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LOCAL GOVERNMENT ACT 1995

TOWN OF VINCENT

LOCAL LAW RELATING TO STREET TRADING

**LOCAL LAW RELATING TO REMOVAL AND DISPOSAL
OF OBSTRUCTING ANIMALS OR SHOPPING TROLLEYS**

**LOCAL LAW RELATING TO PARKS AND PUBLIC
RESERVES**

LOCAL GOVERNMENT ACT 1995

TOWN OF VINCENT

LOCAL LAW RELATING TO STREET TRADING

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Local Government of the Town of Vincent hereby records having resolved on the 30th of November 1998, to make the following Local Law—

PART 1—PRELIMINARY

Citation

1. This Local Law may be cited as the Town of Vincent Street Trading Local Law.

Revocation of Previous Local Laws

2. The Town of Vincent Local Law No. 15—Relating to Street Trading published in the Government Gazette on 23 November 1984 is repealed.

Interpretation

3. In this Local Law, unless the context otherwise requires—

“assistant” means a person who carries out trading on behalf of the licensee in accordance with the licence issued to the licensee;

“Authorised Officer” means an Officer appointed by the Council of the Town of Vincent to assist in the administration of the provisions of this Local Law;

“Chief Executive Officer” means the Chief Executive Officer of the Town of Vincent or other Officer who, for the time being, is acting in that capacity;

“Council” means the Council of the Local Government of the Town of Vincent;

“licence” means a licence as shown at Schedule 2 issued under this Local Law;

“licensee” means a person who is the holder of a licence issued under this Local Law;

“newspaper” means any paper containing public news, intelligence or occurrences, or any remarks or observations therein printed for sale and published periodically, or in parts or numbers, at intervals not exceeding seven days between the publication of any two such papers, parts or numbers;

“permitted place” means a specified site as described in clause 5(a) of the licence;

“stall” means a movable or temporarily fixed structure, stand or table in, on or from which goods, wares, merchandise or services are sold or offered for sale;

“stallholder” means a person in charge of a stall;

“street” includes a highway and a thoroughfare which the public are allowed to use and includes every part of the highway or thoroughfare, and other things including bridges and culverts, appurtenant to it;

“Town” means the Local Government of the Town of Vincent;

“trading” means selling or offering for sale goods, wares, merchandise or services in a street or other public place and includes displaying goods, wares or merchandise for the purpose of offering them for sale, inviting offers for sale, soliciting orders or carrying out any other transaction therein, but does not include—

the sale of food by an itinerant vendor under the authority of an itinerant vendors licence issued under the Health Act 1911;

“vehicle” includes every conveyance, not being a train, boat, aircraft or wheelchair and every object capable of being propelled or drawn on wheels or tracks by any means.

PART 2—LICENCES AND APPLICATIONS

Licences

4. (1) No person shall carry on trading in any street or public place unless that person—

(a) is the holder of a valid licence or is an assistant specified in a valid licence;

(b) is acting in compliance with the requirements, terms and conditions of a current licence; and

(c) is a nominee under clause 7 in respect of a valid licence.

(2) A licence is valid until the 30th day of June next after it is granted or such lesser period as specified or until its revocation pursuant to this Local Law whichever is the earlier.

Applications

5. An application for a licence shall be in writing in the form set out in Schedule 1 and shall—
- (a) include the full name and address of the applicant;
 - (b) specify the proposed number and the names and addresses of assistants to be engaged by the applicant in trading pursuant to the licence;
 - (c) specify the location for which the licence is sought;
 - (d) be accompanied by an accurate plan and description of any proposed stall, stand, table, structure or vehicle which may be used for trading;
 - (e) specify the proposed days and hours of trading;
 - (f) specify the proposed goods, wares, merchandise or services in respect of which trading will be carried on;
 - (g) where the applicant is a corporation specify the full name and address of the natural person who is to comply with the provisions of clause 10(b) of this Local Law;
 - (h) be accompanied by the fee and charges prescribed by this Local Law; and
 - (i) every application shall be forwarded to the Town four (4) weeks prior to the date(s) of proposed operation.

Licence Certificate

6. A licence shall be in the form of Schedule 2 and shall specify—
- (a) the full name and address of the licensee;
 - (b) the licence number;
 - (c) the dates of issue and expiration of the licence;
 - (d) the place to which the licence applies;
 - (e) the number, type, form and construction as the case may be for any stall, stand, table, structure or vehicle which may be used for trading;
 - (f) the particulars of the goods, wares, merchandise or services in respect of which trading may be carried on;
 - (g) the number and full names and addresses of assistants who may be engaged at any one time in trading pursuant to the licence;
 - (h) in the case of a corporation the full name and address of the natural person specified under clause 5(g) of this Local Law;
 - (i) the days and hours when trading may be carried on; and
 - (j) any other requirements, terms or conditions that the Council may consider appropriate.

Transfer of Licence

7. (1) A licence issued under this Local Law may only be transferable to another person where a licensee by reason of illness, accident or other reason acceptable to the Town is unable to comply with the Local Law.

(2) At the written request of the licensee, the Town may issue a permit, in the form provided in Schedule 3 authorising a person nominated by the licensee, to act in the licensee's stead.

