

A large, bold, black letter 'G' is the central element of the logo. To its left is a white silhouette of the Western Australian coastline, set against a background of horizontal lines.

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LOCAL GOVERNMENT ACT 1995

**CITY OF BELMONT
PARKING AND PARKING
FACILITIES LOCAL LAW**

LOCAL GOVERNMENT ACT 1995

CITY OF BELMONT

**CITY OF BELMONT— PARKING AND PARKING FACILITIES
LOCAL LAW**

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the City of Belmont hereby records having resolved on the 14th day of July 1997 to make the following Local Law:

Part 1—Definition and Operation

1. This Local Law will come into operation on the fourteenth day after the day on which it is published in the *Government Gazette*.

2. Repeal

The City of Belmont By-laws Relating to Parking Facilities published in the *Government Gazette* on 1 December 1989 are hereby repealed.

3. (1) Interpretation

In this Local Law unless the context otherwise requires—

“Act” means the Local Government Act 1995;

“Authorised Person” has the meaning given to it in the Act;

“authorised vehicle” means a vehicle authorised by the Council, Chief Executive Officer, Authorised Person or by any Act to stand or park on a road;

“bicycle” means any two-wheeled or three-wheeled vehicle that is designed to be propelled solely by human power;

“bus” means an omnibus as defined by the Road Traffic Act;

“caravan” means a vehicle that is fitted or designed to allow human occupation and may be drawn by another vehicle, and includes vehicles capable of self-propulsion;

“carriageway” means a portion of road that is improved, designed or ordinarily used for vehicular traffic and includes the shoulders and areas including embayments at the side or centre of the carriageway, used for the standing or parking of vehicles; and where a road has two or more of those portions divided by a median strip, the expression means each of those portions, separately;

“centre” in relation to a carriageway, means a line or a series of lines, marks or other indications placed at, or near, the middle of the carriageway or, in the absence of any such lines, marks or other indications, the middle of the main travelled portion of the carriageway;

“children’s crossing” means a portion of a carriageway between two parallel broken or unbroken lines, each approximately 150 mm wide and not more than 5 metres apart marked across or partly across the carriageway and near which a fluorescent red-orange flag, or sign bearing the words ‘children’s crossing—stop’, in black letters, is displayed and where the lines are so marked partly across a carriageway includes the portion of the carriageway between the prolongations of those lines;

“City” means the City of Belmont;

“Chief Executive Officer” means the Chief Executive Officer of the City;

“commercial vehicle” has the same meaning as the term “motor wagon” in the First Schedule of the Road Traffic Act;

“Council” means the Council of the City of Belmont;

“district” means the district of the City pursuant to the Act;

“driver” means any person driving or in control of a vehicle;

“footpath” includes every footpath, lane or other place—

(a) intended for the use of pedestrians only, or in the case of a dual use path, for the use of pedestrians and bicyclists only; or

(b) habitually used by pedestrians and not by vehicles or, in the case of a dual use path, by pedestrians and bicyclists and not by vehicles other than bicycles;

