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OF

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No. 37]

PERTH: MONDAY, 9th MAY

[1960

MUNICIPAL CORPORATIONS ACT, 1906.

City of Fremantle.

Amendment of By-laws Prescribing and Regulating the
Manner and Mode of Keeping Dogs.

L.G. 296/58.

AMENDMENT of a by-law of the City of Fremantle made under section 180 of the Municipal Corporations Act, 1906, and numbered 213, for prescribing and regulating the manner and mode of keeping dogs.

In pursuance of the powers conferred by the said Act, the Mayor and Councillors of the City of Fremantle order as follows:—

By-law No. 213 published in the *Government Gazette* on the 8th day of March, 1957, is hereby amended by deleting the word "and" in line 3 of paragraph 1 thereof and substituting in lieu thereof the word "unless."

The Common Seal of the City of Fremantle was hereto affixed this 12th day of April, 1960, pursuant to a resolution passed the 11th day of April, 1960, in the presence of—

W. FRED SAMSON,
Mayor.
N. J. C. McCOMBE,
Town Clerk.

Recommended—

(Sgd.) L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 28th day of April, 1960.

(Sgd.) R. H. DOIG,
Clerk of the Council.

ROAD DISTRICTS ACT, 1919.

Upper Blackwood Road Board.

By-law—Building.

L.G. 675/52.

THE by-law published in the *Government Gazette* of the 5th November, 1937, at page 1917, is hereby amended as follows:—

Clause 2—Fees and Permits.—Delete item (1) and substitute the following:—

	£	s.	d.
Where the building with its appurtenances has a total floor area not exceeding 400 square feet	10 0
For every additional 200 square feet or part thereof	5 0

Passed by the Upper Blackwood Road Board at a meeting held on the 17th day of February, 1960.

W. E. INGLIS,
Chairman.

L. G. AMEY,
Secretary.

Recommended—

(Sgd.) L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 28th day of April, 1960.

(Sgd.) R. H. DOIG,
Clerk of the Council.

ROAD DISTRICTS ACT, 1919.

Victoria Plains Road District.

By-laws to Regulate Hawkers.

L.G. 1678/52.

PURSUANT to the powers in that behalf contained in the Road Districts Act, 1919, the Victoria Plains Road Board hereby makes the following by-laws for the regulation of hawkers.

1. In these by-laws—
 - “Board” means the Victoria Plains Road Board;
 - “District” means the Victoria Plains Road District;
 - “hawker” means a person as defined in section 201 (41) of the Road Districts Act, 1919;
 - “licensee” means a person to whom a license is granted under these by-laws;
 - “license” means a hawker’s license issued pursuant to these by-laws; and
 - “secretary” means the secretary to the Board or the person acting for the time being in that capacity.
2. No person shall hawk any goods, wares or merchandise within the district unless he holds a current license.
3. Subject to these by-laws the Board may issue licenses, and may, at its discretion, issue a license for a period less than one year but not less than one month.
4. (1) A license shall be in the form set out in Schedule A to these by-laws and the license fees shall be the fees set out in Schedule B to these by-laws and such fees shall be paid by the licensee to the Board forthwith upon the issue to him of the license.
 - (2) No license shall be transferable.
 - (3) A license shall be valid for the hawking of the goods, wares or merchandise therein described only, and in the case of a license limited to a part of the district shall be valid for that part of the district only.

5. (1) A person requiring to obtain a license shall make application therefor to the Board.

- (2) An application for a license shall be made in writing and shall specify—
- (a) the kind of goods, wares or merchandise which the applicant requires to hawk;
 - (b) the type of vehicle, conveyance or means of carriage to be employed in hawking;
 - (c) the period for which the license is required; and
 - (d) if the license requires to be limited to a part of a district, the part of the district to which it is to be limited.

6. (1) The Board shall refuse to issue a license if the aggregate number of licenses authorised by these by-laws has already been issued and shall refuse to issue a license for the hawking of any class of goods if the aggregate number of licenses authorised by these by-laws for that class of goods has already been issued.