(3) Such authorisation shall only be in effect during the period that the licensee is unable to comply with the Local Law or until the term of the licence expires, whichever is earlier.

(4) Application for the transfer of a licence shall be made in writing to the Town and shall—

- (a) be signed by the licensee and by the proposed transferee;
- (b) contain—
 - (i) the full name and address of the proposed transferee;
 - (ii) the proposed number and the names and addresses of the assistants to be engaged by the applicant in trading pursuant to the licence;
 - (iii) when the proposed transferee is a corporation the name and address of the natural person who is to comply with the provisions of clause 10(b) of this Local Law;
- (c) be accompanied by the licence.

Annual Licence Renewal

8. Every application for the renewal of a licence for twelve (12) months shall be made annually during the month of June and every application for renewal of a licence for a period of less than twelve (12) months shall be made two (2) weeks prior to the expiration date and shall be in writing accompanied by the licence certificate then in force.

Council May Refuse to Issue a Licence

9. The Council may refuse to issue or renew a licence if—

- (a) the applicant has committed a breach of clauses 4, 10, 11, or 12 of this Local Law;
- (b) the proposed activity or place of trading is in the opinion of Council undesirable;
- (c) the proposed stall, stand, table, structure or vehicle is in the opinion of Council unsuitable in any respect to the location for which the licence is sought;

- (d) the needs of the district or the portion thereof for which the licence is sought are in the opinion of Council adequately catered for in relation to the goods, wares, merchandise or services in respect of which trading will be carried on;
- (e) the application is for a licence for trading in food or drink of any kind with or without any other goods, wares, merchandise or services; and
- (f) it has not been provided with a Certificate of Currency for a policy of insurance in the name of the applicant or licensee and the Town for public liability in a sum to be specified by Council.

PART 3—CONDUCT

Conditions

10. A licensee shall—

- (a) display on a sign in a conspicuous place within the permitted place in letters and figures of the English language of not less than 5 centimetres in height at all times during the permitted hours of operation, his or her name, permitted place details and licence number;
- (b) ensure that at all times when the licensee is not present in the permitted place and trading is being undertaken that a nominee or an assistant is present in the area;
- (c) keep the location and any stall, stand, table, structure or vehicle specified in his or her licence in a clean, safe condition and in good repair;
- (d) keep the location and any stall, stand, table, structure or vehicle specified in his or her licence free from refuse and rubbish;
- (e) on demand produce his or her licence to any authorised officer or any police officer;
- (f) remove any stall, stand, table, structure, vehicle, goods, wares, merchandise and signs from the location to which the licence applies and leave that location clean and vacant—
 - (i) at the conclusion of the permitted hours of operation specified in his or her licence; and
 - (ii) whenever trading is not taking place on the location to which the licence applies.

11. A licensee shall not—

- (a) in trading use or employ or permit to be used or employed at any one time more than the maximum number of assistants specified in the licence; or
- (b) transfer, assign or otherwise dispose of his or her licence except to a transferee approved under this Local Law.

12. No licensee or assistant or nominee specified in a licence shall—

- (a) engage in or permit any trading in any goods, wares, merchandise or services other than those specified in the licence;
- (b) cause, permit or suffer any nuisance to exist, arise or continue on or from the location to which the licence applies;
- (c) deposit, place or store any goods, wares or merchandise on any street or other public place other than on the location to which the licence applies;
- (d) obstruct the free passage of pedestrians on any footpath;
- (e) subject to paragraph (a) of clause 10 hereof use or display or permit to be used or displayed any advertisement, placard, poster, streamer, sign or signboard on or about the permitted place specified in the licence other than price tickets or labels on the permitted place not exceeding 200 square centimetres in area relating to the goods, wares, merchandise or services specified in the licence;
- (f) create any noise or disturbance at the location to which the licence applies to the annoyance of occupants of nearby premises or passers-by;
- (g) cry out or shout about or permit any other person to cry out or shout about any goods, wares, merchandise or services in any street or other public place;
- (h) use or permit to be used any loud hailer, microphone, amplifier or other apparatus for making or transmitting sound on or from the permitted place specified in the licence;
- (i) use or permit to be used any record, tape, radio, bell, musical instrument or other instrument or device capable of being heard beyond the boundaries of the permitted place specified in the licence;
- (j) use or permit to be used any flashing or intermittent lighting apparatus or device on or from the permitted place specified in the licence; or
- (k) use or permit to be used apparatus or device including flap or shelf whereby the dimensions of the stall are increased beyond any specified in the licence.

13. (a) All the provisions of clauses 10, 11 and 12 of this Local Law except paragraph (b) of clause 10 hereof shall be observed by a nominee who occupies the permitted place in the absence therefrom of the licence holder; and

(b) a nominee shall provide his or her name and address and produce the permit issued to him or her under clause 7 of this Local Law upon demand to any authorised officer of the Town or any Police Officer.

