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LOCAL GOVERNMENT ACT 1995

CITY OF FREMANTLE

**LOCAL LAWS RELATING TO
PARKING**

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LOCAL LAWS RELATING TO PARKING

Pursuant to its powers under the *Local Government Act 1995* the City of Fremantle resolved on the 28th February 2000 to make the following Local Law.

PART 1—OPERATION**INTRODUCTION AND DEFINITIONS****Revocation**

1. The City of Fremantle Local Laws relating to Parking Facilities/Parking Facilities By Laws published in the *Government Gazette* on 17 August 1990 and as amended from time to time, are hereby revoked.

Citation

2. These Local Laws may be cited as *City of Fremantle Parking Local Laws*.

Definitions

3. The following definitions apply throughout these Local Laws unless the context otherwise requires—

“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.

“authorised person” means a person authorised by the Local Government under section 9.10(1) and section 3.39 (1) of the Act to perform functions as specified in these Local Laws.

“authorised vehicle” means a vehicle authorised by the Local Government or an Officer to stand or park on the road or in a parking station, which is designated by signs to be used for parking by Authorised Vehicles Only.

“built up area” means the territory contiguous to and including any road—

(a) on which there is provision for lighting by means of streetlamps; or

(b) which is built up with structures devoted to business, industry or dwelling houses at intervals of less than 100 metres for a distance of 500 meters or more; or

(c) beyond a sign indicating “BUILT-UP AREA” erected at the roadside to face drivers approaching a development consisting of dwelling houses, or business or industrial structures.

“carriageway” means a portion of a 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. Where a road has two or more of those portions divided by a median strip, the expression means each of those portions separately.

“Chief Executive Officer” means the Chief Executive Officer of the City of Fremantle.

“coin” means any coin which is legal tender pursuant to the *Currency Act 1965* (Commonwealth).

“cycle” means any two-wheeled, three-wheeled or four wheeled vehicle that is designed to be propelled solely by human power.

“driver” means any person driving, or in control of, a vehicle or animal.

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

“expired meter” means a plate indicator or device on a parking meter which appears in the face thereof and which bears the word expired or a series of flashing lights, or a negative time of symbol indicating that the time during which a vehicle may occupy the metered stall to which it relates, has expired.

“Fees Schedule” means the schedule of fees and charges which form part of the annual budget.

“footway” includes a footpath, lane of other place intended for use by pedestrians or cyclists or habitually used by pedestrians or cyclists and not by vehicles other than bicycles;

“goods vehicle” means a vehicle specifically designed, constructed and used primarily for, the conveyance therein or thereon of goods (not being a trailer or a vehicle to which a trailer is attached).

“limited terms” mean—

- (a) Thursdays to Saturdays inclusive;
- (b) Mondays to Thursdays inclusive;
- (c) Bona fide rotating shift staff whose shifts also include no more than 14 week days or Saturday shifts within the month, as certified by their employer.

“Local Government” means the Local Government of the City of Fremantle;

“median strip” means—

- (a) any physical provision, dividing a road to separate vehicular traffic proceeding in opposing directions or to separate two (2) one-way carriageways for vehicles proceeding in opposing directions in parking stations;
- (b) any physical provision designed to separate parked cars from the vehicle movement areas and shall include traffic islands.

“meter hood” means a cover designed to cover a parking meter(s) to indicate a temporary parking prohibition, restriction or reservation of the adjacent parking stall(s).

“metered stall” means a section or part of a metered zone, in or adjacent to which a parking meter is installed and which is marked or defined by painted lines or similar devices for the purpose of indicating where a vehicle may be parked on payment of a fee or charge.

“metered zone” means such streets or reserves or such parts of streets or reserves in which parking meters or ticket issuing machines are installed.

“minor” means—

- (a) any person under the age of 18 years;
- (b) in the absence of positive evidence as to age, any person appearing to be under the age of 18 years; and
- (c) any person defined as a child under the *Children’s Court of Western Australia Act (No. 2) 1988*.

“motorcycle” means a motor vehicle designed to travel on two wheels but shall not include a vehicle to which a side car is attached.

“Municipality” means the Municipality of the City of Fremantle.

“notice” means a notice in the form of Form 1, Form 2 Form 3 or Form 4 issued pursuant to clauses 66 to 69 inclusive of this Local Law.

“obstruction” means to impede or hinder in passing.

“Officer” means an Authorised Person appointed by the Chief Executive Officer of the City of Fremantle.

“omnibus” means any motor vehicle equipped to seat more than 8 adult persons (including the driver) used for the carriage of passengers for hire or reward.

“owner of a vehicle” means the person who is the holder of the requisite vehicle registration under the *Road Traffic Act 1974*, 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.

“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 immediately picking up or setting down persons or goods; and Parking has a correlative meaning.

“parking facilities” includes land, buildings, shelters metered zones, metered stalls, ticket issuing machine zones, 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 meter” means a machine either manually or electronically operated by the insertion of coin(s) to measure and display the initial period of time purchased and decreasing time available until expired, for a vehicle to occupy the adjacent parking bay and includes the stand on which the meter is erected.

“parking region” means the whole of the district of the Municipality of the City of Fremantle, excluding the following portions of the district—

- (a) all declared Highways and Main Roads and any road which comes under the control of the Commissioner of Main Roads;
- (b) the approach and departure prohibition areas of all traffic control signal installations; and
- (c) prohibition areas applicable to all bridges and subways.

“Parking Scheme” is the Parking Scheme for the City of Fremantle.

“parking stall” means a section or part of a road or of a parking station which is marked or defined by painted lines or by similar devices for the purpose of indicating where a vehicle may stand or park whether on payment of a fee or charge or otherwise.

“parking station” means any land, building or other structure providing for the purpose of accommodating vehicles with or without charge but does not include metered zone or metered space or private garage.

“property line” means the boundary between the land comprising a street and the land that abuts thereon.