(2) The Board may refuse to issue a license or may cancel a license in the event that the applicant or licensee (as the case may be)—

- (a) is an undischarged bankrupt or becomes bankrupt;
- (b) has been convicted or is convicted of an indictable offence;
- (c) has been twice convicted during the preceding five years or is twice convicted in the space of five years of an offence against the by-laws of any local authority relating to hawkers;
- (d) is unable to produce a certificate of his good character signed by two Justices of the Peace; or
- (e) does not conform with the requirements of the Health Act, 1911-1959, or the Model By-laws made under that Act.

(3) Upon the cancellation of a license the holder thereof shall forthwith return the license to the secretary, and shall forfeit all fees paid in respect of the license.

7. (1) The Board shall issue to every licensee a badge in the form set out in Schedule C to these by-laws and the licensee shall pay for such a badge a fee of five shillings.

(2) A licensee shall display his badge while hawking.

(3) No person shall display a hawker's badge unless he is the holder of a current license.

(4) Upon cancellation of a license the holder thereof shall forthwith return the badge to the secretary, and shall forfeit all fees paid in respect thereof.

8. (1) The Board shall not in any financial year concurrently issue more than seven licenses and shall not concurrently issue licenses for hawking special classes of goods in excess of the following:—

(a) Fruit and vegetables	....	....	....	....	....	....	....	3
(b) Prepared foodstuffs, victuals and patent medicines	....	....	....	....	....	....	....	3
(c) Clothing, clothing materials and manchester goods	....	....	....	....	....	....	....	3
(d) Electrical goods	....	....	....	....	....	....	....	3
(e) Ice cream, ice blocks and ices	....	....	....	....	....	....	....	3
(f) Other merchandise	....	....	....	....	....	....	....	3

(2) The Board shall issue licenses in the order of priority of application and in case of apparent equality of priority of any applications shall determine which application shall have greater priority.

9. A hawker while hawking shall—

- (a) carry with him his license and shall produce the same to any officer of the Board or to a police officer on demand;
- (b) have his name and the words "Licensed Hawker" legibly and conspicuously displayed on his vehicle, barrow, bag or tray; and
- (c) when selling goods, wares or merchandise by weight, carry and use for that purpose tested and certified scales.

10. No hawker shall—

- (a) hawk between the hours of sunset and the next sunrise or on any Sunday, or on Christmas Day or Good Friday, without the consent of the Board;
- (b) loiter within a distance of two hundred yards of any shop or permanent place of business which has for sale any goods, wares or merchandise of the kind being hawked by the hawker;
- (c) call his wares or make or cause to be made any outcry, noise or disturbance likely to be a nuisance or annoyance to any person in that vicinity;

- (d) remain stationary in any street or public place for any period longer than shall be necessary for the purpose of serving or treating with any customer or intending customer then offering to buy or to treat.

11. Any person committing a breach of these by-laws shall be liable to a penalty not exceeding twenty pounds.

Schedule A.

Victoria Plains Road District.

Hawker's License.

No..... of..... is hereby licensed to hawk..... by the means described in his application dated the..... within the Victoria Plains Road District or, the following portion of the Victoria Plains Road District..... during the month of..... 19....., the year ending of the..... day of..... subject to the by-laws relating to hawkers from time to time in force in the said District.

Dated this..... day of..... 19.....

Secretary.

Schedule B.

Fees for Hawker's Licenses.

Class of License.	In Townsites		Outside Townsites	
	Monthly	Annually	Monthly	Annually
	s. d.	£	s. d.	£
(a) Fruit and vegetables	3 4	2	1 8	1
(b) Foodstuffs, victuals, patent medicines	5 0	3	3 4	2
(c) Clothing, clothing material and manchester	16 8	10	10 0	6
(d) Electrical goods	16 8	10	10 0	6
(e) Ice cream, ice blocks, ices	3 4	2	1 8	1
(f) Other merchandise	16 8	10	10 0	6

Schedule C.

Victoria Plains Road Board.

Hawker's Badge.

No.....
Issued to.....
Year of Issue..... 19.....

Secretary.

Made and passed by the Victoria Plains Road Board on the 21st day of March, 1960.

J. D. MILNER,

Chairman.