- “Loading Zone” has the meaning given to it in the Road Traffic Act;
- “median strip” means any physical provision other than lines dividing a road to separate vehicular traffic proceeding in opposite directions or lines to separate one-way carriageways for vehicles proceeding in opposite directions;
- “motorcycle” means a motor vehicle that has two wheels or where a sidecar is attached thereto, has three wheels;
- “No Parking Area” means a portion of a carriageway that lies—
- (a) between two consecutive white signs inscribed with a symbol or the words “No Parking” in red lettering and each with an arrow pointing generally towards the other of them; or
 - (b) between a white sign inscribed with a symbol or the words “No Parking” in red lettering, and a dead end or area in which parking is prohibited and that lies in the general direction indicated by an arrow inscribed on the sign;
- “No Standing Area” means a portion of a carriageway that lies—
- (a) between two consecutive signs inscribed with a symbol or the words “No Standing” in red lettering and each with an arrow pointing generally towards the other of them; or
 - (b) between a white sign inscribed with a symbol or the words “No Standing” in red lettering and a dead end or area in which standing is prohibited and that lies in the general direction indicated by an arrow inscribed on the sign;
- “notice” means a notice in the form of Forms 1, 2, 3 and 4 of the Third Schedule;
- “obstruct” means to interfere with or impede or hinder the passing of any vehicle or person and ‘obstruction’ has a corresponding meaning;
- “occupier” has the meaning given to it by the Act;
- “owner” where used in relation to a vehicle, means a person who is the registered holder of the requisite vehicle licence under the Road Traffic Act in respect of that vehicle, or if the vehicle is not licensed under that Act, the person who owns the vehicle or is entitled to its possession; and where used in relation to land has the meaning given to it by the Act;
- “park” means to permit a vehicle, whether attended or not, to remain stationary, except for the purpose of avoiding conflict with other traffic, or complying with the provisions of any law or of immediately taking up or setting down persons or goods; and
- “parking” has a correlative meaning;
- “parking area” means a portion of a carriageway—
- (a) between two consecutive white signs inscribed with a symbol or the word “Parking” in green lettering and each with an arrow pointing generally towards the other of them; or
 - (b) extending from a white sign inscribed with a symbol or the word “Parking” in green lettering in the general direction indicated by the arrow inscribed on the sign, to any other sign inscribed with a symbol or the words “No Parking” or “No Standing” in red lettering, or to a dead end or an area in which the parking or standing of vehicles is prohibited and is that half of the carriageway of the road nearest the sign;
- “parking facilities” includes land, buildings, shelters, parking stalls and other facilities open to the public generally for the parking of vehicles with or without charge and signs, notices and facilities used in connection therewith but does not include a private garage;
- “parking region” means that portion of the district that is constituted a parking region pursuant to the First Schedule to this Local Law;
- “parking stall” means a section or part of a street or of a parking station which is marked or defined by painted lines or by metallic studs or similar devices for the purpose of indicating where a vehicle may stand or be parked; whether on payment of a fee or charge or otherwise;
- “parking station” means any land, building or other structure provided for the purpose of accommodating vehicles with or without charge, but does not include a private garage;
- “property line” means the lateral boundary of a road;
- “public place” means any place to which the public has access whether or not that place is on private property;
- “reserve” includes any land vested in or under the care, control and management of the City;
- “road” means a highway, road, street, lane, thoroughfare or similar place which the public are allowed to use and includes all of the land lying between the property lines including the street verge and footpath appurtenant thereto and which is within the parking region;
- “Road Traffic Act” means the Road Traffic Act 1974;
- “Schedule” means a Schedule to this Local Law;
- “section” means a section of this Local Law;
- “sign” includes a traffic sign, inscription, mark, structure or device approved by Council on which may be shown or which may show words, numbers, expressions or symbols, placed on or near a road or within a parking station or reserve under the care, control or management of the Council, for the purpose of prohibiting, regulating, guiding, directing or restricting the standing or parking of vehicles;
- “special purpose vehicle” means a public utility service truck, a tow truck, a motor breakdown service vehicle or a vehicle being used by a government or local authority in connection with its functions, but does not include an emergency vehicle;

- “stand” in relation to a vehicle, means to stop a vehicle and permit it to remain stationary, except for the purposes of avoiding conflict with other traffic or of complying with the provisions of any law when the vehicle is being driven, and ‘standing’ and ‘stood’ have correlative meanings;
- “street” has the same meaning as ‘road’;
- “street verge” means the portion of a road which lies between the boundary of a carriageway and the property line adjacent thereto;
- “symbol” includes any symbol specified by Australian Standard 1742.11-1989 and any symbol specified from time to time by Standards Australia for use in the regulation of parking and any reference to the wording of any sign in this Local Law shall be also deemed to include a reference to the corresponding symbol;
- “taxi” has the same meaning as taxi-car in the Road Traffic Act;
- “trailer” means a vehicle (not including a semi-trailer) drawn by another vehicle but not including a sidecar attachment to a motorcycle or any vehicle that comes within the description of a caravan;
- “vehicle” has the meaning given to it in the Road Traffic Act.
- (2) For the purposes of the application of the definitions “no parking area”, “no standing area” and “parking area” an arrow inscribed on a traffic sign erected at an angle to the boundary of the carriageway is deemed to be pointing in the direction in which it would point, if the signs were turned at an angle of less than 90 degrees until parallel with the boundary.
4. (1) This Local Law applies to the parking region, including all parking stations and parking facilities in the parking region other than a parking facility or parking station that—
- (a) is not owned, controlled or occupied by the City; or
 - (b) is owned by the City but is leased to another person.
- (2) A sign that—
- (a) was erected by the Commissioner of Main Roads prior to the coming into operation of this Local Law within the district; and
 - (b) relates to the parking or standing of vehicles within the parking region;
- shall be deemed for the purposes of this Local Law to have been erected by the Council under the authority of this Local Law.
5. For the purpose of this Local Law, vehicles are divided into classes as follows—
- (a) buses;
 - (b) commercial vehicles including any other vehicle (not being a trailer or a vehicle to which a trailer is attached) constructed primarily for conveyance therein or thereon of goods;
 - (c) motorcycles and bicycles;
 - (d) taxis;
 - (e) all other vehicles not otherwise classified.
6. Where under this Local Law the standing or parking of vehicles in a street is controlled by a sign, the sign shall be read as applying to that part of the street which—
- (a) lies beyond the sign; and
 - (b) lies between the sign and the next sign beyond that sign; and
 - (c) is that side of the carriageway of the street nearest to the sign.
7. The portion of the district defined in the First Schedule is hereby constituted as the parking region.

