

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

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LOCAL GOVERNMENT ACT 1995

CITY OF ARMADALE

**LOCAL LAWS RELATING TO THE REMOVAL OF
REFUSE, RUBBISH AND DISUSED MATERIALS**

**LOCAL LAWS RELATING TO PARKING
FACILITIES**

LOCAL GOVERNMENT ACT 1995**CITY OF ARMADALE****LOCAL LAWS RELATING TO THE REMOVAL OF REFUSE,
RUBBISH AND DISUSED MATERIALS**

In pursuance of the powers conferred upon it by the abovementioned Act and all other powers enabling it, the Council of the City of Armadale hereby records having resolved on 15 September 1997 to make the Local Laws as follows—

CITATION

1. The Local Laws may be cited as “The City of Armadale Removal of Refuse, Rubbish and Disused Materials Local Laws.
2. The City of Armadale Removal of Refuse, Rubbish and Disused Materials By-Laws as adopted by publication in the Government Gazette of 24th July 1981 and as amended from time to time are repealed.

INTERPRETATION

3. (1) In these Local Laws, unless the context otherwise requires—

“Act” means the Local Government Act 1995;

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

“District” means the District of the City of Armadale;

“refuse, rubbish or disused material” includes—

- (i) any material which is abandoned or unwanted by its owner or the person in possession of it;
- (ii) any material which is not being used for its original intended purpose and which has been deposited or stored upon any property for no current purpose other than the deposit or storage;
- (iii) any motor vehicle, motor vehicle part or machinery which has been deposited or stored upon any property for the purpose of dismantling or breaking up;
- (iv) any wood, timber, lumber; or cuttings, logs or remnants of trees; or chopped, split or chipped wood, deposited, stored, located or placed on property.

And any material may be refuse, rubbish or disused material notwithstanding that it may have a commercial value to its owner or the person in possession of it or to the owner or occupier of any property upon which it is deposited or stored;

“served” has the same meaning as defined in section 75 and 76 of the Interpretations Act 1994.

- (2) Where in these Local Laws a duty of liability is imposed on an owner or occupier of land, the duty or liability is imposed jointly and severally on each of the owner or occupier.

CLEARING OF REFUSE, RUBBISH OR DISUSED MATERIAL

4. If there is—

- (a) on any vacant property within the District, any refuse, rubbish or disused material or any trees, scrub or undergrowth; or
- (b) on any property within the District other than vacant property any refuse, rubbish or disused material or any trees, scrub or undergrowth which, in the opinion of the Council—
 - (i) is likely to adversely affect the value of any adjoining property;
 - (ii) is likely to adversely affect the health, comfort or convenience of the inhabitants of that property or any adjoining property; or
 - (iii) results in that property having an appearance which does not conform with the general appearance of other property in the locality,

the Council may cause a Notice under the hand of the Chief Executive Officer to be served on the owner or occupier of that property requiring that owner or occupier as the case may be to clear the property of the trees, scrub or undergrowth or refuse, rubbish or disused material specified in the Notice with the time specified in the Notice.

5. Any owner or occupier who is served with a Notice under Law 4 of these Local Laws and who fails to comply with the terms of the Notice commits an offence.

Penalty—

- (a) five thousand dollars (\$5,000); and
- (b) a daily penalty of five hundred (\$500).

6. Where an owner or occupier who is served with a Notice under Law 4 of these Laws fails to comply with the terms of the Notice, the Council is authorised—

- (a) to clear or remove from the property the trees, scrub or undergrowth or refuse, rubbish or disused material specified in the Notice, and dispose of the same, without payment of any compensation; and
- (b) to recover in a court of competent jurisdiction the amount of the Council's expenses in so doing from the owner or occupier who was served with the Notice.

—————
Dated this 23rd day of September 1997.