B. W. LYONS,

Secretary.

Recommended—

(Sgd.) L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 13th day of April, 1960.

(Sgd.) R. H. DOIG,
Clerk of the Council.

ROAD DISTRICTS ACT, 1919.

Gnowangerup Road District.

By-laws to Regulate Hawkers.

L.G. 81-59.

PURSUANT to the powers in that behalf contained in the Road Districts Act, 1919, the Gnowangerup Road Board hereby repeals the by-laws relating to hawkers published in the *Government Gazette* on the 20th day of November, 1936, and amended from time to time, and makes the following by-laws for the regulation of hawkers.

1. In these by-laws—
 - “Board” means the Gnowangerup Road Board;
 - “district” means the Gnowangerup Road District;
 - “hawker” means a person as defined in section 201 (41) of the Road Districts Act, 1919;
 - “licensee” means a person to whom a license is granted under these by-laws;
 - “license” means a hawker’s license issued pursuant to these by-laws; and
 - “secretary” means the secretary to the Board or the person acting for the time being in that capacity.
2. No person shall hawk any goods, wares or merchandise within the district unless he holds a current license.
3. Subject to these by-laws the Board may issue licenses, and may, at its discretion, issue a license for a period less than one year but not less than one month.
4. (1) A license shall be in the form set out in Schedule A to these by-laws and the license fees shall be the fees set out in Schedule B to these by-laws and such fees shall be paid by the licensee to the Board forthwith upon the issue to him of the license.
 - (2) No license shall be transferable.
 - (3) A license shall be valid for the hawking of the goods, wares or merchandise therein described only, and in the case of a license limited to a part of the district shall be valid for that part of the district only.
5. (1) A person requiring to obtain a license shall make application therefor to the Board.
 - (2) An application for a license shall be made in writing and shall specify—
 - (a) the kind of goods, wares or merchandise which the applicant requires to hawk;
 - (b) the type of vehicle, conveyance or means of carriage to be employed in hawking;
 - (c) the period for which the license is required; and
 - (d) if the license requires to be limited to a part of a district, the part of the district to which it is to be limited.
6. (1) The Board shall refuse to issue a license if the aggregate number of licenses authorised by these by-laws has already been issued and shall refuse to issue a license for the hawking of any class of goods if the aggregate number of licenses authorised by these by-laws for the class of goods has already been issued.
 - (2) The Board may refuse to issue a license or may cancel a license in the event that the applicant or licensee (as the case may be)—
 - (a) is an undischarged bankrupt or becomes bankrupt;
 - (b) has been convicted or is convicted of an indictable offence;
 - (c) has been twice convicted during the preceding five years or is twice convicted in the space of five years of an offence against the by-laws of any local authority relating to hawkers;
 - (d) is unable to produce a certificate of his good character signed by two Justices of the Peace; or
 - (e) does not conform with the requirements of the Health Act, 1911, or the Model By-laws made under that Act.
 - (3) Upon the cancellation of a license the holder thereof shall forthwith return the license to the secretary, and shall forfeit all fees paid in respect of the license.

7. (1) The Board shall issue to every licensee a badge in the form set out in Schedule C to these by-laws and the licensee shall pay for such badge a fee of five shillings.

(2) A licensee shall display his badge while hawking.

(3) No person shall display a hawker's badge unless he is the holder of a current license.

(4) Upon cancellation of a license the holder shall forthwith return his badge to the secretary and shall forfeit the fee paid in respect thereof.

8. (1) The Board shall not in any financial year concurrently issue more than 12 licenses and shall not concurrently issue licenses for hawking special classes of goods in excess of the following:—

(a) Fruit and vegetables	....	....	....	....	....	....	2
(b) Prepared foodstuffs, victuals	....	....	....	....	....	....	2
(c) Clothing, clothing materials and manchester goods	....	....	....	....	....	....	2
(d) Electrical goods	....	....	....	....	....	....	2
(e) Ice cream, ice blocks and ices	....	....	....	....	....	....	2
(f) Other merchandise	....	....	....	....	....	....	2

(2) The Board shall issue licenses in the order of priority of application and in case of apparent equality of priority of any applications shall determine which application shall have greater priority.