Part 2—Parking Stalls and Parking Stations

8. The Council may by resolution constitute, determine and vary and also indicate by signs from time to time—
- (a) parking stalls;
 - (b) parking stations;
 - (c) permitted time and conditions of parking in parking stalls and parking stations depending on and varying with locality;
 - (d) permitted classes of vehicles which may park in parking stalls and parking stations;
 - (e) the manner of parking in parking stalls and parking stations.
9. A person shall not stand a vehicle in a parking stall in a street otherwise than—
- (1) parallel to the kerb and as close thereto as practicable; and
 - (2) wholly within the stall; and
 - (3) headed in the direction of the movement of traffic on the side of the street on which the stall is situated, but where a parking stall is set out otherwise than parallel to the kerb, the provisions of this section other than sub-section (2) do not apply.
10. Unless otherwise directed by an Authorised Person, a person shall not park a vehicle in a parking station otherwise than wholly within a parking stall.
11. (1) A person shall not—
- (a) stand a vehicle so as to obstruct an entrance to, or exit from, or a roadway within a parking station;

- (b) stand a vehicle except with permission of the Council or an Authorised Person on any part of a parking station, whether or not that part is marked as a parking stall, if a sign is exhibited prohibiting the standing of vehicles thereon;
- (c) permit a vehicle to stand on any part of a parking station, whether or not that part is marked as a parking stall, if an Authorised Person directs the driver of such vehicle to move the vehicle;
- (d) stand or attempt to stand a vehicle in a parking stall in which another vehicle is standing but this paragraph does not prevent the parking of a motorcycle and a bicycle together in a stall marked "M/C", if the bicycle is parked in accordance with Section 11(5).

(2) A person shall not permit a vehicle to stand in a parking stall which is at any time set aside for use by commercial vehicles unless—

- (a) the vehicle is a commercial vehicle; and
- (b) a person is actively engaged in loading or unloading goods to or from that vehicle;

and in any case, for more than a period of 30 minutes.

(3) In paragraph (b) of subsection (2) and in subsection 13(3) "goods" means an article or collection of articles weighing at least 13.6 kg and of which the cubic measurement is not less than 0.17 m³.

(4) A parking stall is set aside for use by commercial vehicles if there is a sign thereon or adjacent thereto marked "Loading Zone".

(5) No person shall stand or permit to stand any bicycle—

- (a) in a parking stall other than in a stall marked "M/C"; or
- (b) in such stall other than against the kerb.

Part 3—Standing and Parking Generally

12. The Council may by resolution constitute, determine and vary and also indicate by signs from time to time—

- (a) prohibitions;
- (b) regulations, and restrictions of parking and standing of vehicles of a specified class or of specified classes in all streets or specified streets or in specified parts or reserves at all times or specified times, but that discretionary authority shall not be exercised in a manner inconsistent with the provisions of this Local Law.

13. (1) A person shall not stand a vehicle in a street or part of a street, or part of a parking station—

- (a) which is by a sign thereon or adjacent or referable thereto set apart for the standing of vehicles of a different class; or
- (b) if by such a sign the standing of vehicles is prohibited or restricted during a period or periods, during that period or periods; or
- (c) if by such a sign the standing of vehicles is permitted for a specified time, for longer than that time.

(2) A person shall not stand a vehicle—

- (a) in a no standing area;
- (b) in a parking area, except in a manner indicated by the inscription on the sign or signs associated with the parking area and parking stalls except as provided in this Local Law with reference to the parking stalls;
- (c) in a parking area contrary to any limitation in respect of days, period of the day, classes of person or class of vehicles indicated by the instruction on the sign or signs associated with the area; or
- (d) in a stall marked "M/C" unless it is a motorcycle without a sidecar, or a trailer, or a bicycle.