- “public place” includes any place, whether or not that place is on private property, that the public are allowed to use;
- “public reserve” includes parklands, squares, reserves, beaches and other lands, included in or adjoining a district and set apart for the use and enjoyment of the inhabitants of the district and includes parks and other lands acquired for public purposes, and vested in or under the care, control or management of the municipality of the district.
- “residential parking permit” means a permit issued by the Local Government pursuant to the provisions of clause 58 inclusive.
- “road” means any road, street, lane, thoroughfare or similar place, 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* as amended from time to time.
- “sign” means a traffic sign, mark, structure or device placed or erected on or near a road or within a parking station or a reserve for the purpose of regulating, guiding or directing the parking of vehicles, by the City of Fremantle.
- “stand” in relation to vehicle, means to stop the vehicle and permit it to remain stationary, except for the purpose of avoiding conflict with other traffic or complying with the provisions of any law; and standing has a correlative meaning.
- “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 boundary of land abutting the road.
- “taxi” means a vehicle which is used for the purpose of standing or plying for hire, or otherwise for the carrying of passengers for reward, but does not include an omnibus licensed under the Transport Co-ordination Act 1966 or a vehicle of a class declared by the Director General under subsection (2) of the Taxi Act 1994 not to be a taxi.
- “term parker” means a vehicle which displays the appropriate current calendar monthly ticket designated for a particular car park.
- “ticket issuing machine” means a machine electronically operated by the insertion of coin(s) which issues a ticket to indicate the period of parking and is installed by the Local Government at any place.
- “ticket issuing machine zone” means a section or part of a metered zone, where any ticket issuing machines are installed on-street to control a number of parking stalls, but does not include a parking station.
- “Tour Coach” means any vehicle licensed as a Tour Coach and displaying “TC” registration plates, which is hired or chartered for the specific purpose of sight seeing and/or tourism.
- “unexpired parking ticket” means a ticket on which a date and expiry time is printed and that time has not expired.
- “vehicle” includes—
- (a) every conveyance, not being a train, vessel or aircraft, and every object capable of being propelled or drawn, on wheels or tracks, by any means; and
 - (b) where the context permits, an animal being driven or ridden.

Application of Local Law

4. This Local Law shall apply to all parking stations, metered zones, and parking facilities in the parking region. However, the provisions of this Local Law shall not apply to any parking facility or parking station—
- (a) which is neither owned, controlled, nor occupied by the Municipality; or
 - (b) which although owned by the Municipality is leased to another person.

Vehicle Classification

5. For the purpose of this Local Law vehicles are divided into classes as follows—
- (a) Omnibuses
 - (b) Goods Vehicle
 - (c) Motorcycles and cycles
 - (d) Taxis
 - (e) Vehicles 2.1meters or higher
 - (f) Tour coaches
 - (g) All other vehicles not otherwise classified

Application of Signs

6. This Local Law applies to the standing or parking of vehicles within the district, which is controlled by a sign. Such sign shall be read as applying to that part of the street which—
- (a) lies beyond the sign; or
 - (b) lies between the sign and the next sign; and
 - (c) is that side of the carriageway of the street nearest to the sign.

PART 2—METERED ZONE**Establishing Meter Zones, Meter Stalls and Ticket Issuing Machine Zones**

7. The Local Government may by resolution, constitute, determine and vary from time to time, and also indicate by signs—

- (a) metered zones, metered stalls and ticket issuing machine zones;
- (b) permitted times and conditions of parking therein depending on and varying with locality;
- (c) permitted classes of vehicles to park therein;
- (d) manner of parking therein;

but such discretionary authority shall not be exercised in a manner inconsistent with the provisions of this local law.

Fees in Metered Zones

8. The fees payable for the standing and parking of vehicles, excluding motorcycles, in metered zones are as set out in the Fees Schedule.

Fees in Metered Zones for Motorcycles

9. The fees payable for the standing and parking of motorcycles in metered zones are as set out in the Fees Schedule.

Expired Meter and Parking Limit in Metered Stalls

10.1 Subject to clause 11 of this local law,

A person shall not stand or park a vehicle in a metered stall—

- (a) unless the appropriate fee is forthwith on each occasion inserted in the parking meter adjacent to such stall; or
- (b) on any permitted day or during any permitted period if the parking meter has expired.

10.2 A reference in this clause to—

- (a) the **appropriate fee** with respect to metered stall, is specified in the Fees Schedule.
- (b) **permitted day or permitted period** with respect to metered stall means, any day or period stated on signs referring to the parking meter.

Changing Provisions for Clause 10

11. The Local Government, may by resolution, declare that the provisions of Clause 10 shall not apply during the periods on particular days specified in such resolution.

Hoods for Metered Stalls

12. Notwithstanding any other provision of this Local Law and any sign or notice, a person without the permission of the Local Government or an Officer, shall not stand or park a vehicle in a metered stall if the parking meter adjacent to such metered stall is covered with a meter hood.

Fees for Meter Hood and Reserved Parking

13. The fees payable for such hooded meters are set out in the Fees Schedule.

Restrictions and Time Limits in Metered Stalls

14.1 A person shall not stand a vehicle in a metered stall—

- (a) if the standing of a vehicle on that part is prohibited by a sign; or
- (b) during a period in which the standing of vehicles on that part is prohibited by a sign.

14.2 A person shall not park a vehicle in a metered stall—

- (a) if the parking of vehicles on that part is prohibited by a sign; or
- (b) during a period in which the parking of vehicles on that part is prohibited by a sign; or
- (c) if a sign thereon or adjacent to a metered stall, is set apart for the standing or parking of vehicles of a different class.

14.3 A person shall not park or stand a vehicle in a metered stall for more than the maximum time specified by a sign.

Display of Tickets in Ticket Issuing Machine Zones

15. A person shall not stand or park a vehicle in a ticket issuing machine zone during any permitted period unless—

- (a) an unexpired parking ticket; and
- (b) the date and expiry time printed on the ticket,

is displayed inside the vehicle and clearly visible to and able to be read by an Officer from outside the vehicle at all times while the vehicle remains standing or parked in the zone.

Parking Limits in Ticket Issuing Machine Zones

16.1 A person shall not stand or park a vehicle in a ticket issuing machine zone during any permitted period for longer than the maximum period.

16.2 A reference in this clause to—

- (a) "**maximum period**" with respect to a ticket issuing machine zone means the maximum period stated on signs referring to the ticket issuing machines in the zone during which the continuous parking of a vehicle in the zone is permitted;

- (b) “**permitted period**” with respect to a ticket issuing machine zone means the period stated on signs referring to the ticket issuing machines in the zone during which the parking of vehicles is permitted upon purchase of a parking ticket.

Reserved Parking for Ticket Machine Issuing Zones

17.1 Notwithstanding any other provision of this local law and any sign or notice, a person without the permission of the Local Government or an Officer, shall not stand or park a vehicle in a reserved section of a ticket issuing machine zone, unless the vehicle has clearly displayed a reserved parking permit inside the vehicle.

17.2 A reference in this clause to—

- (a) “**reserved section**” with respect to ticket issuing machine zones means a bay or bays within that Zone being reserved for a fee.
- (b) “**reserved parking permit**” with respect to ticket issuing machine zones means a permit issued to allow vehicles to park in the reserved section on payment of a fee.

17.3 The fees payable for such reserved parking are set out in the Fees Schedule.

Carrying out Works in a Metered Stall and Ticket Issuing Machine Zone

18. The Local Government or an Officer may permit a person who requires to stand or park a specified vehicle or vehicles in a metered stall or ticket issuing machine zone in order to carry out urgent or essential work or services to stand or park a vehicle in the metered stall or ticket issuing machine zone for a period longer than the maximum period whether or not at any time the meter or ticket has expired.