The Common Seal of the City of Armadale was hereunder affixed in the presence of—

R. C. STUBBS, Mayor.
J. W. FLATOW, Chief Executive Officer.

LOCAL GOVERNMENT ACT 1995

CITY OF ARMADALE

LOCAL LAWS RELATING TO PARKING FACILITIES

In pursuance of the powers conferred upon it by the abovementioned Act and all other powers enabling it, the Council of the City of Armadale hereby records having resolved on 1st September 1997 to make the following Local Laws.

PART 1—DEFINITION AND OPERATION

1. These Local Laws may be cited as City of Armadale Parking Facilities Local Laws.
2. The By-laws Relating to Parking Facilities published in the *Government Gazette* on 15 December 1982 and amended in the *Government Gazette* on 15 March 1996 are hereby revoked.
3. Interpretation
 - (1) In these Local Laws unless the context otherwise requires
 - “**Act**” means the Local Government Act 1995;
 - “**authorised person**” means a person authorised by the Local Government under section 9.10(1) of the Act to perform functions as specified in these Local Laws;
 - “**authorised vehicle**” means a vehicle authorised by the Local Government, Chief Executive Officer, or by any Act to stand on a road;
 - “**bus**” has the same meaning as the term “omnibus” in the First Schedule of the Road Traffic Act 1974;
 - “**caravan**” has the same meaning as the terms “caravan (motor propelled)” and “caravan (trailer type)” in the First Schedule of the Road Traffic Act 1974;
 - “**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 the road has two or more of those portions divided by a median strip, the expression means each of those portions, separately;
 - “**commercial vehicle**” has the same meaning as the term “Motor Wagon” in the First Schedule of the Road Traffic Act, 1974;
 - “**district**” means the district of the Municipality;
 - “**driver**” means any person driving or in control of a vehicle;
 - “**footway**” includes every footpath, lane or other place intended for use by pedestrians or cyclists or habitually used by pedestrians or cyclists and not by vehicles other than bicycles;
 - “**Local Government**” means the Local Government of the Municipality.
 - “**median strip**” means any physical provision dividing a road to separate vehicular traffic;
 - “**motorcycle**” has the same meaning as that term in the First Schedule of the Road Traffic Act 1974;
 - “**Municipality**” means the Municipality of the City of Armadale;
 - “**no parking area**” means a portion of a road that lies—
 - (a) between two consecutive white signs inscribed with the words “No Parking”, in red lettering, or with symbols to that effect and each with an arrow pointing generally towards the other of them; or
 - (b) between a white sign inscribed with the words “No Parking” in red lettering, or symbols to that effect and a dead end or an area in which standing 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 road that lies—
 - (a) between two consecutive signs inscribed with the words “No Standing”, in red lettering on a white background or with symbols to that effect or with the words “No Standing” in white lettering on a red background, or with symbols to that effect and each with an arrow pointing generally towards the other of them; or
 - (b) between a sign inscribed with the words “No Standing” or with symbols to that effect and a dead end or an 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, 4 or 5 of the Second Schedule;
 - “**occupier**” has the meaning given to it by the Act;

“owner” where used in relation to a vehicle means the person who holds the licence for the vehicle that is required under the Road Traffic Act 1974 or, if the vehicle is not licensed under that Act, the person who owns the vehicle or is entitled to its possession;

“owner” where used in relation to land has the meaning given to the term in the Act;

“park” means to permit a vehicle, whether attended or not, to remain stationary, except for the purpose of—

- (a) avoiding conflict with other traffic;
- (b) complying with the provisions of any law; or
- (c) 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 the words **“Parking”** in green lettering, or with symbols to that effect each with an arrow pointing generally towards the other of them; or
- (b) extending from a white sign inscribed with the word **“Parking”** in green lettering or with symbols to that effect in the general direction indicated by the arrow inscribed on the sign, to any other sign inscribed with the words **“No Parking”** or **“No Standing”**, in red lettering, or with symbols to that effect 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 to 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;

“parking region” means that portion of the district of the Municipality that is constituted a parking region pursuant to the First Schedule to these Local Laws;

“parking stall” means a section or part of a street 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” includes a road and any place which the public are allowed to use, whether or not the road or place is not private property;