(3) A person shall not stand a vehicle in a loading zone unless it is—

- (a) a commercial vehicle engaged in the picking up or setting down of goods; or
- (b) a motor vehicle taking up or setting down passengers;

and then only if it does not have a trailer attached.

(4) A person shall not park a vehicle in a no parking area.

(5) A person shall not stand a motorcycle without a sidecar or a trailer, or a bicycle in a parking stall unless the traffic sign "M/C" is marked on that stall.

(6) A person shall not, without the prior permission of the Council, the Chief Executive Officer, or an Authorised Person, stand a vehicle in an area designated by signs stating "Authorised Vehicles Only".

14. Subject to the provisions of Section 15, a person standing a vehicle on a carriageway shall stand it—

- (1) on a two-way carriageway, so that it is as near as practicable to and parallel with, the left boundary of the carriageway and headed in the direction of the movement of traffic on the side of the road on which the vehicle is standing.
- (2) on a one-way carriageway, so that it is as near as practicable to and parallel with either boundary of the carriageway and headed in the direction of the movement of traffic on the side of the road on which the vehicle is standing.
- (3) so that at least 3 metres of the width of the carriageway between the vehicle and the farther boundary of the carriageway, or between it and a vehicle standing on the far side of the carriageway is available for the passage of other vehicles.

(4) so that it is not less than 1.2 metres from any other vehicle, except a motorcycle without a trailer or a bicycle parked in accordance with this Local Law.

(5) so that it does not cause obstruction on the carriageway.

(6) so that it is entirely within the confines of any parking stall marked on the carriageway.

15. (1) A person shall not stand a vehicle partly within and partly outside a parking area.

(2) Where the traffic sign or signs associated with a parking area are not inscribed with the words "Angle Parking", then—

(a) where the parking area is adjacent to the boundary of a carriageway, a person standing a vehicle in the parking area shall stand it as near as practicable to and parallel with that boundary; and

(b) where the parking area is at or near the centre of the carriageway, a person standing a vehicle in that parking area shall stand it approximately at right angles to the centre of the carriageway, unless a sign associated with the parking area indicates, or marks on the carriageway indicate, that vehicles are to stand in a different position.

(3) Where a traffic sign associated with a parking area is inscribed with the words "Angle Parking" a person standing a vehicle in the parking area shall stand the vehicle at an angle of approximately 45 degrees to the centre of the carriageway unless otherwise indicated by the inscription on the parking sign or by marks on the carriageway surface.

(4) In sub-section (3) of this Section, "Vehicle" means a car or motor wagon (utility type up to 3 tonne gross).

(5) Sub-section (3) of this Section does not apply to a person standing a motorcycle without a trailer, or bicycle in a parking area.

16. (1) A person shall not stand a vehicle so that any portion of the vehicle is—

(a) between any other standing vehicles and the centre of the carriageway;

(b) on or adjacent to a median strip;

(c) obstructing a right of way, passage or private drive or carriageway or so close thereto as to deny vehicles reasonable access to or egress from the right of way, passage or private drive or carriageway;

(d) alongside or opposite any excavation, or obstruction on, the carriageway, if the vehicle would thereby obstruct traffic;

(e) on, or within 9 metres of any portion of a carriageway bounded on one or both sides by a traffic island;

(f) on any footway, pedestrian crossing or cycleway;

(g) on a bridge or other elevated structure or within a tunnel or underpass;

(h) between the boundaries of a carriageway and any double longitudinal line consisting of two continuous lines or between a double longitudinal line consisting of a continuous line and a broken or dotted line and the boundary of a carriageway nearer to the continuous line, unless there is a distance of at least 3 metres clear between the vehicle and the double longitudinal line.

(i) on an intersection, except adjacent to a carriageway boundary that is not broken by an intersecting carriageway.

(2) The provisions of paragraphs (c), (e) and (g) of sub-section (1) of this Section do not apply to a vehicle that stands in a bus stand marked on the carriageway for the purpose of setting down or taking up passengers.

(3) A person shall not stand a vehicle so that any portion of the vehicle is—

(a) within 1 metre of a fire hydrant or fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug; or

(b) within 3 metres of a public letter pillar box, unless the vehicle is being used for the purposes of collecting postal articles from the pillar box.

(4) A person shall not stand or park a vehicle so that any portion of the vehicle is—

(a) within 6 metres of the nearer property line of any road intersecting the road on the side which the vehicle is stood or parked; or

(b) alongside any excavation, works, hoarding scaffolding or obstruction on the carriageway.