PART 3—PARKING STATIONS

Establishing Parking Stations

19. The Local Government may by resolution, constitute, determine and vary from time to time, and also indicate by signs—

- (a) parking stations;
- (b) permitted times and conditions of parking or standing in parking stations depending on and varying with locality;
- (c) permitted classes of vehicles to park or stand in parking stations; and/or
- (d) manner of parking or standing in parking stations;

but such discretionary authority shall not be exercised in a manner inconsistent with the provisions of this local law.

Fees for Parking Stations

20. The fees payable for the standing and parking of vehicles in parking stations are as set out in the Fees Schedule.

Conditions to Park in a Parking Station

21. Subject to clause 22 of this local law, a person shall not park or stand a vehicle or permit a vehicle to remain parked in any of the parking stations specified in the Fees Schedule, between the hours specified in the Schedule unless—

- (a) in the case of a parking station having an attendant on duty, the appropriate fee prescribed in the Fees Schedule is paid when demanded;
- (b) in the case of a parking station being equipped with meters, the appropriate fee is inserted in the meter;
- (c) in the case of a parking station being equipped with a ticket issuing machine, the appropriate fee is inserted in the machine and the parking ticket issued is displayed as per clause 23.1; and
- (d) in the case of a parking station having parking stalls—
- (i) which are let to term parkers on a monthly basis, the appropriate ticket is clearly displayed and the conditions on such ticket being the vehicle registration number, the parking station number, the floor level and the prescribed fee, be adhered to.
- (ii) a person shall not park a vehicle otherwise than wholly within those parking stalls.

Changing the Provisions for Clause 21

22. The Local Government may by resolution declare that the provision of clause 21 shall not apply during periods on particular days specified in such resolution.

Display of Tickets

23.1A. A person shall not stand or park a vehicle in a parking station equipped with a ticket issuing machine during any permitted period unless—

- (a) an unexpired parking ticket applicable to that parking station, and
- (b) the date and expiry time printed thereon,

is displayed inside the vehicle and clearly visible to and able to be read by an Officer from outside the vehicle at all times while the vehicle remains standing or parked in the parking station.

23.1B. Local Government may by resolution provide for unexpired parking tickets to be transferable between specified parking stations.

23.2. A reference in this clause to—

- (a) “**permitted period**” with respect to a parking station equipped with a ticket issuing machine means the period stated on the ticket issuing machine during which the parking of a vehicle is permitted upon the purchase of a parking ticket.

Attend Parking Station

24. In any parking station where provision is made for payment of fees on the departure of vehicles therefrom, and the ticket issued when such vehicle entered the parking station is not produced on departure, the fees stated in the Fees Schedule shall be calculated from the time the parking station was opened on that day to the time of departure.

Removal of Vehicles

25.1 A person shall not remove a vehicle which has been parked in a parking station, until there has been a fee paid appropriate to the period for which the vehicle has been parked.

25.2 A person shall not remove a vehicle which has been parked in a parking station and left there after opening hours, until there has been paid the fee appropriate to the period for which the vehicle has been parked, plus a special opening fee should the parking station be opened for the purpose of the removal of such vehicle.

25.3 The fees payable for the special opening, (refer clause 25.2), are set out in the Fees Schedule.

Obstruction of Parking Station

26. A person shall not stand or park a vehicle so as to obstruct an entrance to or an exit from, or a roadway within a parking station or beyond the limits of any defined right of way within a parking station.

Restrictions and Time Limits in Parking Stations

27.1 A person shall not stand a vehicle on any part of a parking station—

- (a) if the standing of a vehicle on that part is prohibited by a sign; or
(b) during a period in which the standing of vehicles on that part is prohibited by a sign.

27.2 A person shall not park a vehicle on any part of a parking station—

- (a) if the parking of vehicles on that part is prohibited by a sign;
(b) during a period in which the parking of vehicles on that part is prohibited by a sign; or
(c) if a sign thereon or adjacent to a parking stall, is set apart for the standing or parking of vehicles of a different class.

27.3 A person shall not park or stand a vehicle on any part of a parking station for more than the maximum time specified by a sign.

27.4 A person having parked a vehicle in a parking station where parking is restricted as to time, shall not park such vehicle again in such parking station on that day unless it has first been removed from such parking station for at least one (1) hour.

Special Event Parking

28.1 The Local Government may by use of signs set aside, for any period specified on the signs, any parking station for the parking of vehicles by persons attending a special event.

28.2 A person shall not park or stand a vehicle in a parking station set aside under sub-clause 1 during the period for which it is set aside unless a ticket purchased from the Local Government with respect to the special event is clearly visible to and readable by an Officer from outside the vehicle.

28.3 For the purpose of this clause a special event means any event or occurrence considered by the Local Government to be special and or likely to attract a substantial number of persons driving vehicles.

28.4 During the period referred to in sub-clause 1 the provisions of clauses 23.1, 27.1 (b), 27.2 (b), 27.3 and/or 27.4 shall not apply to the parking station.

Behaviour in Parking Stations

29.1 A person shall not remain in or on a parking station after having been directed to leave that parking station by an authorised officer of the Local Government or the Police Force.

29.2 A person shall not loiter in a parking station.

29.3 A person shall not drive in a parking station in a direction other than the direction indicated by arrows.

29.4 A person shall not drive a vehicle in a parking station at a speed which is in excess of the speed limit for the car park notified on a sign.

29.5 A person shall not drive a vehicle in a parking station so as to cause any person present in the car park the apprehension of danger to themselves or to any other person or the apprehension of damage to property.

29.6 A person shall not ride on or drive or be carried on any bicycle, tricycle, skateboard, roller skate or roller blade or other wheeled contrivance other than a licensed vehicle or wheelchair within a parking station.

Local Government may Lock Parking Stations

30. At the expiration of the hours of operation the Local Government whether or not any vehicle remains parked in a parking station may lock the parking station or otherwise prevent the movement of any vehicle within or to or from the parking station without the Local Government being responsible for any loss of or damage to any such vehicle or its accessories or contents or for any other loss, claim or liability.

Selling and Hiring in Parking Stations

31. A person shall not without the written permission of the Local Government park or stand a vehicle on any part of a parking station otherwise than in compliance with the following condition—

No goods, wares or merchandise, or any article or thing of whatsoever nature or kind shall be sold, hired or given away or offered or exposed for sale or hire in or upon that part of a parking station.

Set Aside Parking Stations

32.1 The Local Government may by use of signs set aside any parking station or any stall in a parking station for the parking of vehicles by persons authorised by the Local Government.

32.2 Where the Local Government authorises a person pursuant to sub-clause 1 the Local Government—

- (a) shall issue a written permit to the person; and
- (b) may revoke the permit at any time.