Revocation of a Licence

14. The Town may revoke a licence if—

- (a) the licensee or any assistants or nominees specified in the licence commits an offence against clauses 4, 10, 11 or 12 of this Local Law; or

- (b) the Town or a Crown agency, instrumentality or department requires access to the place to which a licence applies for the purpose of carrying out works on, over or under that place.
- 15. Where a licence is revoked the Town shall if requested provide the licensee with a written reason for the revocation.
- 16. (a) Where the licence is revoked under clause 14(a) of this Local Law the licensee shall not be entitled to any refund of any fee or charge paid to the Town in respect thereof; and
(b) Where a licence is revoked under clause 14(b) of this Local Law the Town shall refund the charge paid in respect thereof having first deducted the charge applicable to the period from the date of issue of the licence to the date of revocation.
- 17. The Council may delegate to the Chief Executive Officer to issue, or to revoke licences or to approve transfers of licences, pursuant to this Local Law.

PART 4—MISCELLANEOUS

Selling of Newspapers

18. This Local Law shall not apply to the selling or offering for sale of newspapers unless they are sold or offered for sale from a stall.

Fees and Charges

19. The fees to be charged for an application for registration and for every renewal thereof and for an application to transfer a registration shall be those prescribed by the Town from time to time. No licence is valid until the fees have been paid.

Penalty Provisions

20. (a) Any person who contravenes any provisions of this Local Law commits an offence and is liable to a penalty not less than \$200.00 and not exceeding \$5000.00 and if the offence is of a continuing nature, such person may be liable to a further penalty not exceeding a fine of \$500.00 in respect of each day or part of a day during which the offence has continued.

(b) Modified Penalties

- (i) The modified penalties prescribed with respect to offences against this Local Law are as follows—
 - (a) Trading without a licence issued in accordance with this Local Law: Penalty \$200.
 - (b) Trading in contravention of a licence issued under this Local Law: Penalty \$100.
 - (c) A Licensee who engages or utilises a person as an assistant or nominee for the purposes of street trading without having the assistant or nominee included on the current licence issued to the licensee commits an offence: Penalty \$200.
 - (d) A contravention of any other provision of this Local Law: Penalty \$75.
- (ii) The prescribed form of the modified penalty notice is set out in Schedule 4.

Schedule 1

LOCAL GOVERNMENT ACT 1995

Town of Vincent

Local Law Relating to Street Trading

APPLICATION FOR LICENCE

- 1. Name and address of applicant—
.....
- 2. Name and address of natural person to occupy permitted place (if applicant is a corporation)—
.....
- 3. Location of permitted place—
.....
- 4. Description of any stall to be used (plan to be attached)—
.....
.....
.....
- 5. Goods, wares, merchandise or services to be traded—
.....
.....
.....

6. Proposed number and the names and addresses of assistants—

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

The applicant hereby applies for the issue of a licence in respect of the abovementioned permitted place for the trading of the abovementioned goods, wares, merchandise or services in accordance with and subject to the Town of Vincent Street Trading Local Law.

Dated this day of
Date

.....
Signature of Applicant.

Schedule 2
LOCAL GOVERNMENT ACT 1995
Town of Vincent
Local Law Relating to Street Trading
LICENCE

1. Full name and address of licensee—

.....
.....

2. Date of issue of licence—

3. Date of expiration of licence—

4. The licence number—

5. Requirements, Terms and Conditions—

(a) Permitted Place/Location to which licence applies:

.....
.....

(b) Description of stall, stand, table, structure or vehicle to be used by the licensee—

.....
.....

(c) Particulars of goods, wares, merchandise or services in respect of which trading may be carried on—

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

(d) Full name and address of assistants who may be engaged at any one time in trading—

.....
.....

(e) The permitted days and hours which trading may be conducted—

.....
.....

(f) In the case of a corporation the full name and address of the natural person specified under clause 5(g) of the abovementioned Local Law—

.....
.....

(g) Other requirements, terms or conditions applicable to this licence—

.....

6. This licence is not valid until the appropriate fee has been paid.

.....
Chief Executive Officer.

.....
Date.

Schedule 3
LOCAL GOVERNMENT ACT 1995
Town of Vincent
Local Law Relating to Street Trading
TRANSFER OF A LICENCE

The Town of Vincent transfers the licence to trade situated at—
..... (Location)
from the present holder (Present Licensees Name)
to (New Licensees Name)
of (New Licensees Address)
for the period from the date of this transfer until the

In accepting this Transfer of Licence, the transferee agrees—

- (a) to indemnify and hold indemnified the Local Government claims for compensation however arising from the operation of the Trade; and
- (b) not to seek from the Local Government or any person acting on their behalf, compensation by way of damages or loss of income arising from any public work within the street.