(5) A person shall not stand a vehicle so that any portion of the vehicle is within 9 metres of the departure side of—

(a) a sign inscribed with the words "Bus Stop" or "Hail Bus Here" unless the vehicle is a bus stopped to take up or set down passengers; or

(b) a children's crossing established on a two-way carriageway; or

(c) the nearest rail of a railway level crossing.

(6) A person shall not stand a vehicle so that any portion of the vehicle is within 18 metres of the approach side of—

(a) a sign inscribed with the words "Bus Stop" or "Hail Bus Here" unless the vehicle is a bus stopped to take up or set down passengers;

(b) a pedestrian crossing or children's crossing; or

(c) the nearest rail of a railway level crossing.

(7) The provisions of sub-section (1) to (6) [inclusive] of this Section do not apply to a vehicle standing in a parking stall established by the City, nor to a bicycle standing in a bicycle rack established by the City.

(8) A person shall not on those streets where parking restrictions are in force,

- (a) stand or park or allow to stand or be parked a commercial vehicle, trailer, omnibus or caravan so that any portion of that commercial vehicle, trailer, omnibus or caravan is on a street verge; or
- (b) stand a vehicle so that any portion of that vehicle is on a verge during any period when the standing or parking of vehicles on that verge is prohibited by a sign adjacent and referable to that verge;

except that the driver of a commercial vehicle shall be exempt from the provisions of paragraphs (a) and (b) of this subsection during any period the commercial vehicle is being loaded or unloaded with reasonable expedition which goods, merchandise or materials and collected from or delivered to premises adjacent to the portion of the street verge on which the commercial vehicle is stood PROVIDED THAT no provision of this Local Law shall allow a commercial vehicle to be parked so as to create a hazard to traffic or pedestrians.

(9) Subject to Section 16(8)(a) and (b), a person shall not stand a vehicle so that any portion of the vehicle is on a street verge unless he or she is the owner or occupier of the premises adjacent to that street verge or is a person authorised by the occupier of those premises.

17. A person shall not permit a vehicle to stand in any part of a street if an Authorised Person or member of the Police Force directs the driver of the vehicle to move it.

18. (1) An Authorised Person may mark the tyres of a vehicle parked in a parking facility with chalk or any other non-indelible substance for a purpose connected with or arising out of his or her duties and powers.

(2) A person shall not remove a mark made by an Authorised Person so that the purpose of the affixing of such a mark is defeated or likely to be defeated.

19. (1) A vehicle having been parked in a parking facility whereby a sign the standing or parking of vehicles is permitted for a limited time, a person shall not move it to any position within the same parking area so that the total time of parking exceeds the maximum time allowed for parking in the space first occupied by the vehicle.

(2) A vehicle having been parked in a street where parking is restricted as to time a person shall not park the vehicle again in the street on that day unless it has first been removed from the street for at least 2 hours.

20. (1) A person shall not park a vehicle or any combination of vehicles that together with any projection on, or load carried by, the vehicle or combination of vehicles is more than 8 metres in length on a carriageway in the district for any period exceeding 1 hour during any 24 hour period other than in a stall or facility in which such vehicle may lawfully park.

(2) Nothing in this section mitigates the limitations or conditions imposed by any other section or by any traffic sign relating to the parking or standing of vehicles.

21. (1) A person shall not park a vehicle on any portion of a street—

- (a) if the vehicle is exposed for sale;
- (b) if that vehicle is not licensed under the Road Traffic Act;
- (c) if that vehicle is a trailer or caravan; or
- (d) for the purposes of effecting repairs to it other than the minimum repairs necessary to enable the vehicle to be moved to a place other than a road.

22. (1) A person shall not park or stand a vehicle within the parking region on land that is not a street or a parking facility without the consent of the owner or occupier of the land on which the vehicle is parked or stood.

(2) Where the owner or occupier of the land, which is not a road or parking facility, by a sign referable to that land or otherwise consents to vehicles of a specified class or classes being stood or parked thereon for a limited period, a person shall not stand or park or permit a vehicle to stand or be parked thereon if it is not of the specified class or for more than the time so limited as the case may be.

(3) For the purposes of this Section, where signs are erected on a portion of the land set aside for the parking of vehicles displaying restrictions concerning the classes of person who may stand or park vehicles or the time within which vehicles may be stood or parked on that portion of land a person who stands or parks a vehicle otherwise than in compliance with the sign shall be deemed not to have the consent of the owner or occupier of the land so to stand or park the vehicle.

23. (1) No person other than an employee of the Council in the course of his or her duties or a person authorised by Council shall drive, park or stand a vehicle upon or over any portion of a reserve other than upon a paved area specifically set aside for that purpose.