32.3 A person shall not park or stand a vehicle in a parking stall set aside under this clause unless a permit issued with respect to the vehicle is displayed inside the vehicle and is clearly visible and readable by any Officer requiring to examine the permit from outside the vehicle.

Ferry Terminal Car Park—No. 18 Parking Station

33. A person shall not accost any person in the No. 18 Parking Station at the Ferry Terminal Beach Street, Fremantle to solicit fares or to obtain passengers.

Damage to Parking Stations

34.1 A person shall not remove, damage, deface or misuse any parking meter or ticket machine or any fitting or equipment or parking station or any part thereof, or attempt to do any of such acts.

34.2 A person shall not permit, cause to permit, or neglect to prevent a minor of whom they are parent or guardian or in loco parentis to remove, damage, deface or misuse any parking meter or ticket machine or any fitting or equipment of parking station or any part thereof, or attempt to do any such acts.

PART 4—PARKING ON ROADS**Establishing and Amending the Parking Scheme**

35. The Local Government may by resolution constitute, determine and vary and also indicate by signs, from time to time, prohibitions, regulations and restriction of parking and standing of vehicles of a specified class or of specified classes in all roads or specified roads or in specified parts of road or reserved in the parking region at all times or at specified times but such discretionary authority shall not be exercised in a manner inconsistent with the provisions of this local law.

Parking Contrary to Signs

36.1 A person shall not stand or park a vehicle on a road or part of a road—

- (a) if the standing or parking of a vehicle on that part of the road is set apart for the standing or parking of vehicles of a different class;
- (b) if the standing of vehicle on that part is prohibited at all times by a sign;
- (c) if the parking of vehicle on that part is prohibited or restricted by a sign; and/or
- (d) during a period in which the standing of vehicles on that part is prohibited or restricted by a sign.

36.2 A person shall not stand or park a vehicle on any part of a road whether or not that part is marked as a parking stall, for more than the maximum time specified by a sign.

Occupied Parking Stall

37. A person shall not stand or park or attempt to stand or park a vehicle in a parking stall in which another vehicle is standing or parking.

Vehicles in Motorcycle Stalls

38. A person shall not stand or park a vehicle other than a motorcycle to which no sidecar is attached in a parking stall—

- (a) marked with a symbol M/C;
- (b) in which the parking of motorcycles is permitted by a sign referring to the parking stall; and
- (c) otherwise than wholly within the parking stall.

Time Restriction on Motorcycle Stalls

39. A person shall not stand or park a motorcycle in a parking stall marked with the symbol M/C;

- (a) for longer than the maximum period permitted for parking in that parking stall by a sign referring to that parking stall; or
- (b) if there is no sign referring to that parking stall, then for longer than the maximum period during which a vehicle may stand or be parked in any parking stall adjacent thereto.

40. Deleted.

Median Strips and Traffic Islands

41. A person shall not stand or park a vehicle on any part of a road so that any portion of the vehicle is—

- (a) on a median strip;
- (b) adjacent to a median strip otherwise than in a parking stall or metered stall; or
- (c) on, or within nine (9) metres of any portion of a carriageway bounded on one or both sides of a traffic island.

Parking Position on Road

42.1 Except as provided for in 42.2, a person shall not stand or park a vehicle or permit a vehicle to stand or park on any road otherwise than—

- (a) parallel to the kerb and as close to the kerb as practical;
- (b) headed in the direction of the movement of traffic on the part of the road on which the vehicle is parked unless the road is otherwise exempted by Local Government; and
- (c) wholly within a parking stall if the part of the road upon which the vehicle is standing or parked is provided with parking stalls.

42.2 A person shall not stand or park a vehicle in a parking stall which is not set out parallel to a kerb otherwise than wholly within that parking stall.

Traffic Obstructions

43. A person shall not stand or park a vehicle—

- (a) in front of a right of way, passage or private drive or so close thereto as to deny vehicles reasonable access to, or egress from, the right of way, passage or private drive;
- (b) upon an intersection except adjacent to a carriageway boundary that is not broken by an intersecting carriageway;
- (c) on, or within nine metres of, any portion of a carriageway bounded on one or both sides of a traffic island; or
- (d) 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 three metres clear between the vehicle and the double longitudinal line.

Parking Near Fire Hydrant or Pillar Box

44.1 A person shall not stand or park a vehicle on a road so that any portion of the vehicle is within one metre of a fire hydrant or fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug.

44.2 A person shall not stand or park a vehicle within three metres of a public pillar box, unless the vehicle is being used for the purpose of collecting postal articles from the pillar box.

Intersections, Hoardings and Footpaths

45. A person shall not stand or park a vehicle so that any portion of the vehicle is—

- (a) within six metres of the nearest property line of any road intersecting the road on the side on which the vehicle is standing or parked;
- (b) alongside any hoarding, scaffolding, obstacle or impediment to traffic; or
- (c) on or over a footpath or a place of refuge for pedestrians.

Double Parking

46. A person shall not stand or park a vehicle on a road so that any portion of the vehicle is between any vehicle which is parked or standing on a carriageway of that road and the centre of that road.

Verge Parking

47.1 A person shall not stand or park a vehicle on a street verge—

- (a) if the standing of a vehicle on a street verge is prohibited at all times by a sign;
- (b) if the parking of a vehicle on a street verge is prohibited at all times by a sign;
- (c) during a period in which the standing of a vehicle on a street verge is prohibited by a sign; or
- (d) during a period in which the parking of a vehicle on a street verge is prohibited by a sign.

47.2 A person shall not park a vehicle on any part of a street verge whether or not that part is marked as a parking stall, for more than the maximum time specified.

Bus Stops, Pedestrian and Children's Crossings

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

- (a) a sign inscribed with the words Bus Stop, or Hail Bus Here, unless the vehicle is an omnibus stopped to take up or set down passengers, or
- (b) a pedestrian or children's crossing established on a road.

48.2 A person shall not stand a vehicle on a road so that any portion of the vehicle is within eighteen metres of—

- (a) the approach side of a sign inscribed with the words Bus Stop or Hail Bus Here, unless the vehicle is an omnibus stopped to take up or set down passengers;
- (b) the approach side of a pedestrian crossing or children's crossing;
- (c) the approach and departure side of a railway crossing.

48.3 A person shall not permit a vehicle to stand or park in a parking stall which is set aside for use by omnibuses.

No Parking Within One Hour

49. A person having parked a vehicle in a road where parking is restricted as to time, shall not park such vehicle again in such road on that day unless it has first been removed from such road for at least one (1) hour.

Direction to Move Vehicle

50. A person shall not permit a vehicle to stand or park in any part of a street, if any Officer or member of the Police Force directs the driver of such vehicle to move it.