“reserve” includes park lands, squares, reserves, beaches and other lands set apart for the use and enjoyment of the inhabitants of the district;

“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 verge” means the portion of a road which lies between the boundary of a carriageway and the property line adjacent thereto;

“sign” means a traffic sign, mark, structure or device on which are shown words, numbers, expressions or symbols and which are under the care control or management of the Council placed or erected on or near a street or within a parking station or reserve for the purpose of prohibiting, regulating, guiding or directing the standing or parking of vehicles;

“stand” in relation to a vehicle, means to stop a vehicle and permit it to remain stationary, except for the purpose of—

- (a) avoiding conflict with other traffic or;
- (b) complying with the provisions of any law;

and **“standing”** and **“stood”** have correlative meanings;

“symbol” includes any symbol issued or approved by the Standards Association of Australia for use in the regulation of parking, and any reference to the wording of any sign in these Local Laws shall be also deemed to include a reference to the corresponding symbol.

“taxi” has the same meaning as that term in the Taxi Act 1994;

“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” includes a vehicle which comes within the interpretation of that expression in the Road Traffic Act 1974.

(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. These Local Laws apply to the parking region, 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 Municipality, or
- (b) is owned by the Municipality but is leased to another person.

5. For the purpose of these Local Laws, vehicles are divided into classes as follows—

- (a) buses;
- (b) commercial vehicles;
- (c) motorcycles and bicycles;
- (d) taxis;
- (e) all other vehicles not otherwise classified.

6. The portion of the district of the Municipality that is defined in the First Schedule is hereby constituted as a parking region to which these Local Laws apply.

PART 2—PARKING SIGNS

7. The Local Government 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 to park in parking stalls and parking stations;
- (e) the manner of parking in parking stalls and parking stations.

8. The Local Government may by resolution constitute, determine and vary, and also indicate by signs from time to time prohibitions, regulations and restrictions of parking and standing of vehicles of a specified class or of specified classes in all roads or specified roads or in specified parts or reserves at all times or specified times.

9. (1) Where under these Local Laws the standing or parking of vehicles in a street is controlled by a sign, the signs 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.

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

(3) An inscription on a sign operates and has effect according to its tenor and a person contravening the direction of a sign commits and offence under these Local Laws.

(4) A sign associated with a no parking area, no standing area or parking area or a sign of a kind referred to in these Local Laws 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.

10. A person shall not without the authority of the Local Government—

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

11. (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 these Local Laws.

(2) A sign that was erected by the Commissioner of Main Roads prior to the coming into operation of these Local Laws within the district and relates to the parking or standing of vehicles within the parking region shall be deemed for the purposes of the Local Laws to have been erected by the Local Government under the authority of these Local Laws.

PART 3—PARKING AND STANDING WITHIN PARKING STALLS AND PARKING STATIONS

12. Unless otherwise directed by an authorised person, a person shall not stand a vehicle in a parking stall in a street otherwise than—

- (a) parallel to the kerb and as close thereto as practicable;
- (b) wholly within the stall; and
- (c) 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 other than parallel to the kerb the provisions of paragraphs (a) and (c) of this Local Law do not apply.

13. 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.

14. (1) A person shall not—

- (a) stand a vehicle so as to obstruct an entrance to, an exit from, or a roadway within, a parking station or beyond the limits of any defined row within a parking station;

- (b) unless otherwise directed by an authorised person, stand a vehicle 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";
 - (e) permit a vehicle to stand in a parking stall which is at the time set aside for use by commercial vehicles unless the vehicle is a commercial vehicle and a person is actively engaged in loading or unloading goods to or from that vehicle; or
 - (f) permit a vehicle to stand in a parking stall which is set aside for use by buses except for the purpose of taking up or setting down passengers to or from the vehicle.
- (2) In paragraph (e) of the sub-Law (1), "goods" means an article, or collection of articles, weighing at least 13.6kg of which the content is at least 0.17m³.
- (3) A parking stall is set aside for use by commercial vehicles if there is a sign thereon or adjacent thereto marked "Loading Zone".