.....
Chief Executive Officer, Town of Vincent Date
.....
Transferee Date

Schedule 4
LOCAL GOVERNMENT ACT 1995
Town of Vincent
Local Law Relating to Street Trading
INFRINGEMENT NOTICE

Front

Reverse

<p>TOWN OF VINCENT INFRINGEMENT NOTICE</p>
<p>It is alleged that the following offence was committed as indicated below:</p> <p>Town of Vincent Local Law Relating to: Street Trading</p> <p>Infringement No: 000001</p> <p>Date: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> # <input type="text"/> <input type="text"/> Time: <input type="text"/> : <input type="text"/></p> <p>Officer Number: <input type="text"/> <input type="text"/></p> <p>Location: <input type="text"/></p> <p>Offence: _____</p> <p>Clause No: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/></p> <p>PENALTY: \$ <input type="text"/> <input type="text"/> <input type="text"/></p> <p>DUE DATE: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/></p> <p>Registration Number: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/></p> <p>State: <input type="text"/> <input type="text"/> <input type="text"/></p> <p>Officer Signature: _____</p> <p><small>PAYMENT OF THIS PENALTY BY THE DUE DATE AS INDICATED ABOVE WILL PREVENT ADDITIONAL COSTS BEING INCURRED.</small></p> <p align="center"><small>PARKING INFRINGEMENT ONLY</small></p> <p>PLEASE NOTE: PURSUANT TO section 9.13(6) of the Local Government Act 1995, you will be deemed to be the person who committed the above offence unless within 28 days of the date on which this notice was issued:</p> <ul style="list-style-type: none"> (i) - you inform the Town of Vincent in writing of the full name and address of the offender; or (ii) - you furnish information to the Town of Vincent from which the Town is satisfied that the vehicle had been stolen or was being unlawfully used at the time the offence was alleged to have been committed; or (iii) - the modified penalty prescribed for the offence is paid to the Council. <p><small>As the registered owner, you will be deemed to be the offender and liable for the imposed penalty.</small></p> <p align="center"><small>(SEE OVER)</small></p>

<p>TOWN OF VINCENT INFRINGEMENT NOTICE</p>
<p>YOU MAY FINALISE THIS MATTER BY PAYMENT:</p> <ul style="list-style-type: none"> (1) In person Mon. - Fri. 8.00am - 5.00pm to the Cashier: Town of Vincent Administration & Civic Centre 244 Vincent Street Leederville; or (2) By Mail, addressed to the Chief Executive Officer Town of Vincent, PO Box 82, Leederville 6902 <p>For enquiries in relation to this infringement please telephone 9273 6026.</p> <p>Cheques should be made payable to the Town of Vincent</p> <p>PLEASE BE AWARE THAT IF A FINAL DEMAND IS ISSUED IN RELATION TO THIS MATTER, ADDITIONAL COSTS WILL BE INCURRED</p> <p><small>IF YOU TAKE NO ACTION, THIS MATTER MAY BE REGISTERED WITH THE FINES ENFORCEMENT REGISTRY, AFTER WHICH YOUR DRIVER'S 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.</small></p> <p><small>THIS SECTION MUST BE COMPLETED WHEN MAKING PAYMENT. If you change address prior to finalisation of this matter, it is important that you advise us immediately. Failure to do so may result in your driver's licence or any vehicle licence you hold being suspended without your knowledge.</small></p> <p><small>OWNER:</small> First Names: _____ Surname: _____ Address: _____</p>

The Common Seal of The Town of Vincent was affixed in the presence of—

J. HYDE, Deputy Mayor.
JOHN GIORGI, J.P. Chief Executive Officer.

LOCAL GOVERNMENT ACT 1995

TOWN OF VINCENT

**LOCAL LAW RELATING TO REMOVAL AND DISPOSAL OF
OBSTRUCTING ANIMALS OR SHOPPING TROLLEYS**

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Local Government of the Town of Vincent hereby records having resolved on the 30th day of November 1998 to make the following Local Law—

PART 1—PRELIMINARY

Citation

1. This Local Law may be cited as the Town of Vincent Local Law Relating to the Removal and Disposal of Obstructing Animals or Shopping Trolleys.

Repeal

2. The Town of Vincent Local Law Relating to Obstructing Animals and Abandoned Vehicles, published in the Government Gazette on 15 August, 1966 as amended is revoked.

Interpretation

3. (1) In this Local Law—

“Act” means the Local Government Act, 1995;

“appointed place” means a yard or other piece of land set aside as a place to which obstructing vehicles may be removed, pursuant to this Local Law;

“Authorised Officer” means any person appointed by the Council to seize animals or vehicles, pursuant to this Local Law;

“Chief Executive Officer” means the Chief Executive Officer of the Town of Vincent or other Officer who, for the time being, is acting in that capacity;

“shopping trolley” means a vehicle used or designed for use by customers of shops for the purpose of transporting goods and merchandise;

“the Council” means the Council of the Town of Vincent;

“Town” means the Town of Vincent;

“public place” includes a street, way, and place which the public are allowed to use whether the street, way or place is or is not on private property.

4. A person shall not leave an animal or shopping trolley in a public place so as to obstruct any portion of that place.

(a) An animal that is secured with the approval of the Chief Executive Officer in any portion of a public place is not obstructing for the purposes of this Local Law unless it is so secured for any period exceeding eight hours.

(b) A shopping trolley left in a public place is not obstructing, for the purposes of this Local Law, unless it is so left for any period exceeding three hours without the consent in writing of the Chief Executive Officer

5. A person who leaves an animal or shopping trolley in a public place, contrary to the provisions of clause 4 above commits an offence.

6. The Council may appoint a person as an Authorised Officer for the purposes of this Local Law.

7. The Council may appoint a yard or other piece of land as a place to which shopping trolleys may be removed pursuant to this Local Law.