Loading Zones

51.1 A person shall not permit a vehicle to stand or park in a parking stall which is at that time set aside for use by Goods Vehicles carrying commercial goods and unless some person is actively engaged in loading or unloading commercial goods to or from such vehicle, and in any case not for longer than the following periods—

Tare weight of vehicle under 1,000 kg—5 min. Limit.

Tare weight of vehicle over 1,000 kg—15 min. Limit.

51.2 In this clause, commercial goods means an article or collection of articles weighing at least 10 kg of which the content is at least .3 cubic metres and being conveyed by a Goods Vehicle. It does not include service type vehicles being used for private purposes.

51.3 A parking stall is set aside for use by Goods Vehicles if there is a sign thereon or adjacent thereto marked Loading Zone.

Repairs to Vehicles

52. A person shall not park a vehicle on any portion of a street—

- (a) for the purpose 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; or
- (b) if the vehicle is exposed for sale.

PART 5—STANDING AND PARKING GENERALLY

Cycle Parking and Standing

53. A person shall not park or stand any cycle in a parking stall.

Authorised Parking

54. A person shall not, without the permission of the Local Government or an Officer stand or park a vehicle in an area designated by signs "Authorised Vehicles Only".

Private Property

55. A person shall not stand or park or permit a vehicle to stand or park on land which is not a road or parking facility without the consent of the owner or person in occupation of such land.

Goods Vehicles Parking

56. A person shall not park—

- (a) a Goods Vehicle on a street verge for more than four hours consecutively; or
- (b) on a street verge to repair, service or clean a Goods Vehicle.

Chalking of Tyres

57. An Officer may mark the tyres of a parked vehicle with chalk or any other non-indelible substance for any purpose connected with or arising out of his duties and powers. A person shall not remove a mark made by an Officer so that the purpose of the affixing of such mark is defeated or likely to be defeated.

PART 6—RESIDENTIAL PARKING PERMITS

Conditions Of Exemption For Residential Parking Permits And Visitors Parking Permits

58.1 Where the standing or parking of a vehicle on any part of a road within the Municipality of the City of Fremantle, whether such part be marked as a parking stall or not is prohibited for more than a specified time, the holder of a Residential Parking Permit is exempted from such prohibition, and the driver of a vehicle who is visiting a dwelling the occupant of which is the holder of a Visitor's Parking Permit is exempted from such prohibition, provided that such exemption shall apply only—

- (a) to the road, roads or parking station specified in the permit, but excluding areas of road adjacent to retail premises or other public facilities, where parking of all classes of vehicles are subject to time restrictions;

- (b) if such Residential Parking Permit is affixed to the passenger side of the windscreen above the Certificate of Registration;
- (c) if such Visitor's Parking Permit is placed on top of the dashboard of the vehicle so as to be wholly visible through the windscreen of the vehicle;
- (d) if the period in respect of which the permit was issued has not expired;
- (e) if the holder of the permit at the time of standing or parking such vehicle still lives in the premises in respect of which the permit was granted.

Restrictions On Issue Of Residential Parking Permits And Visitor's Parking Permits

58.2 (1) The Council may on written application, issue a Residential Parking Permit for a period not exceeding one year in respect of a particular vehicle and/or a Visitor's Parking Permit to a person who is—

- (a) the owner or occupier of a single house or residential unit built before January 1993, fronting a road within the Municipality of the City of Fremantle and who lives in that house or Residential unit;
- (b) A maximum of two Residential Parking Permits can be issued provided that there is no adequate off street parking on the property and the number of residential parking permits being reduced by one permit for every parking space that is available at the residential address.
- (c) In the case of a Residential Parking Permit, be the holder of the requisite vehicle licence under the Road Traffic Act for a vehicle licensed at the address shown on the application or a work vehicle which is certified by an employer as being a vehicle assigned to the resident of the particular address.
- (d) provided that the total number of Residential Parking Permits shall not exceed two at any one time issued for a single house or residential unit.
- (e) provided that no more than one Visitor's Parking Permit may be issued for a single home or residential unit, that is eligible for a Residential Parking Permit.
- (f) Residential Parking Permits or Visitor's permits will not be issued to commercial vehicles such as large vans or trucks. Where extraordinary circumstances apply the Manager of Urban Environment and Control has discretionary approval to issue Residential or Visitors parking permits.
- (g) Due to the short supply of parking in certain streets, restrictions are applicable.
- (h) Residential Parking Permits and visitors permits can not be issued to multi-storey developments where;
 - (i) The development was approved by Council after June 1992; or
 - (ii) The number of Residential units exceeds six (6) in number; or
 - (iii) Council by resolution may exempt a particular development from this clause.

58.2 (2) In the event that a person who can not be issued with a residential permit or a visitors parking permit because they fail to comply with any clauses in this section, and that they are of the opinion that in their particular circumstances Council should issue a Residential Parking Permit or a Visitors Parking permit, the following procedure should be implemented;

- (a) The applicant is to make a written submission which should include the reasons or comment on the extraordinary circumstances that apply;
- (b) The application is to be referred to Council through the appropriate Committee for resolution.

58.2 (3) A reference in this clause to—

- (a) "**single house**" means premises constructed on its own lot and lawfully used for self-contained living quarters and which is adjacent to a part of a road on which the standing or parking of vehicles is prohibited for more than a specified period.
- (b) "**residential unit**" means a premises used for self-contained living quarters and which is part of a building adjacent to a part of a road on which the standing or parking of vehicles is prohibited for more than a specified period.

Validity Of Residential Parking Permit and Visitor's Parking Permit

58.3(a) Renewal notices will be issued approximately one month before expiry. It is the responsibility of the Permit holder to renew Permits upon expiry. Should the Permit(s) be allowed to expire by the Permit holder, a new application has to be submitted.

- (b) Temporary permits may be issued for a period of less than six months.
- (c) Permits are not transferable from one person to another or from one property to another. Residential Parking Permits are not transferable from one vehicle to another unless an application is made to Council to change the vehicle registration.
- (d) A person shall not display in a vehicle a permit issued by the Local Government which has been altered, added to or defaced in any way.

Specifications of Residential Parking Permit

58.4 Every permit shall specify—

- (a) A permit number;
- (b) the registration number of the vehicle in respect of which the permit was issued;
- (c) the name of the street(s) or parking stations to which the exemption granted by clause 58.1(a) applies; and
- (d) the date on which the permit expires.

58.5 Specification of Visitor's Parking Permit

Every permit shall specify:—

- (a) a permit number;
- (b) the address of the house or unit in respect of which the permit is granted;
- (c) the name of the street(s) or parking stations to which the exemption granted by clause 58.1(a) applies; and
- (d) the date on which the permit expires.

Removal Of Residential Parking Permit From Vehicle

58.6 Every holder of a Residential Parking Permit who changes their place of residence or changes their vehicle, which is subject to a Residential Parking Permit, shall forthwith remove such permit from the vehicle to which it is affixed.