(2) A person shall not park or stand a vehicle unless authorised by Council—

- (a) on any part of a reserve, including any paved areas, for the purposes of conducting a business; or
- (b) in front of or over any footway constructed across a reserve.

24. The Council, the Chief Executive Officer or an Authorised Person may—

- (1) permit a person who requires a space in an area where by a sign the standing of vehicles is permitted for a limited time, in order to carry out urgent, essential or official duties to occupy such space with a vehicle for a longer time than the maximum period prescribed by the sign or from time to time, provided such permission does not contravene the Road Traffic Code 1975.

(2) prohibit the use of such space by any other vehicle during the period or periods in which the space is set aside pursuant to this Section.

25. It shall be an offence for a person to drive a vehicle over kerbing or a footpath or cycleway other than where there is a properly constructed vehicular crossover.

Part 5—Miscellaneous

26. An Authorised Person shall be furnished with a certificate of his or her appointment in a form determined by the Council from time to time.

27. A person who is not an Authorised Person shall not in any way assume the duties of an Authorised Person.

28. A person shall not in any way obstruct or hinder an Authorised Person in the execution of his or her duty.

29. (1) An Authorised Person or member of the Police Force who finds a person committing or who on reasonable grounds suspects a person of having committed a breach of the provisions of this Local Law, may demand from the person his or her name and place of abode.

(2) A person who refuses to state a name and place of abode, or who states a false name or place of abode on demand being so made commits an offence against this Local Law.

30. A person, other than the driver of the vehicle, shall not remove from the vehicle any notice attached thereto or left therein or left thereon by an Authorised Person or a member of the Police Force.

31. A person shall not without the authority of Council—

- (1) mark, set up or exhibit a sign purporting to be or resembling a sign marked, set up or exhibited by the Council under the authority of this Local Law;
- (2) remove, deface or misuse a sign or property or any part thereof, set up by Council under authority of this Local Law or attempt to do any such acts.
- (3) affix a board, sign, placard, notice or other thing to or paint or write upon any part of a sign set up by Council under authority of this Local Law.

32. An inscription of a sign operates and has effect according to its tenor and a person contravening the direction of a sign commits an offence under this Local Law.

33. (1) A sign marked, erected, established or displayed on or near a road is, in the absence of evidence to the contrary presumed to be a sign marked, erected, established or displayed under the authority of this Local Law.

(2) The first three letters of any day of the week when used on a sign indicate that day of the week.

(3) A sign associated with a no parking area, no standing area or parking area or a sign of a kind referred to in this Local Law is limited in its operation and effect in respect of days, periods of the day, classes of persons, classes of vehicle, or circumstances to the extent, if any, shown on the sign.

34. An Authorised Person may and is hereby authorised by the City to—

- (1) carry into effect the provisions of this Local Law;
- (2) report to the Council on the working effectiveness of this Local Law;
- (3) recommend to the Council the institution of prosecutions; and
- (4) institute and conduct prosecutions as directed by the Council or the Chief Executive Officer from time to time.

35. Notwithstanding anything to the contrary in this Local Law or the Road Traffic Act, the driver of a special purpose vehicle may, only in the course of his or her duties and when it is expedient and safe to do so stop, stand or park the vehicle at any place, at any time.

Part 6—Penalties

36. (1) Any person failing to do any act directed to be done, or doing any act forbidden to be done by this Local Law, or any notice or order under this Local Law commits an offence.

(2) An offence against any provision of this Local Law is a prescribed offence for the purposes of Division 2 of Part 9 of the Act

(3) Any person who commits an offence under this Local Law shall be liable, upon conviction, to a penalty not exceeding One Thousand Dollars (\$1,000) and if the offence is a continuing offence, to an additional penalty not exceeding One Hundred Dollars (\$100) for each day during which the offence continues.

37. The forms contained in the Schedules to this Local Law are prescribed forms for the purposes of the Local Law.

38. The amount appearing in the final column of the Second

Schedule directly opposite an offence described in that Schedule is the modified penalty for that offence.

39. A penalty for an offence against this Local Law (not being a modified penalty) may be recovered by the Council by taking proceedings against the alleged offender in a Court of Petty Sessions.

40. The Council shall cause adequate records to be kept of all infringement notices served and modified penalties received.

FIRST SCHEDULE
PARKING REGION

The whole of the district of the City of Belmont as constituted at the date of the coming into operation of this Section and as altered from time to time pursuant to the provisions in that behalf contained in the Local Government Act 1995, and its amendments excluding the following portions of the District—

- (a) the approach and departure prohibition areas of all existing and future traffic control signal installations; and
- (b) prohibition areas applicable to all existing and future bridges and subways.