PART 4—STANDING AND PARKING GENERALLY

15. (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 these Local Laws 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 persons or classes of vehicles indicated by the instruction on the sign or signs associated with the area; or
 - (d) in a defined area marked "M/C", unless it is a motorcycle without a sidecar or bicycle.
- (3) A person shall not park a vehicle in a no parking area.
- (4) A person shall not park a vehicle in any portion of a street 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.
- (5) A person shall not stand a motorcycle without a sidecar 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 permission of an authorised person, stand a vehicle in an area designated by signs "Authorised Vehicles Only".
16. Subject to the provisions of Local Law 17 a person standing a vehicle on a carriageway shall stand it—
- (a) 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;
 - (b) on a one-way carriageway, headed in the direction of the movement of traffic;
 - (c) so that at least three 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;
 - (d) so that it is not less than 1.2 metres from any other vehicle, except a motorcycle or a bicycle parked in accordance with these Local Laws;
 - (e) so that it does not cause obstruction on the carriageway;
 - (f) so that it is entirely within the confines of any parking stall marked on the carriageway.
17. (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 "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-Law (3) of this Local Law "vehicle" means a car or motor wagon (utility type up to 3 tonne gross).

(5) Sub-Law (3) of this Local Law does not apply to a person standing a motorcycle or bicycle in a parking area.

18. (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) 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) in front of a footway constructed across a reserve;
- (e) alongside, or opposite, any excavation in, or obstruction on, the carriageway, if the vehicle would thereby obstruct traffic;
- (f) on, or within 9 metres of, any portion of a carriageway bounded on one or both sides by a traffic-island;
- (g) on any footway; pedestrian crossing or cycleway;
- (h) on a bridge or other elevated structure or within a tunnel or underpass;
- (i) 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 the 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;
- (j) on an intersection, except adjacent to a carriageway boundary that is not broken by an intersecting carriageway.

(2) 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.

(3) A person shall not stand a vehicle so that any portion of the vehicle is within 6 metres of the nearer property line of any road intersecting the road on the side which the vehicle is standing.

(4) 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.

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

- (a) the approach side of 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) the approach side of a pedestrian crossing or children's crossing; or
- (c) the nearest rail or a railway level crossing.

(6) A person shall not stand a vehicle so that any portion of that vehicle is on a street verge where by a sign on, adjacent or referable thereto, indicates the standing of vehicles is prohibited.

(7) A person shall not stand a vehicle so that any portion of the vehicle is on a street verge unless he is the occupier of the premises adjacent to the street verge or is a person authorised by the occupier of those premises.

(8) A person shall not stand or drive a vehicle so that any portion of the vehicle obstructs the use of an Emergency Exit Ramp set aside for the stopping of vehicles/commercial vehicles during an emergency.

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

20. (1) An authorised person may mark the tyres of a parked vehicle with chalk or any other non-indelible substance for a purpose connected with or arising out of his duties and powers.

(2) A person shall not remove a mark made by an authorised person under sub-Law (1) of this Local Law so that the purpose of the affixing of such a mark is defeated or likely to be defeated.

21. (1) A vehicle having been parked in an area where by 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 two hours.

22. (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 for a period exceeding one hour.

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

23. A person shall not—

- (a) allow a commercial vehicle to remain stationary on a street verge for more than one hour in a day unless in between each period that the commercial vehicle is parked or allowed to remain stationary in the street, it has been removed from the street for at least two hours; or
- (b) on a street verge repair, service or clean a vehicle other than in accordance with sub-Law (4) of Local Law 15;
- (c) park a vehicle on any portion of a street—
 - (i) if that vehicle is not licensed under the Road Traffic Act;
 - (ii) if that vehicle is a trailer or caravan;
 - (iii) if that vehicle is exposed for sale.

24. (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.

(2) For the purposes of this Local Law where signs are erected on 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.

25. An authorised person may 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 and may prohibit the use of such space by any other vehicle during such time.

