties.

13. The Treasurer shall, out of the moneys received by him as Treasurer of the Council, pay all accounts duly and lawfully passed by the Council at its ordinary monthly meetings, and shall make all other payments which the Council may lawfully pass and order for payment.

THE SUPERVISOR.

14. The Supervisor, for the time being duly appointed by the Council, shall have the immediate care, management, and direction of all buildings, lands, streets, paths, jetties, wharves, markets, trees, posts, fences, works, drains, culverts, and all other property belonging to, in charge of, or under the possession, control, or power of the Council; and he shall from time to time report to the Council the state of, condition, or repair of the same, and the progress of any works going on therein or thereon, and the breach or violation of any By-Law in connection with the same.

WEIGHTS AND MEASURES.

15. The Supervisor has, by order of the Council, under its common seal been appointed

inspector, keeper, and examiner of all weights, balances, and measures within the jurisdiction of the Council, and the standard weights and measures are deposited in the office of the Council; and the said Supervisor shall demand and receive, by virtue of the ordinance 3 Wm. IV, No. 2, sec. 2, a fee of sixpence for each and every weight and measure compared.

MARKET REGULATIONS.

16. The Perth general market shall be such space under the Town Hall and in the immediate vicinity thereof as may be set apart for such purpose from time to time by the Council for the sale of wares, merchandize, dairy and farm produce.

17. The market shall be open every day in the year except Sunday, Christmas Day, and Good Friday, from sunrise to sunset, and except on Saturdays, when it shall remain open until 9 o'clock p.m.

ALL GOODS TO BE SOLD BY AVOIRDUPOIS WEIGHT.

18. That all goods shall be sold by avoirdupois weight, and no other weight be allowed in the market, under a penalty of any sum not exceeding forty shillings for every breach of this By-Law. Any person offering to purchase may require the vendor of such goods, &c., to weigh the same at the sale thereof.

GOODS TO BE WEIGHED IN STALL.

19. All weighing or measuring of goods by stall holders shall be performed within such stalls.

OCCUPIERS OF STALLS NOT TO OBSTRUCT.

20. That any person who may place any matter or thing so as to obstruct the roadways and passages in the said market, or elsewhere therein than where desired by the Inspector, and shall neglect or refuse to remove the same on being required so to do by the Inspector, shall forfeit and pay any sum not exceeding Forty shillings for every such offence.

FITTING UP STALLS.

21. That any person who shall in any way fit up or enclose any stall without the consent or contrary to the direction of the Inspector, every such person shall forfeit and pay any sum not exceeding Forty shillings for every such offence.

STALLS TO BE KEPT CLEAN.

22. That the holders of any stall or shed in the said Market, who may fail or neglect to keep or leave such stall, &c., clean and in good order, shall forfeit and pay for every such offence any sum not exceeding Forty shillings.

PIGS, CATTLE, AND HORSES NOT TO BE SOLD.

23. No live pig, sheep, cattle, or horses shall be kept for sale in the Market, under a penalty of not exceeding Forty shillings.

BUTCHERS' MEAT AND FISH TO BE REMOVED OR SALTED DOWN EVERY NIGHT.

24. All butchers' meat and fish must be removed from the Market or salted down in casks, and the Market stall thoroughly cleansed of all impurities at the close of each and every Market day, by the occupier of such stall.

HAY AND STRAW MUST BE REMOVED.

25. All hay and straw must be removed from the Market before three o'clock, p.m.; any owner of such hay or straw failing to do so, shall forfeit and pay any sum not exceeding Five pounds, together with expense of removal.

GOODS TO BE REMOVED IF NECESSARY.

26. Occupiers of stalls, if required by the Inspector to do so, must remove all goods of an objectionable nature every evening at the

close of the Market; and all goods left during the space of eighteen hours unclaimed, shall be disposed of, under instructions of the Chairman of the Council.

OBSTRUCTING INSPECTOR.

27. That any person who shall obstruct or resist the Inspector in the discharge of his duty shall, independent of any penalty which he or she may otherwise incur, forfeit and pay any sum not exceeding Forty shillings.

COUNCIL NOT LIABLE FOR GOODS.

28. The Council will not be responsible for the safety of any goods brought for sale to the Market or which may be left there at night by permission of the Inspector.

As to the general regulation of Traffic, and the general Good Rule and Government of the Municipality.

FOOTWAYS.

29. Crossing places across the footways of the City shall be made and maintained in the form, manner, and of such materials as shall be directed by the Supervisor. And no crossing shall be made until an application for the same has been forwarded to and approved of by the Council in writing; and the construction of all such crossings must be to the satisfaction of the Supervisor. And any person offending against this By-Law shall forfeit and pay, upon conviction, a penalty not exceeding Twenty pounds.

FOR THE COVERING OF FOOTPATHS WHILST BUILDINGS ARE IN PROGRESS.