Withdrawal Of Visitor Parking Permit On Change Of Residence

58.7 Every holder of a Visitor's Parking Permit who changes their place of residence shall forthwith return such permit to the Local Government.

Fees For Residential Parking Permit and Visitor's Parking Permits

58.8 Fees payable for Residential Parking Permits and Visitor's Parking Permits are set out in the Fees Schedule.

PART 7—MISCELLANEOUS**Use of Coins in Parking Meters and Ticket Issuing Machines**

59. A person shall not insert or cause to be inserted or attempt to insert into the coin slot of a parking meter or a ticket issuing machine anything other than the coin appropriate to that slot.

Operating Parking Meters and Ticket Issuing Machines

60. A person shall not operate or attempt to operate a parking meter or a ticket issuing machine except in accordance with the operating instructions appearing on the ticket issuing machine.

Damage to Parking Meters and Ticket Issuing Machines

61. A person shall not remove, damage, deface or misuse or interfere with any parking meter or ticket issuing machine or attempt to do any such acts.

Defacing a Parking Ticket

62. A person shall not display in a vehicle a ticket purchased from a ticket issuing machine or from any place authorised by the Local Government which has been altered, added to or defaced in any way in an attempt to avoid payment of the prescribed fee.

Affixing Signs and Notices

63. A person shall not without the permission of the Local Government affix any board sign, placard, notice or other thing to or paint or write upon any part of a parking meter, ticket issuing machine or parking station.

Impersonation of Officer

64. A person who is not an Officer shall not in any way assume the duties of an Officer.

Obstruction of Officer

65. A person shall not in any way obstruct or hinder an Officer in the execution of their duty.

Form 1—(Original Notice)

66. A notice under section 9.17 of the Act to the owner of a vehicle that is involved in an offence against these Local Laws in which the use, driving, parking, standing or leaving of a vehicle is an element shall be in or to the effect of Form 1 of the Fifth Schedule.

Form 2—(Notice to Registered owner of the Vehicle)

67. An infringement notice under section 9.13 and 9.17 of the Act to the owner of a vehicle that is involved in an offence against these local laws in which the use, driving, parking, standing or leaving of a vehicle is an element shall be in or to the effect of Form 2 of the Fifth Schedule.

Form 3—(Notice to Driver)

68. An infringement notice under section 9.16 of the Act to an alleged offender in respect of an offence against these local laws in which the use, driving, parking, standing or leaving of a vehicle is an element shall be in or to the effect of Form 3 of the Fifth Schedule.

Form 4—(Withdrawal Notice)

69. A notice under section 9.20 of the Act to withdraw an infringement notice shall be in or to the effect of Form 4 of the Fifth Schedule.

Removal of a Notice

70. A person other than the driver of the vehicle shall not deface or remove from such vehicle any notice affixed thereto or thereon by an Officer or a member of the Police Force.

Display of Signs

71. A person shall not without the authority of the Local Government, display, mark, set up, or exhibit sign purporting to be or resembling a sign, marked, set up or exhibited by the Local Government under the authority of this Local Law.

Officers Certificate of Appointment

72. Officers appointed by the Local Government shall be furnished with a certificate of their appointment in a form determined by the Local Government from time to time is hereby authorised by the Local Government to—

- (a) carry into effect the provisions of this Local Law;
- (b) report to the Local Government on the working effectiveness and functioning of this Local Law;
- (c) make inquiries and investigations concerning any alleged, purported or actual offences against any of the provisions of this Local Law, with power to interview, question and obtain particulars from person(s) wheresoever living in respect of offences and suspected offences within parking region;
- (d) recommend to the Local Government the institution of prosecutions; and
- (e) institute and conduct prosecutions as directed by the Local Government or the Chief Executive Officer, from time to time.

PART 8—PENALTIES**Offence**

73. Any person who commits or causes a breach of any provision of this Local Law shall on conviction be liable to a penalty not exceeding five thousand dollars (\$5000.00).

Modified Penalties

74.1 The amount appearing in the final column of the Sixth Schedule, directly opposite the offence described, in that Schedule, is prescribed for the purposes of section 9.17 of the Act as the modified penalty for that offence.

74.2 A penalty for an offence against this Local law (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 or in accord with Infringement Notice Recovery and Enforcement Procedures.

74.3 The Local Government shall keep records of all infringement notices served and modified penalties received in respect of offences against these local laws.

PART 9—OBSTRUCTING VEHICLES

75. A vehicle that is parked in any portion of a public place wherein vehicles may lawfully be parked is not obstructing, unless—

- (a) the vehicle is so parked for any period exceeding twenty-four hours, without the consent in writing of the Chief Executive Officer; or
- (b) the vehicle is so parked during any prohibited or restricted periods, if by any sign, the parking of vehicles is prohibited or restricted.

76.1 A vehicle which is parked in any portion of a public place wherein vehicles may not lawfully be parked is deemed to be causing an obstruction.

76.2 A person shall not park a vehicle in a public place so as to obstruct any portion of that place.

77. 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 eight metres in length or three metres in width—

- (a) on a carriageway in a built up area, for any period exceeding one hour;
- (b) on a carriageway outside a built up area, except in a truck bay or other areas set aside for the parking of service vehicles; or
- (c) on a car park or reserve, except in a truck bay or other area set aside for the parking of service vehicles.

78. The Local Government may appoint a person as an authorised person for the purpose of clauses 75-86.

79. Where an authorised person or a member of the Police Force finds a vehicle parked in a public place and it presents a hazard to public safety or obstructs the lawful use of that place, they may remove the vehicle there from and use such force as is necessary to enter the vehicle for the purpose of so removing it and shall, thereupon, place it in an appointed place.

80. Where an authorised person places a vehicle in an appointed place, pursuant to clause 79, the authorised person 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; and shall notify the Chief Executive Officer.

81. The Chief Executive Officer shall notify in writing the last known owner at the last known registered address that the vehicle therein described has been placed in the appointed place.

82.1 A person may recover an impounded vehicle from an appointed place, by paying to the Local Government—

- (a) the cost incurred by the Local Government in removing the vehicle thereto; and
- (b) an impounding fee, and if applicable, a subsequent custody fee as shown in the Fees Schedule;

upon payment of that cost and fees, if the Chief Executive Officer is satisfied that the person is the owner of the vehicle or is a person entitled to take possession of the vehicle, shall permit that person to remove it.

82.2 Every person who removes a vehicle from an appointed place without the authority of the Chief Executive Officer commits an offence.

83. Where a vehicle, placed in an appointed place has not been recovered by the owner or person entitled thereto within two months from the day upon which it was there placed, the Local Government may cause the vehicle 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 Local Government may cause it to be destroyed.