26. It shall be an offence for a person to drive a vehicle over barrier kerbing, semi-mountable kerbing or a footpath or cycleway other than where there is a properly constructed vehicular crossover.

PART 5—MISCELLANEOUS

27. Authorised persons appointed by the Municipality from time to time are hereby authorised by the Municipality to—

- (a) carry into effect the provisions of these Local Laws;
- (b) report to the Local Government on the working effectiveness and functioning of these Local Laws;
- (c) recommend to the Local Government the institution of prosecutions; and
- (d) institute and conduct prosecutions as directed by the Local Government or the Chief Executive Officer from time to time.

PART 6—INFRINGEMENT NOTICES

28. A notice that may be given under section 9.13 of the Act to the owner of a vehicle that is involved in an offence against these Local Laws shall be in the form set out in Form 1 of the Second Schedule.

29. (1) All offences against these Local Laws are prescribed for the purposes of section 9.16 of the Act.

(2) An infringement notice that may be given under section 9.16 of the Act for a prescribed offence against these Local Laws shall be in the form set out in Form 2 of the Second Schedule.

(3) An infringement notice that may be given under section 9.18 of the Act for a prescribed offence against these Local Laws shall be in the form set out in Form 3 of the Second Schedule.

30. A notice that may be given under section 9.20 of the Act to withdraw an infringement notice given for a prescribed offence against these Local Laws shall be in the form set out in Form 4 of the Second Schedule.

31. A person, other than the driver of the vehicle, shall not remove from the vehicle any notice attached to the vehicle or left on or in the vehicle by an authorised person.

PART 7—PENALTIES

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

(2) Any person who commits an offence under this Local Law shall be liable, if no other penalty is imposed, to—

- (a) in relation to offences involving the use of a parking station or parking facility or parking at a parking meter or on private property, a maximum penalty of \$80;
- (b) in relation to any offence not dealt with in (a) a maximum penalty of \$500; and

(c) in relation to any offence dealt with under paragraph (b), in addition, if the Court thinks fit, a maximum daily penalty of \$50 per day.

33. The amount appearing in the final column of the Third Schedule directly opposite an offence described in that Schedule is the modified penalty for that offence if dealt with under Section 9.17 of the Act.

34. A penalty for an offence against these Local Laws (not being a modified penalty) may be recovered by the Local Government by taking proceedings against the alleged offender in a Court of Petty Sessions.

35. The Local Government shall cause adequate records to be kept of all infringement notices served and modified penalties received in respect of offences against these Local Laws.

PART 8—REMOVAL AND IMPOUNDING OF VEHICLES

36 (1) A person shall not stand or park a vehicle so as to cause obstruction to traffic in a street or public place.

(2) Subject to sub-Law (3), a vehicle which is parked in any portion of a road or other public place in contravention of these Local Laws is deemed to be obstructing the lawful use of that road or public place.

(3) A vehicle is not obstructing the lawful use of a road or public place if it is so stood or parked in contravention of the limits as to time imposed by the Municipality within respect to that portion of the road or public place.

37. Where an authorised person finds a vehicle stood or parked contrary to the provision of Local Law 36 he may remove and impound the vehicle in accordance with Part 3, Division 3, Subdivision 4 of the Act.

38. Where an authorised person removes and impounds a vehicle pursuant to these Local Laws, he shall enter in a register to be provided by the Local Government for that purpose, details of the time and date, a description of the vehicle, and of the place from which it was removed.

39. A notice under section 3.42 of the Act given to the owner of a vehicle which is removed and impounded under these Local Laws shall be in the form of Form 5 of the Second Schedule.

FIRST SCHEDULE

Parking Region

The whole of the district of the City of Armadale as constituted at the date of the coming into operation of this Local Law 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) Any road which may, from time to time, come under the control of the Commissioner of Main Roads and the Commissioner of Police;
- (b) The approach and departure prohibition areas of all existing and future traffic control signal installations; and
- (c) Prohibition areas applicable to all existing and future bridges and subways.

SECOND SCHEDULE

Form 1

Local Government Act 1995

NOTICE TO OWNER OF VEHICLE INVOLVED IN OFFENCE

Date/...../.....