9. A hawker while hawking shall—

(a) carry with him his license and shall produce the same to any officer of the Board or to a police officer on demand;

(b) have his name and the words "Licensed Hawker" legibly and conspicuously displayed on his vehicle, barrow, bag or tray; and

(c) when selling goods, wares or merchandise by weight, carry and use for that purpose tested and certified scales.

10. No hawker shall—

(a) hawk in the following streets, roads or areas, any townsite within the Gnowangerup Road District;

(b) hawk between the hours of sunset and the next sunrise, or on any Sunday, or on Christmas Day or Good Friday, without the consent of the Board;

(c) loiter within a distance of two hundred yards of any shop or permanent place of business which has for sale any goods, wares or merchandise of the kind being hawked by the hawker;

(d) call his wares or make or cause to be made any outcry, noise or disturbance likely to be a nuisance or annoyance to any person in that vicinity;

(e) remain stationary in any street or public place for any period longer than shall be necessary for the purpose of serving or treating with any customer or intending customer then offering to buy or to treat.

11. Any person committing a breach of these by-laws shall be liable to a penalty not exceeding twenty pounds.

Schedule A.

Gnowangerup Road District.

Hawker's License.

No..... of is hereby licensed to hawk..... by the means described in his application dated the..... within the Gnowangerup Road District or, the following portion of the Gnowangerup Road District..... during the month of..... 19....., the year ending on the..... day of..... subject to the by-laws relating to hawkers from time to time in force in the said district.

Dated this..... day of..... 19.....

Secretary.

Schedule B.

Fees for Hawker's Licenses.

Class of License.	In Townsites		Outside Townsites	
	Monthly	Annually	Monthly	Annually
	s. d.	£	s. d.	£
(a) Fruit and vegetables	3 4	2	1 8	1
(b) Foodstuffs, victuals, patent medicines	5 0	3	3 4	2
(c) Clothing, clothing material and man- chester	16 8	10	10 0	6
(d) Electrical goods	16 8	10	10 0	6
(e) Ice cream, ice blocks, ice	3 4	2	1 8	1
(f) Other merchandise	16 8	10	10 0	6

Schedule C.

Gnowangerup Road Board.

Hawker's Badge.

No.....
 Issued to.....
 Year of Issue.....19.....
 Secretary.

Made and passed by the Gnowangerup Road Board on the 9th day of March, 1960.

D. KEITH HOUSE,
 Chairman.
 W. J. CUNEO,
 Secretary.

Recommended—

(Sgd.) L. A. LOGAN,
 Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 13th day of April, 1960.

(Sgd.) R. H. DOIG,
 Clerk of the Council.

ROAD DISTRICTS ACT, 1919.

Belmont Park Road Board.

By-law for Removal of Refuse, Rubbish or Other Material.

L.G. 100/60.

PURSUANT to the powers conferred by the Road Districts Act, 1919, and every other authority enabling it in that behalf, the Belmont Park Road Board doth hereby make and publish the following by-law:—

1. In this by-law:—

“Board” means the Belmont Park Road Board;

“Secretary” means the Secretary or the Acting Secretary of the Belmont Park Road Board.

2. If there is on any land within the Belmont Park Road Board District any refuse, rubbish or other material of any kind whatsoever which in the opinion of the Board is likely to affect adversely the value of adjoining property or the health, comfort or convenience of the inhabitants thereof, the Board may cause a notice under the hand of the Secretary to be served on the owner or occupier of such land requiring such owner or occupier within the time specified in such notice to remove such refuse, rubbish or material from such land.

3. Every owner or occupier of land upon whom a notice is served under clause 2 of this by-law shall comply with such notice within the time therein specified.

4. Any person committing an offence against this by-law shall on conviction be liable to a penalty not exceeding twenty pounds.

Passed by the Belmont Park Road Board at the ordinary meeting of the Board held on the 11th April, 1960.

P. J. FAULKNER,
Chairman.
W. G. KLENK,
Secretary.

Recommended—

(Sgd.) L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 28th day of April, 1960.

(Sgd.) R. H. DOIG,
Clerk of the Council.