30. Whenever any builder or other person engaged in building the walls of any building abutting on any footpath in any of the streets, terraces, squares, roadways, courts, or alleys within the City, shall have erected the first storey of any building, or whilst any plastering operations are in progress above the first storey of any building, such builder or plasterer or other person shall cause the footway to be covered and kept covered until completion of the work then in progress, with a close and substantial covering of boards of not less than two inches in thickness, and sloping outward from the building at such an angle as the falling material shall be thrown off beyond the footway; such covering to be not less than nine feet above the curb or outer edge of the footway. And any builder, plasterer, or other person so building or plastering as aforesaid, who shall neglect, fail, or refuse to cover and keep covered the footway as aforesaid, shall forfeit and pay, upon conviction, a penalty not exceeding Five pounds.

TO PROVIDE FOR THE LIGHTING OF BUILDING MATERIALS OR RUBBISH DEPOSITED IN THE STREETS AT NIGHT.

31. When any building materials, rubbish, or other things shall be laid, or any hole or excavation shall be made in any of the streets or footpaths within the City, the person depositing or causing such materials or other things to be so laid, or the said hole or excavation to be made, shall at his own expense cause a sufficient light to be placed in a proper place, upon or near the same, and continue such light every night from sun-set to sun-rise during the time such materials, hole, or excavation shall remain; and in case such person shall refuse or neglect so to light and keep lighted such materials or other things as aforesaid, the person so offending shall for every such offence forfeit and pay upon conviction any sum not exceeding Five pounds.

TO REGULATE THE DRIVING OF UNYOKED CATTLE AND UNBROKEN HORSES THROUGH THE CITY.

32. No unyoked cattle, whether intended for sale or slaughter, and no unbroken horses, whether roped or not, shall be driven along, across, into, or through any terrace, square, street, lane, court, alley, or other inhabited portion of the City, excepting between the hours of ten of the clock at night, and eight of the clock in the morning during the months of May, June, July, August, and September, and excepting between the hours of ten of the clock at night, and six of the clock in the morning during the months of October, November, December, January, February, March, and April; nor shall any horses or cattle be led, driven, or conducted by tethering ropes, halters, or appliances other than good and sufficient reins and yokes properly affixed for the purpose; and every person offending against this By-law, shall for every such offence forfeit and pay upon conviction a penalty not exceeding Twenty pounds; Provided that nothing herein contained shall be held to extend to any milch cow going to or returning from depasturing or watering.

TO PREVENT THE DANGER OF RAPID DRIVING AND RIDING ROUND CORNERS.

33. It shall not be lawful for any person to ride or drive any animal or animals, whether attached to any vehicle or not, round the corners formed by the junction of any street in the city with any other street in the said city, or across the intersections of any of the streets of the said city, or along or across the causeway approaching the bridge over the river Swan within the East Ward of the city, at a pace exceeding six miles an hour; and any person offending herein shall for every such offence forfeit and pay, upon conviction, a penalty not exceeding Ten pounds.

TO RESTRICT THE BREAKING IN OF HORSES IN THE STREET.

34. It shall not be lawful for any person to break in any horse, mare, gelding, pony, or mule, or ass, in any street or thoroughfare of the City, either by leading, riding, or driving the same, and any person so offending shall forfeit and pay, upon conviction, a penalty not exceeding Five pounds.

TO PREVENT THE DANGER FROM THE DRIVING OF VEHICLES AT NIGHT WITHOUT LIGHTS.

35. From and after the first day of January, 1878, any person who, between any sunset and the following sunrise shall, in, upon, or along any of the roads or streets within the City, drive any vehicle constructed for the conveyance of goods, wares, or merchandize, without having a lamp or lanthorn securely fixed and lighted at the off side of the front of such vehicle, or any vehicle constructed for the conveyance of persons as well as goods, wares, and merchandize, or of persons only, without having a lamp or lanthorn securely fixed and lighted on each side of the front of such vehicle, shall for every such offence forfeit and pay, upon conviction, a penalty not exceeding Five pounds.

SUFFERING HORSES, &c., TO BE AT LARGE.

36. Any person or persons who shall knowingly or carelessly suffer any horse, mare, gelding, foal, bull, ox, cow, heifer, calf, or any pony, mule, or ass, swine, sheep, or goat belonging to him or in his apparent ownership, or in his charge, to be tethered, or to depasture, feed,

or roam about, whether attended by a keeper or not, in or upon any street or public thoroughfare forming a portion of the Municipality, shall, on conviction, forfeit and pay for every such offence, in lieu of the penalty imposed by the 3rd section of the 39 Vict., No. 19, the following fines, agreeably to the provisions of the aforesaid section of the said Act:—

	s.	d.
For each entire horse or bull at large by day	5	0
For each entire horse or bull at large by night	7	6
For every other head of cattle, sheep, goat, or pig at large by day or night ...	1	0