8. Where an Authorised Officer or a member of the Police Service finds an animal or shopping trolley in a public place, contrary to the provisions of clause 4 above, the Authorised Officer may remove the animal or vehicle therefrom and shall—

(a) in the case of an animal, place it in the public pound;

(b) in the case of a shopping trolley, place it in an appointed place.

9. (a) Where an Authorised Officer places an animal in a public pound, pursuant to clause 8 above, the owner, if known, shall be notified of its location and when it can be collected.

(b) Where an Authorised Officer places an animal in a public pound, pursuant to clause 8 above and the owner is not known and no-one purporting to be the owner has come forward to collect the animal within 3 days, the Council shall place an advertisement in a local newspaper describing the animal and stating its location and when it can be collected.

(c) Where, pursuant to clause 9(b) above, an advertisement has been placed in a local newspaper and no-one has come forward to claim the animal within a further 3 days, the Chief Executive Officer may dispose of the animal in an appropriate manner

10. (a) Where an Authorised Officer places a shopping trolley in an appointed place, pursuant to clause 8 above, the Authorised Officer shall enter in a register to be provided by the Council for that purpose, details of the time and date, a description of the trolley, and the place from which it was removed.

(b) A person may recover an impounded shopping trolley from an appointed place as set out in the Local Government Act 1995.

(c) Where a shopping trolley has been impounded and taken to an appointed place and its owner is readily identifiable, the Chief Executive Officer or other Authorised Officer shall notify the apparent owner offender at the address of the last registered owner that the trolley has been impounded and where and when the trolley may be collected.

(d) Where a shopping trolley has not been recovered by the owner or a person entitled to possession of it within two months from the day upon which it was there placed, the Chief Executive Officer may cause the shopping trolley to be offered for sale by public auction or by public tender and thereupon accept the best offer made; and where no offer is made for the purchase of the vehicle, the Chief Executive Officer may cause it to be destroyed.

11. (a) Every person who removes a shopping trolley from an appointed place without the authority of the Chief Executive Officer commits an offence.

(b) Every person who removes an animal from a Public Pound without the authority of the Chief Executive Officer commits an offence.

12. A person is not entitled to any claim, by way of damages or otherwise, against the Authorised Officer, member of the Police Force, or the Council in respect of any shopping trolley or animal seized and dealt with under the provisions of this Local Law or against any person who purchases a shopping trolley sold by a Council under the provisions of this Local Law.

13. (a) The proceeds of the sale of a shopping trolley or animal under the provisions of this Local Law shall be applied by the Council—

(i) firstly, in meeting the costs of the sale; and

(ii) secondly, in meeting the cost of removal of the animal or shopping trolley to the appointed place, and a prescribed fee is adopted by the Council for each day or part of a day that the shopping trolley remained in that place; and those fees shall be paid into the Town's Municipal Fund.

(b) Any surplus of the proceeds of the sale shall be paid by the Chief Executive Officer into the Town's trust fund, and may be repaid within ten years, to any person who satisfies the Council that he was the owner of the shopping trolley or animal at the time of its sale by the Council;

(c) Any surplus of the proceeds of the sale may, if not paid to the owner within ten years, may be paid into the Town's Municipal Fund.

Penalty

14. Any person who contravenes any provisions of this Local Law commits an offence and is liable upon conviction to a penalty not less than \$200 and not exceeding \$5,000 and if the offence is of a continuing nature, such person may be liable to a further penalty not exceeding a fine of \$500 in respect of each day or part of a day during which the offence has continued

15. (a) The modified penalties prescribed with respect to offences against this Local Law are specified in the First Schedule attached to this Local Law.

(b) The prescribed modified penalties shall be notified to the offender in the form of the notice set out in the Second Schedule attached to this Local Law.

First Schedule

Local Law Relating To Removal and Disposal of Obstructing Animals or Shopping Trolleys

MODIFIED PENALTIES


Item	Clause(s)	Modified Penalty
1	5	\$75.00
2	11(a), 11(b)	\$100.00

Second Schedule

Local Law Relating To Removal and Disposal of Obstructing Animals or Shopping Trolleys

Front

Reverse

 <p>TOWN OF VINCENT INFRINGEMENT NOTICE</p>
<p>It is alleged that the following offence was committed as indicated below:</p>
<p>Town of Vincent Local Law Relating to _____ :</p>
<p>Infringement No: 000001</p>
<p>Date: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> # <input type="text"/> Time: <input type="text"/> : <input type="text"/></p>
<p>Officer Number: <input type="text"/></p>
<p>Location: <input type="text"/></p>
<p>Offence: _____</p>
<p>Clause No: <input type="text"/></p>
<p>PENALTY: \$ <input type="text"/></p>
<p>DUE DATE: <input type="text"/></p>
<p>Registration Number: <input type="text"/></p>
<p>State: <input type="text"/></p>
<p>Officer Signature: _____</p>
<p>PAYMENT OF THIS PENALTY BY THE DUE DATE AS INDICATED ABOVE WILL PREVENT ADDITIONAL COSTS BEING INCURRED.</p>
<p>PARKING INFRINGEMENT ONLY</p>
<p>PLEASE NOTE: PURSUANT TO section 9.13(6) of the Local Government Act 1995 , you will be deemed to be the person who committed the above offence unless within 28 days of the date on which this notice was issued:</p>
<p>(i) - you inform the Town of Vincent in writing of the full name and address of the offender; or</p>
<p>(ii) - you furnish information to the Town of Vincent from which the Town is satisfied that the vehicle had been stolen or was being unlawfully used at the time the offence was alleged to have been committed; or</p>
<p>(iii) - the modified penalty prescribed for the offence is paid to the Council.</p>
<p>As the registered owner, you will be deemed to be the offender and liable for the imposed penalty.</p>
<p>(SEE OVER)</p>