84. A person is not entitled to any claim, by way of damages or otherwise, against the authorised person, member of the Police Force, or the Local Government in respect of any vehicle seized and dealt with under these clauses or against any person who purchases a vehicle sold by Local Government under clause 83.

85.1 The proceeds of the sale of a vehicle under the provisions of clause 83 shall be applied by the Local Government—

- (a) firstly, in meeting the costs of the sale; and
- (b) secondly, in meeting the cost of removal of the vehicle to the appointed place and fees under the provision of clause 82.1 (b) and those sums shall be paid into the Municipal Fund.

85.2 Any surplus of the proceeds of the sale shall be paid by the Local Government into its Trust Fund, and may be paid within ten years, to any person who satisfies the Local Government that the person was the owner of the vehicle at the time of its sale by the Local Government.

85.3 Any surplus of the proceeds of the sale, may if not paid to the owner within ten years, be paid into the Municipal Fund.

86. Where the proceeds of the sale of any vehicle under the provisions of clause 83, after deduction of the monies authorised to be applied by the Local Government thereto by clause 85 does not cover the costs of the removal, custody and disposal of that vehicle, the Local Government may recover the balance of these costs from the owner of that vehicle in a court of competent jurisdiction.

87. A person committing a breach of sections 75-86 is liable upon conviction in a court of law to a penalty not exceeding \$5000.00.

FIRST SCHEDULE—Deleted

SECOND SCHEDULE—Deleted

THIRD SCHEDULE—Deleted

FOURTH SCHEDULE—Deleted

FIFTH SCHEDULE

Form 1

Received the amount printed below when imprinted by the Cash Register.

CITY OF FREMANTLE PARKING BY-LAW
FIFTH SCHEDULE - FORM 1
LOCAL GOVERNMENT ACT

Infringement Notice No. P

TIME NOTED

PAYMENT IS DUE WITHIN 21 DAYS OF SERVICE OF THIS NOTICE

TO OWNER OF:

VEHICLE NO. MAKE

LOCATION

METER NO.

RATE TIME LIMIT

DATE TIME

You are hereby notified that it is alleged that you have committed a breach of Clause No. (Code No.) of the City of Fremantle Parking By-Law as indicated by a cross (x) hereunder. The maximum penalty on conviction by a Court is \$80, and the Court may award costs against you.

Modified Penalty

- Standing against an expired meter
Standing longer than time allowed
Failing to display the date and time of expiry printed on the ticket(s) issued by the ticket machine
Expired ticket in a Parking Station/Stall
Parking in Disabled Bay without ACROD Permit

\$

Modified Penalty

- Exceeded time limit in a Loading Zone
Standing in a No Parking Area
Standing a vehicle of a different class
Standing in a Bus Stop
Causing an obstruction
Standing in a No Standing or Restricted Area
Parked on Footway

\$

\$

Inspector No.

APPLICATION FOR ACTION BY A COURT

I decline to accept the option of paying the Modified Penalty, and I wish to defend the offence before a Magistrate's Court. I understand that I may receive a Summons for this offence.

DRIVER'S ADDRESS FOR THE SERVICE OF A SUMMONS IS:

FULL NAME SIGNATURE

FOR WHAT TO DO WITH THIS NOTICE, SEE REVERSE

FIFTH SCHEDULE
Form 2



NOTICE TO REGISTERED OWNER OF VEHICLE

UNDER LOCAL LAW RELATING TO PARKING FACILITIES
LOCAL GOVERNMENT ACT 1995
Fifth Schedule Form 2

Enforcement Agency: **CITY OF FREMANTLE**

Location: Town Hall Centre,
8 William Street,
FREMANTLE

Postal Address: P.O. BOX 807, FREMANTLE 6959

Hours of Business: 8:00am to 5:00pm Monday to Friday

Telephone (08) 9432 9899 or
(08) 9432 9999
Facsimile (08) 9430 4634

To:

Infringement No:

DATE OF
NOTICE:

AMOUNT DUE: \$

DUE DATE:

The driver of the vehicle, make *Reg. No.*
You are hereby notified that it is alleged that on *at about* : *hours,*
the driver or person in charge of the vehicle did at
in contravention of clause *of the City of Fremantle Parking Facilities By-Law*

OPTIONS AVAILABLE TO THE REGISTERED OWNER

- A. Payment must be received by _____, failure to do so will incur added costs.
- B. If you have paid the Infringement already, you may ignore this notice.
- C. If the Infringement has not been paid, then as the registered owner of the vehicle, in the absence of proof to the contrary, under the Local Government Act you are deemed to have committed the offence.

It is intended to PROSECUTE you for this offence unless you take the following action prior to the due date of this notice:

- 1. Pay the penalty of the amount shown above. Payment can be made to the Cashier at the Town Hall from 8am to 5pm Monday to Friday, or by post to the address above. Do not post Cash.
- or 2. If you did not commit the offence, inform the Chief Executive Officer of the name and residential address of the driver or person in charge of the vehicle at the time of the alleged offence by completing the form on the reverse.
- or 3. Inform the Chief Executive Officer in writing that the vehicle had been stolen or was being unlawfully used at the time of the offence, and provide the Police Offence Record Number given to you when the loss was reported to the Police.
- or 4. If you wish to appeal this infringement, please write to the City of Fremantle, prior to the due date of this notice and provide the following:
 - (a) Name and address
 - (b) Infringement number or vehicle registration number
 - (c) Copies of any relevant material to support your appeal.
- or 5. If you wish to defend this allegation in Court, you may notify the Integrated Patrols Section, City of Fremantle by completing the form on the reverse and returning it by _____



NOTICE TO REGISTERED OWNER OF VEHICLE



Town Hall Centre,
8 William Street,
FREMANTLE
P.O. BOX 807, FREMANTLE 6959
TELEPHONE (08) 9432 9899 or
(08) 9432 9999

INFRINGEMENT No.

VEHICLE No.

AMOUNT DUE

DUE DATE

Cheques and money orders should be crossed and marked "not negotiable". If a cheque is not honoured upon presentation, payment shall be deemed not to have been made.