SECOND SCHEDULE
CITY OF BELMONT

215 Wright Street, Cloverdale WA 6105

PARKING AND PARKING FACILITIES LOCAL LAW

Item No.	Local Law	Nature of Offence	Modified Penalty \$
1	11(1)(a)	Obstruction in Parking Station	45
2	11(1)(b)	Stand in No Standing Areas	45
3	11(1)(c)	Park Contrary to Directions of Authorised Person	45
4	11(2)(a)+(b)	Park in Loading Zone	40
5	13(1)(a)	Stand Wrong Class of Vehicle	35
6	13(1)(b)	Standing During Restricted/Prohibited Period	40
7	13(1)(c)	Standing Overtime	30
8	13(2)(a)	No Standing Anytime	45
9	13(2)(b)	Standing Contrary to Signs	35
10	13(2)(c)	Standing Contrary to Limitations	35
11	13(2)(d)	Stand Vehicle in Motor Cycle Only Area	35
12	13(3)(a)+(b)	Standing in Loading Zone	40
13	13(4)	No Parking Anytime	40
14	14(1)	Fail to Park on the Left of Carriageway	35
15	14(2)	Fail to Park on Boundary of Carriageway	35
16	14(1)+(2)	Parking Against the Flow of Traffic	40
17	14(3)	Double Park	40
18	14(5)	Cause Undue Obstruction	45
19	16(1)(a)	Double Park	40
20	16(1)(c)	Deny Access to Private Drive	40
21	16(1)(d)	Stand so as to Obstruct Traffic	45
22	16(1)(e)	Stand by Traffic Island	40
23	16(1)(f)	Park on Footway/Pedestrian Crossing	45
24	16(1)(g)	Stand in Bridge or Tunnel	40
25	16(1)(i)	Stand on Intersection	40
26	16(4)(a)	Stand within 6 metres of Intersection	40
27	16(5)(a)	Stand Vehicle within 9 metres of Departure Side of Bus Stop	45
28	16(6)(a)	Stand Vehicle within 18 metres of Approach Side of Bus Stop	45
29	16(6)(b)	Stand Vehicle within 18 metres of Approach Side of Pedestrian/ Childrens Crossing	45
30	16(8)(a)	Parking Commercial Vehicle on Verge	35
31	16(8)(b)	Parking on Verge	35
32	17	Refusal to Move Vehicle	45
33	20(1)	Stand Vehicle more than 8 metres long in excess of 1 hour	40
34	21(1)(b)	Parking a Trailer/Caravan on a Street	35
35	22(1)	Stand/Park on Land that is not a Parking Facility without Owner's Consent	50
36	22(2)	Stand on Land not a Parking Facility	35
37	23(1)	Standing on Public Reserve	35
38	28	Hindering an Authorised Person	60
39	29(2)	Refusal to give Name and Address	60
40		All other offences not specified	30

THIRD SCHEDULE

FORM 1

CITY OF BELMONT

215 Wright Street, Cloverdale WA 6105

PARKING AND PARKING FACILITIES LOCAL LAW

NOTICE REQUIRING OWNER OF VEHICLE TO IDENTIFY DRIVER

TO DATE.....
.....
.....

The owner of vehicle, Make.....Type.....
Registration No.

You are hereby notified that it is alleged that on the.....day of.....
at about.....hours, the driver or person in charge of the above vehicle did
.....

in contravention of the provisions of Section.....of the City of Belmont Local
Law: Parking and Parking Facilities.

INFRINGEMENT NO.:

LOCATION:

AMOUNT DUE:

DUE DATE:

YOU WILL, IN THE ABSENCE OF PROOF TO THE CONTRARY, BE DEEMED TO
HAVE COMMITTED THE ABOVE OFFENCE AND COURT PROCEEDINGS MAY BE
INSTITUTED AGAINST YOU

Unless within 28 days after the date of service of this notice you—

- (a) inform the Chief Executive Officer or an employee of the City of Belmont authorised for the
purposes of this Local Law, in writing as to the identity and address of the person who was the
driver in charge of the above vehicle at the time of the above offence; or
(b) satisfy the Chief Executive Officer or an employee of the City of Belmont authorised for the
purposes of this Local Law that the above vehicle had been stolen or unlawfully taken, or was
being unlawfully used, at the time of the above offence.