<p>TOWN OF VINCENT INFRINGEMENT NOTICE</p>
<p>YOU MAY FINALISE THIS MATTER BY PAYMENT:</p>
<p>(1) In person Mon. - Fri. 8.00am - 5.00pm to the Cashier: Town of Vincent Administration & Civic Centre 244 Vincent Street Leederville; or</p>
<p>(2) By Mail, addressed to the Chief Executive Officer Town of Vincent, PO Box 82, Leederville 6902</p>
<p>For enquiries in relation to this infringement please telephone 9273 6026.</p>
<p>Cheques should be made payable to the Town of Vincent</p>
<p>PLEASE BE AWARE THAT IF A FINAL DEMAND IS ISSUED IN RELATION TO THIS MATTER, ADDITIONAL COSTS WILL BE INCURRED</p>
<p>IF YOU TAKE NO ACTION, THIS MATTER MAY BE REGISTERED WITH THE FINES ENFORCEMENT REGISTRY, AFTER WHICH YOUR DRIVER'S 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.</p>
<p>THIS SECTION MUST BE COMPLETED WHEN MAKING PAYMENT. If you change address prior to finalisation of this matter, it is important that you advise us immediately. Failure to do so may result in your driver's licence or any vehicle licence you hold being suspended without your knowledge.</p>
<p>OWNER: First Names _____ Surname: _____</p>
<p>Address: _____</p>

The Common Seal of The Town of Vincent was affixed in the presence of—

J. HYDE, Deputy Mayor.
JOHN GIORGI, J.P. Chief Executive Officer.

LOCAL GOVERNMENT ACT 1995

TOWN OF VINCENT

LOCAL LAW RELATING TO PARKS AND PUBLIC RESERVES

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Local Government of the Town of Vincent hereby records having resolved on the 30th day of November 1998 to make the following Local Law—

PART 1—PRELIMINARY

Citation

1. This Local Law may be cited as the Town of Vincent Parks and Public Reserves Local Law.

Repeal

2. The Town of Vincent Local Law No 9 Relating to Parks and Public Reserves published in the Government Gazette on 7 September 1966 as amended is repealed.

Interpretation

3. In this Local Law, unless the context otherwise requires—

“*Authorised Officer*” means any person appointed by the Council of the Town of Vincent to assist in the administration and provisions of this Local Law;

“*Chief Executive Officer*” means the Chief Executive Officer of the Town of Vincent or other Officer who, for the time being, is acting in that capacity;

“*Council*” means the Council of the Town of Vincent;

“*Infringement Notice*” means a notice as defined in Section 171BA of the Justices Act 1902;

“*Modified Penalty*” means the penalty prescribed in the Schedule B attached to this Local Law;

“*Town*” means the Town of Vincent.

Application

4. This Local Law shall apply to all parks and public reserves within the Town of Vincent as shown in Schedule A attached to this Local Law.

Restrictions on Use

5. On a Park or Public Reserve a person shall not—

(a) carry firearms, shoot, snare, injure or destroy any bird, animal or fish except in the case of bona fide recreational fishing from the shoreline of Banks Reserve;

(b) tether any animal to any tree, plant, building, structure, fitting, soil or other property owned by or in the care, control or management of the Town;

(c) bathe in such areas except those set aside for that purpose;

(d) (i) consume or have in their possession or under their control any intoxicating liquor, unless pursuant to a licence granted under the Liquor Licensing Act 1911 as amended and unless authorised in that behalf by the Chief Executive Officer; and

(ii) nothing in this clause shall prevent intoxicating liquors, in small quantities, as determined by the Chief Executive Officer from being brought to or consumed in the course of a bona fide family picnic or gathering;

(e) play at or practice golf or strike a golf ball;

(f) play at any game to the annoyance or disturbance of any other person lawfully using the park or public reserve or in such circumstances that such play might reasonably be anticipated to cause damage to any tree, plant, building, structure, fitting, soil or other property owned by or in the care, control or management of the Town.