City/Town/Shire of

To:⁽¹⁾

of:⁽²⁾

It is alleged that on/...../..... at⁽³⁾

at⁽⁴⁾ your vehicle⁽⁵⁾

was involved in the commission of the following offence—

.....
.....
.....

contrary to regulation.....of the⁽⁶⁾

You are required under section 9.13 of the *Local Government Act 1995* to identify the person who was the driver or person in charge of the vehicle at the time when the offence is alleged to have been committed.

If you do not prove otherwise, you will be deemed to have committed the offence unless—

- (a) within 28 days after being served with this notice—
 - (i) you inform the chief executive officer, or another authorised officer, of the local government as to the identity and address of the person who was the driver or person in charge of the vehicle at the time of the offence is alleged to have been committed; or
 - (ii) you satisfy the chief executive officer that the vehicle had been stolen, or was being unlawfully used, at the time the offence is alleged to have been committed;
- or
- (b) you were given an infringement notice for the alleged offence and the modified penalty specified in it is paid within 28 days after the notice was given or such further time as is allowed.

Name and title of authorised person giving the notice

Signature.....

- (1) Name and owner or “owner of (*vehicle identification*)”
- (2) Address of owner (not required if owner not named)
- (3) Time at which offence allegedly committed
- (4) Place at which offence allegedly committed
- (5) Vehicle identification
- (6) Name of the regulations

Form 2

Local Government Act 1995
INFRINGEMENT NOTICE

Serial No.....

Date...../...../.....

City/Town/Shire of

To:⁽¹⁾

of:⁽²⁾

It is alleged that on/...../..... at⁽³⁾

at⁽⁴⁾

you committed the following offence—

.....
.....
.....

contrary to regulation.....of the⁽⁶⁾

The modified penalty for the offence is \$

If you do not wish to have a complaint of the alleged offence heard and determined by a court, the amount of the modified penalty may be paid to an authorised person at⁽⁶⁾within a period of 28 days after the giving of this notice.

Name and title of authorised person giving the notice

Signature.....

- (1) Name of alleged offender (“owner of (*vehicle identification*)” suffices if notice given with a notice under section 9.13 of the Act)
- (2) Address of alleged offender (not required if notice given with a notice under section 9.13 of the Act)
- (3) Time at which offence allegedly committed
- (4) Place at which offence allegedly committed
- (5) Name of the regulations
- (6) Place where modified penalty may be paid

Form 3

Local Government Act 1995

City of Armadale

INFRINGEMENT NOTICE NO.

The owner of the vehicle No. Make
Type Place
Date Time am/pm

You are hereby notified that it is alleged that you have committed a Breach of Clause No.....
City of Armadale Local Laws Relating to Parking as indicated below by a cross (X).

Name and Title of Authorised Person

Signature of Authorised Person Date.....

1. 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 twenty-eight (28) days after being served with this notice. Payment may be made either by posting this Notice together with the amount of the modified penalty to the Chief Executive Officer of the City of Armadale, or by delivering this Notice and paying that amount at the Administration Centre, 7 Orchard Avenue, Armadale, between 8.15am and 4.45pm Monday to Friday.
2. You are also required under section 9.13 of the Local Government Act 1995 to identify the driver or person in charge of the vehicle at the time the above offence was committed.
3. If, within twenty-eight (28) days of being served with this Notice , you do not either—
 - (a) inform the Chief Executive Officer of the City of Armadale of the identity and address of the driver or person in charge of the above vehicle at the time of the above offence was committed; or
 - (b) satisfy the Chief Executive Officer of the City of Armadale, that the above vehicle had been stolen or was being unlawfully used at the time of the above offence; or
 - (c) pay the amount of the modified penalty in accordance with (a) above,
 you will in the absence of proof to the contrary, be deemed to have committed the above offence.



Form 4

Local Government Act 1995

NOTICE OF WITHDRAWAL OF INFRINGEMENT NOTICE

Serial No.....