**POUNDS AND POUNDAGE FEES UNDER
25 VIC., NO. 13.**

37. The Public Pound for the city shall be at the corner of Wellington and William Streets, and the following fees shall and may be charged and taken by the poundkeeper:—

	s.	d.
For each entire horse above twelve months' old... ..	2	6
For each mare, gelding, mule, ass, pony, or foal	1	0
For each bull above twelve months' old ...	2	6
For each cow, ox, steer, or calf	1	0
For each pig or goat	1	0
Sheep, per head	0	1

TABLE OF RATES OF SUSTENANCE.

	s.	d.
For each horse, mare, gelding, mule, ass, pony, or head of horned cattle above twelve months' old	2	0
For each colt, foal, or head of horned cattle under twelve months' old, except sucking foals and calves	1	0
For each pig	1	0
For each sheep or goat	0	6

Such rates to be charged for each day of twenty-four hours, half rates only to be charged for less than twelve hours, and no charge to be made for less than three hours.

**SLAUGHTER HOUSES AND SLAUGHTERING
CATTLE, &C.**

38. No slaughter house shall be erected within the boundaries of the Municipality without the previous sanction of the Council in writing first had and obtained; and any person offending against this By-Law shall forfeit and pay, upon conviction, a penalty not exceeding Twenty pounds.

PIGS.

39. It shall not be lawful for any person to keep any kind of living swine within a distance of fifty feet from any inhabited dwelling-house, or within a like distance of fifty feet from any public street or footway of the said City of Perth. And any person who shall so offend, shall forfeit and pay, on conviction, any sum not exceeding Forty shillings for every such offence.

**TO PREVENT THE MISCHIEF ARISING FROM
FIRES IN CHIMNEY FLUES.**

40. That the occupier of any premises within the said City whereof any chimney flues shall take fire from having been suffered to become foul shall forfeit and pay upon conviction a penalty not exceeding Five pounds; provided if any defendant shall plead that such chimney flue did not take fire in consequence of being foul, the proof shall lie with such defendant.

DAMAGING PROPERTY, &C., OF THE COUNCIL.

41. Any person who shall (without first having obtained the written sanction of the Council) break up, cut down, damage, destroy, or injure any footpath, tree, plant, post, fence, gate, drain, watercourse, culvert, jetty, wharf, building, or other property belonging to or in

charge of the Council, shall forfeit and pay for every such offence any sum not exceeding Ten pounds.

COMMON LODGING HOUSES.

AS TO CLEANLINESS THEREIN.

42. The keeper of every common lodging house shall cause the floors of all rooms, passages, and stairs of such house to be kept at all times clean, to be swept and cleansed from all dust once at least daily before the hour of ten o'clock in the forenoon; the floors of the sleeping apartments, passages, and stairs to be scrubbed and washed once at least in every week.

43. The keeper of every common lodging house shall cause the yard to be swept daily, and to be kept at all times clean and free from the lodgment of waste-water; the water-closet or privy to be kept clean and free from filth, the seat and floors of such closet or privy to be scrubbed and washed daily, and the walls to be limewashed at least once every month, and the cesspool to be emptied as often as necessary, the dustbin to be emptied at least once every fortnight.

VENTILATION THEREIN.

44. The keeper of every common lodging house shall cause the fire-place and chimney and other apertures for ventilation in every sleeping department in such house to be kept open, and shall cause the doors and windows of all such apartments to be kept open at least from nine o'clock in the forenoon to five o'clock in the afternoon of every day, unless during such time as injury might result because of wet or tempestuous weather or while there be any person sick or infirm in any such apartment, and closing of the windows or other apertures may be ordered by competent medical authority.

INSPECTION THEREOF.

45. It shall be the duty of the Supervisor or Inspector of Lodging Houses to see that these regulations be duly observed and complied with. The Supervisor and Inspector of Lodging Houses and also the Officer of Health are hereby empowered and authorised to visit and inspect from time to time the common lodging houses within the City; provided that no visit for purposes of ordinary inspection shall be made between the hours of one o'clock and six o'clock ante meridian, nor by such Inspector to any sleeping apartment of such houses occupied by married couples or by females.

PENALTIES.

46. Every person offending against any of the foregoing regulations shall, for every such offence, upon conviction, forfeit and pay a penalty not exceeding Five pounds, and a further penalty not exceeding Two pounds for every day during which such offence continues. Provided always, that in no case shall the penalty imposed in respect to any such offence exceed the sum of Twenty pounds.

The foregoing By-Laws were duly passed by the Council of the City of Perth, and the common seal affixed hereto on this Thirtieth day of August, One thousand eight hundred and seventy-seven.

(L.S.) **GEO. SHENTON,**
Chairman.

Confirmed by the Governor, with the advice of the Executive Council.

WILLIAM C. F. ROBINSON.
1st September, 1877.