6. On a park or public reserve a person other than a Council employee executing their normal duties or a person authorised by the Chief Executive Officer shall not—

(a) destroy, damage, climb or be upon or interfere with any tree, plant, building, structure, fitting, soil or other property owned by or in the care, control or management of the Town;

- (b) ride or drive any bicycle, tricycle or vehicle except upon a carriageway or an area set aside for the purpose of driving or parking;
 - (c) leave any vehicle, whether in charge of any person or not—
 - (i) stationary upon any park or public reserve, except upon a carriageway or a part of such park or reserve set aside for the purpose;
 - (ii) elsewhere than on a duly appointed stand; and
 - (iii) otherwise than in compliance with any parking restriction signs, clearly displayed and depicting the restriction;
 - (d) erect, display, post, stick, stamp, stencil, paint or otherwise affix or cause to be erected, displayed, posted, stuck, stamped, stencilled, painted or otherwise affixed, any sign, banner, placard, handbill, notice, advertisement, writing or picture whatsoever upon any tree, plant, building, structure, fitting, soil or other property owned by or in the care, control or management of the Town; or
 - (e) plant any trees, flora or vegetation.
7. On a park or public reserve a person shall not without the authority of the Chief Executive Officer—
- (a) take, install, erect, use or operate any loud speaker or other device for the amplification of sound;
 - (b) gamble or play at any game of chance;
 - (c) camp, lodge or tarry overnight or frequent the same for the purpose of camping, lodging or tarrying overnight;
 - (d) cause, allow or suffer any horse or cattle, sheep, goat, pig, camel or other large animal to be in or on any park or public reserve;
 - (e) take the photographic portrait of any scenery or any person for reward or for the purpose of sale;
 - (f) light any fire except in an area or receptacle set aside for the purpose;
 - (g) sell, hawk or offer for sale goods or articles of any description; or
 - (h) bathe in any pond, lake or water display, except in such areas set aside by the Town for specific purposes.

Dog Exercise Areas

8. Except in those parks or public reserves which have been designated "Exercise Areas" pursuant to Section 51(bb) of the Dog Act 1976 as amended, no person shall suffer or allow a dog to enter or remain in any part of any park or public reserve, unless on a leash.

Parking

9. (a) The driver of any vehicle standing on any carriageway in any park or public reserve shall place and keep the same close to and parallel with the road edge, kerb or footpath on the left of such vehicle, except where channels or other obstructions prevent this from being done.
- (b) Clause 9(a) shall not apply to a vehicle parked in an area which the parking bays have been marked other than parallel to the road edge.

Conduct of Park Users

10. No person shall, anywhere within any park or public reserve, wilfully obstruct, disturb, interrupt or annoy any other person in the proper use thereof or wilfully obstruct, in the execution of their duty or insult or neglect to obey the lawful directions of any Authorised Officer or employee of the Town or Police Officer.

11. Any person found—

- (a) behaving in a disorderly manner;
- (b) using indecent, profane or insulting language;
- (c) creating or taking part in any disturbance whereby a crowd is collected; or
- (d) committing an act of indecency in any park or public reserve;

shall be guilty of an offence against this Local Law and shall be liable to be removed from the park or public reserve by any Authorised Officer or Police Officer.

12. The Town may by a notice erected at a children's playground, specify the age of persons permitted to use the play equipment and no person over that age, other than persons having the charge of a child or children under that age in the playground, shall enter or use that playground or equipment or interfere with the use of it by a child or children under the specified age.

13. It shall be lawful for any Authorised Officer or employee of the Town or any Police Officer to remove from any children's playground any person who is not entitled under this Local Law to the use of that playground.

Removal of Persons

14. Where an Authorised Officer or Police Officer is authorised to remove a person from the park or public reserve for a contravention of the provisions of this Local Law, the Authorised Officer or Police Officer may use such force as is necessary at the time to accomplish this purpose.

Penalty

15. (a) Any person who contravenes any provisions of this Local Law commits an offence and is liable upon conviction to a penalty not less than \$200 and not exceeding \$5,000 and if the offence is of a continuing nature, such person may be liable to a further penalty not exceeding a fine of \$500 in respect of each day or part of a day during which the offence has continued; and

(b) Any breach of this Local Law may be dealt with by way of a modified penalty and notified to the offender in the form specified in Schedule C attached to this Local Law.

16. (a) The modified penalties prescribed with respect to offences against this Local Law are specified in Schedule B attached to this Local Law; and

(b) The prescribed modified penalties shall be notified to the offender in the form of the notice set out in Schedule C attached to this Local Law.

Schedule A

LANDS	RESERVE NUMBER/VESTING ORDER	COMPRISED IN CERTIFICATE OF TITLE	
		Volume	Folio
Auckland/Hobart St Reserve		325	112
Axford Park		487	183
Banks Reserve		1134	503
		1551	976
		86	100A
		2064	389
Beatty Park Reserve	RES 884 Vesting Order 10803/99	—	—
Birdwood Square		1075	784
Blackford/ScarBch Rd Reserve		1109	868
Bourke St Reserve		1769	73
Braithwaite Park		1077	529
Brentham St Reserve		1944	194 (pt)
		1389	156
		1793	860
Brigatti Gardens		267	108
Britannia Rd Reserve		1389	160
		1389	161
		1389	163
		1389	164
		1839	768
		1769	75
		695	166
		1769	77
Lake Monger A Class Reserve	RES 8731	—	—
Charles Veryard Reserve		1424	801
		1424	802
		1943	499
		1264	817
Edinboro St Reserve		1077	520
Ellesmere/Matlock St Reserve		1018	868
Ellesmere St Reserve	RES 22124 Vesting Order 130/40	—	—
Forrest Park	Crown Grant 223/8	—	—
Gill St Reserve		1077	517 (pt)
Hyde St Reserve		616	196
Hyde Park	C Class Reserve	1454	634
	C Class Reserve	1452	383
Jack Marks Reserve		1164	264
		1065	21