THIRD SCHEDULE

FORM 2

CITY OF BELMONT

215 Wright Street, Cloverdale WA 6105

PARKING AND PARKING FACILITIES LOCAL LAW

INFRINGEMENT NOTICE

TO No:.....
..... DATE:.....

The owner of vehicle, Registration No.:.....Make:.....
Type:.....Place:.....

Date:.....Time:.....hours

You are hereby notified that it is alleged that you did commit a breach of Section
of the City of Belmont Local Law: Parking and Parking Facilities as indicated hereunder by a cross (x):
.....

Table with 4 columns: ITEM, SECTION, NATURE OF OFFENCE, MODIFIED PENALTY

Signature of Authorised Person:.....Designation:.....

If you do not wish to have a complaint of the above offence heard and determined by a Court, you may
pay the modified penalty within 28 days after the date of the service of this notice.

Unless payment is made within 28 days of the date of the service of this notice Court proceedings may be
instituted against you.

Payment may be made either by posting this form together with the amount of \$..... mentioned above, to the Chief Executive Officer of the City of Belmont or by delivering this form and paying that amount at the offices of the City at 215 Wright Street, Cloverdale, 6105 between the hours of 8.30 am and 4.30 pm Mondays to Fridays (public holidays excepted).

If you take no action this matter may be registered with the Fines Enforcement Registry after which your drivers licence or any vehicle licence held by you may be suspended. If the matter is registered with the Registry additional costs will also be payable.

If the above address is not your current address, or if you change your address, it is important that you advise us immediately. Failure to do so may result in your drivers licence or any vehicle licence you hold being suspended without your knowledge.

THIRD SCHEDULE
FORM 3
CITY OF BELMONT
215 Wright Street, Cloverdale WA 6105
PARKING AND PARKING FACILITIES LOCAL LAW
INFRINGEMENT NOTICE

TO No.:.....
DATE:.....

The owner of vehicle, Registration No.:..... Make:.....

Type:..... Place:.....

Date:..... Time:..... hours

You are hereby notified that it is alleged that you did commit a breach of Section of the City of Belmont Local Law: Parking and Parking Facilities as indicated hereunder by a cross (x):

Table with 4 columns: ITEM, SECTION, NATURE OF OFFENCE, MODIFIED PENALTY

Signature of Authorised Person:..... Designation:.....

If you do not wish to have a complaint of the above offence heard and determined by a Court, you may pay the modified penalty within 28 days after the date of the service of this notice.

Unless payment is made within 28 days of the date of the service of this notice—

- (a) the modified penalty is paid; or
(b) you—
(i) inform the Chief Executive Officer or an employee of the City of Belmont authorised for the purposes of this Local Law in writing as to the identity and address of the person who was the driver or person in charge of the above vehicle at the time of the above offence; or
(ii) satisfy the Chief Executive Officer or an employee of the City of Belmont authorised for the purposes of this Local Law that the above vehicle had been stolen or unlawfully taken, or was being unlawfully used, at the time of the above offence,

YOU WILL, IN THE ABSENCE OF PROOF TO THE CONTRARY, BE DEEMED TO HAVE COMMITTED THE ABOVE OFFENCE AND COURT PROCEEDINGS MAY BE INSTITUTED AGAINST YOU

Payment may be made either by posting this form together with the amount of \$..... mentioned above, to the Chief Executive Officer of the City of Belmont or by delivering this form and paying that amount at the offices of the City at 215 Wright Street, Cloverdale, 6105 between the hours of 8.30 am and 4.30 pm Mondays to Fridays (public holidays excepted).

If you take no action this matter may be registered with the Fines Enforcement Registry after which your drivers licence or any vehicle licence held by you may be suspended. If the matter is registered with the Registry additional costs will also be payable.

If the above address is not your current address, or if you change your address, it is important that you advise us immediately. Failure to do so may result in your drivers licence or any vehicle licence you hold being suspended without your knowledge.

THIRD SCHEDULE
 FORM 4
 CITY OF BELMONT
 215 Wright Street, Cloverdale WA 6105
 PARKING AND PARKING FACILITIES LOCAL LAW
 WITHDRAWAL OF INFRINGEMENT NOTICE

TO No.:.....

INFRINGEMENT NOTICE NO. DATE:.....
 for the alleged offence of

Modified Penalty \$.....is hereby withdrawn.

Signature of Authorised Person:

Designation:

The Common Seal of the City of Belmont was hereunto affixed in the presence of—

P PASSERI, Mayor.

BRUCE R GENONI, Chief Executive Officer.