Date...../...../.....

City/Town/Shire of

To:⁽¹⁾

of:⁽²⁾

Infringement Notice No. date...../...../..... for the alleged offence of

has been withdrawn.

The modified penalty of \$.....

- * has been paid and a refund is enclosed
- * has not been paid and should not be paid
- * Delete as appropriate

Name and title of authorised person giving the notice

Signature.....

⁽¹⁾ Name of alleged offender to whom infringement notice was given

⁽²⁾ Address of alleged offender

Form 5

Local Government Act 1995

NOTICE OF REMOVAL AND IMPOUNDING OF VEHICLE

Serial No.....

Date...../...../.....

To (name of owner of vehicle):

of (address of owner of vehicle):

the owner of vehicle (vehicle identification number).....,(make).....(type).....

On (date).....at (time) am/pm, at (place)

your vehicle was involved in a contravention of the City of Armadale Local Laws Relating to Parking and was removed and impounded under section 3.39 of the *Local Government Act 1995*.

Your vehicle may be collected from (place)

between the hours of am/pm and am/pm, Monday to Friday by satisfying the Chief Executive Officer of the City that you are the owner of the vehicle or a person entitled to possession of the vehicle.

If you vehicle is not collected within **two (2) months** after the date of this notice, the City may either—

- (a) under section 3.46 of the *Local Government Act 1995* refuse to allow the vehicle to be collected until the City's costs of custody of the vehicle after the period of two months have been paid to the City; or
- (b) under section 3.47 of the *Local Government Act 1995* sell the vehicle and credit the money received from that sale to the City's trust fund except to the extent required to meet the City's costs of custody of the vehicle after the period of two months and the expenses incurred by the City in selling the vehicle.

If you are convicted of an offence against the City of Armadale Local Laws Relating to Parking as a result of the above contravention then section 3.48 of the *Local Government Act 1995* also allows the city to recover from you its expenses incurred in removing and impounding the vehicle and any outstanding expenses for the custody of the vehicle.

City of Armadale.

THIRD SCHEDULE

Local Government Act 1995

TABLE OF LOCAL LAWS, OFFENCES AND MODIFIED PENALTIES

Item	Local Law	Nature of Offence	Modified Penalty \$
1.	36(1)	Obstruction of street or public place	35
2.	15(2)(a)	No Standing Area	35
3.	18(1)(j)	Parked on an intersection	35
4.	18(3)	Within 6m of property line at an intersection	35
5.	18(1)(a)	Double parked	35
6.	24(1)	Parked on Private Property	30
7.	14(1)(a)	Obstruction of parking station	30
8.	15(1)(a)	Parked in an area reserved for vehicles of a different class	30
9.	15(1)(b)	Restricted Parking	30
10.	15(2)(d)	Vehicle other than a motorcycle parking in an area marked for motorcycles	30
11.	15(3)	No Parking Area	35
12.	16(a)	Not close and parallel, facing wrong way, two-way carriageway	30
13.	16(b)	Not close and parallel, facing wrong way, one-way carriageway	30
14.	16(e)	Obstruction to carriageway	35

Item	Local Law	Nature of Offence	Modified Penalty \$
15.	18(1)(c)	Obstruction of entry	30
16.	18(1)(g)	Parked on footpath	30
17.	18(6)	Verge parking in a prohibited area	30
18.	18(4) & (5)	Standing in a bus stand	30
19.	15(1)(c)	Parking longer than permitted	20
20.	18(7)	Verge Parking without permission	30
21.	26	Driving a vehicle across a footpath or kerbing	20
22.	23(a)	Parking a commercial vehicle	30
23.	23(c)	Parking a Trailer/Caravan on a street	30
24.	19	Refusal to move vehicle	35
25.	18(8)	Standing in an Emergency Exit Ramp	80
26.		All other offences not specified	25
	3	Failed to display a current ACROD sticker	60

Dated this 5th day of September 1997.

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

R. C. STUBBS, Mayor.
J. W. FLATOW, Chief Executive Officer.



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