LANDS	RESERVE NUMBER/VESTING ORDER	COMPRISED IN CERTIFICATE OF TITLE	
		Volume	Folio
Keith Frame Park	RES 39009 Vesting Order 3078/984	—	—
Kyilla Reserve		1009	887
Les Lilleyman Reserve		1077	517 (pt)
Lynton St Reserve		1120	500
		280	155A
Menzies Park		1054	528
		1075	445
Mick Michael Reserve	Crown Grant 33/327	—	—
	Crown Grant 33/328	—	—
	Crown Grant 33/329	—	—
Monmouth St Reserve		1776	312
North Perth Town Hall Playground		2030	204
Oxford St Reserve		1237	970
Redfern St Reserve		1668	197
Robertson Park		1077	518
		952	83
		598	153
		1389	497
		1031	829
Shakespeare St Reserve		39	265A
		1330	883
Smiths Lake Reserve		1812	999
		1812	992
		1849	996
		793	56
		1810	498
		1849	967
Stuart St Reserve	Crown Grant 223/6	—	—
	Crown Grant 223/7	—	—
Woodville Reserve	999 year lease	1013	1925
		1239	70
		264	4
		250	45
		315	71A
		315	74A
		2030	202
		2030	201

Schedule B

TOWN OF VINCENT


Local Law Relating to Parks and Public Reserves

MODIFIED PENALTIES

Item	Offence Clauses	Modified Penalties
1	5(b), 5(c), 6(b), 6(c)(iii), 7(d) 11(a)	\$50.00
2	5(a), 5(d)(i), 5(d)(ii), 5(f), 6(a), 6(c)(i), 6(c)(ii), 7(a), 7(b), 9(a), 10, 11(b), 11(c), 11(d),	\$75.00
3	5(e), 6(d), 7(c), 7(e), 7(f), 8	\$100.00

Schedule C
TOWN OF VINCENT
Local Law Relating to Parks and Public Reserves

Front

 <p>TOWN OF VINCENT INFRINGEMENT NOTICE</p>
It is alleged that the following offence was committed as indicated below:
Town of Vincent Local Law Relating to _____ :
Infringement No: 000001
Date: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> # <input type="text"/> <input type="text"/> Time: <input type="text"/> : <input type="text"/>
Ranger Number: <input type="text"/>
Location: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
Offence: _____
Clause No: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
PENALTY: \$ <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
DUE DATE: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
Registration Number: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
State: <input type="text"/> <input type="text"/>
Ranger Signature: _____
PAYMENT OF THIS PENALTY BY THE DUE DATE AS INDICATED ABOVE WILL PREVENT ADDITIONAL COSTS BEING INCURRED.
PARKING INFRINGEMENT ONLY
<p>PLEASE NOTE: PURSUANT TO section 9.13(6) of the Local Government Act 1995, you will be deemed to be the person who committed the above offence unless within 28 days of the date on which this notice was issued:</p> <ul style="list-style-type: none"> (i) - you inform the Town of Vincent in writing of the full name and address of the offender; or (ii) - you furnish information to the Town of Vincent from which the Town is satisfied that the vehicle had been stolen or was being unlawfully used at the time the offence was alleged to have been committed; or (iii) - the modified penalty prescribed for the offence is paid to the Council. As the registered owner, you will be deemed to be the offender and liable for the imposed penalty.
(SEE OVER)

Reverse

<p>TOWN OF VINCENT INFRINGEMENT NOTICE</p>
<p>YOU MAY FINALISE THIS MATTER BY PAYMENT:</p> <ul style="list-style-type: none"> (1) In person Mon. - Fri. 8.00am - 5.00pm to the Cashier: Town of Vincent Administration & Civic Centre 244 Vincent Street Leederville; or (2) By Mail, addressed to the Chief Executive Officer Town of Vincent, PO Box 82, Leederville 6902 <p>For enquiries in relation to this infringement please telephone 9273 6026.</p> <p>Cheques should be made payable to the Town of Vincent</p> <p>PLEASE BE AWARE THAT IF A FINAL DEMAND IS ISSUED IN RELATION TO THIS MATTER, ADDITIONAL COSTS WILL BE INCURRED</p> <p>IF YOU TAKE NO ACTION, THIS MATTER MAY BE REGISTERED WITH THE FINES ENFORCEMENT REGISTRY, AFTER WHICH YOUR DRIVER'S 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.</p> <p>THIS SECTION MUST BE COMPLETED WHEN MAKING PAYMENT. If you change address prior to finalisation of this matter, it is important that you advise us immediately. Failure to do so may result in your driver's licence or any vehicle licence you hold being suspended without your knowledge.</p> <p>OWNER:</p> First Names: _____ Surname: _____ Address: _____

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