FIFTH SCHEDULE

Form 3



**CITY OF
FREMANTLE**

Enforcement Agency: **CITY OF FREMANTLE**

Location: Town Hall Centre,
8 William Street,
FREMANTLE

Postal Address: PO BOX 807 FREMANTLE 6959

Hours of Business: 8:00am to 5:00pm Monday to Friday

Telephone (08) 9432 9899 or
(08) 9432 9999
Facsimile (08) 9430 4634

To:

NOTICE TO DRIVER OF VEHICLE

UNDER LOCAL LAW RELATING TO PARKING FACILITIES
LOCAL GOVERNMENT ACT 1995
Form 3

Infringement No:

DATE OF
NOTICE:

AMOUNT DUE: \$

DUE DATE:

The driver of the vehicle, make _____ Reg. No. _____
You are hereby notified that it is alleged that on _____
the driver or person in charge of the vehicle did at _____ at about _____ hours,
in contravention of clause _____ of the City of Fremantle Parking Facilities By-Law

OPTIONS AVAILABLE TO THE DRIVER

- A. Payment must be received by _____ Failure to do so will incur added costs.
 - B. If you have paid the Infringement already, you may ignore this notice.
 - C. If the Infringement has not been paid, then, as the driver of the vehicle and in the absence of proof to the contrary, under the Local Government Act you are deemed to have committed the offence.
- It is intended to PROSECUTE you for this offence unless you take the following action prior to the due date of this notice:
1. Pay the penalty of the amount shown above. Payment can be made to the Cashier at the Town Hall from 8am to 5pm Monday to Friday, or by post to the address above. Do not post cash.
 - or 2. If you wish to appeal this infringement, please write to the City of Fremantle, prior to the due date of this notice and provide the following:
 - (a) Name and address
 - (b) Infringement number or vehicle registration number
 - (c) Copies of any relevant material to support your appeal.
 - or 3. If you wish to defend this allegation in Court, you may notify the Integrated Patrols Section, City of Fremantle by completing the form on the reverse and returning it by _____



**CITY OF
FREMANTLE**

NOTICE TO DRIVER OF VEHICLE

Town Hall Centre,
8 William Street,
FREMANTLE
PO BOX 807 FREMANTLE 6959
TELEPHONE (08) 9432 9899 or
(08) 9432 9999

INFRINGEMENT No.

VEHICLE No.

AMOUNT DUE

DUE DATE

Cheques and money orders should be crossed and marked "not negotiable". If a cheque is not honoured upon presentation, payment shall be deemed not to have been made.

FIFTH SCHEDULE

Form 4

FORM 4

RE: PARKING INFRINGEMENT No. _____

OFFENCE DATE: _____

OFFENCE CLAUSE: _____

Thank you for your correspondence. I have assessed your appeal and am pleased to advise you that this Infringement Notice has been withdrawn.

No further action on your part is necessary with regard to this matter.

Yours faithfully

Parking Manager

Date

**SIXTH SCHEDULE
MODIFIED PENALTIES**

Clause	Nature of Offence	Modified Penalty \$
10.1	Stand/Park against an expired meter in a metered stall	20.00
12	Stand or park adjacent to a hooded meter	30.00
14.1	Standing during a restricted period in a metered stall	30.00
14.2	Parking during a restricted period in a metered stall	30.00
14.3	Standing longer than time allowed in a metered stall	20.00
15	Fail to display unexpired parking ticket in a ticket issuing machine zone	20.00
16.1	Standing longer than time allowed in a ticket issuing machine zone	20.00
21(a)	Stand/Park in a parking station without paying fee on demand	20.00
21(d)(i)	Failing to display monthly ticket	20.00
21(d)(ii)	Stand/Park not wholly within a stall in a parking station	30.00
23.1	Fail to display unexpired parking ticket in a parking station	20.00
25.1	Removal of a vehicle without paying the fee	50.00
26	Causing an obstruction in a parking station	50.00
27.1	Standing in a No Standing area in a parking station	50.00
27.2(a)	Parking in a No Parking area in a parking station	30.00
27.2(c)	Stand/Park in a parking station where stalls are set apart for vehicles of a different class	30.00
27.3	Standing longer than allowed in a parking station	20.00
27.4	Stand/park a vehicle again without being removed for a period of 1 hour.	20.00
29.1	Refusing to leave a parking station	50.00
29.3	Driving in wrong direction in a parking station	50.00
29.4	Driving in excess of the speed limit in a parking station	80.00
29.5	Driving so as to cause apprehension of danger or damage in a parking station	80.00
29.6	Using a conveyance other than a licensed vehicle or a wheelchair within a parking station	30.00
36.1(a)	Stand/Park a vehicle of a different class on road	30.00
36.1(b)	Standing in a No Standing area on road	50.00
36.1(c)	Parking in a No Parking area on road	30.00
36.1(d)	Stand/Park during a restricted period on a road	50.00
36.2	Stand/Park longer than allowed on road	20.00
37	Stand/Park in an occupied parking stall	20.00
38	Stand/Park a vehicle in a M/C stall	20.00
39(a)	Stand/Park longer than time allowed in a M/C stall	20.00
39(c)	Stand/Park not wholly within a M/C stall	20.00
41	Stand/Park on or adjacent to a median strip	30.00
42.1(a)	Stand/Park not parallel to kerb on road	30.00
42.1(b)	Stand/Park facing the opposite direction to the direction of movement of the traffic	30.00
42.1(c)	Stand/Park not wholly within a parallel stall on road	30.00
42.2	Stand/Park not wholly within an angle stall on road	30.00
43(a)	Stand/Park vehicle as to causing an obstruction right of way/private drive	50.00
43(b)	Stand/Park vehicle as to causing an obstruction upon an intersection	50.00
43(c)	Stand/Park within 9 metres of a traffic island	50.00
43(d)	Stand/Park within 3 metres of an unbroken line	50.00
44.1	Stand/Park within 1 metre of fire hydrant	30.00
44.2	Stand/Park within 3 metres of a public pillar box	30.00
45(a)	Stand/Park within 6 metres of a property line	30.00
45(c)	Stand/Park on a footpath	50.00
46	Double parking	50.00
47.1(a)	Stand/Park on a street verge contrary to signs	50.00
47.1(b)	Park on a street verge contrary to a sign	30.00
47.1(c)	Standing street verge during a restricted period	50.00
47.1(d)	Parking on street verge during a restricted period	30.00
47.2	Parking on street verge longer than time allowed	20.00

MODIFIED PENALTIES—*continued*

Clause	Nature of Offence	Modified Penalty \$
48.1	Standing within 9 metres of the departure side of omnibus stops, pedestrian & children's crossings	30.00
48.2	Standing within 18 metres of the approach side of omnibus stops, pedestrian & children's crossings	30.00
48.3	Stand/Park in an omnibus stand	30.00
49	Stand/park a vehicle again without being removed for a period of 1 hour.	20.00
50	Direction to move vehicle	80.00
51.1	Stand/Park in loading zone without actively loading/unloading	30.00
52	Parking on street to repair or sell	30.00
53	Cycle in parking stall for vehicles	30.00
54	Stand/Park in an authorised area without permission	30.00
55	Stand/Park on a private property without consent	30.00
56	Parking service vehicle on the street verge more than 4 hours	16.00
57	Removing of chalk mark	50.00
59	Insert anything other than the coin into a parking meter or ticket or ticket issuing machine	50.00
62	Altering or defacing a parking ticket	50.00
75(a)	Parking in a public place for longer than 24 hours without consent	30.00
75(b)	Parking in a public place where prohibited or restricted by sign	30.00
76.1	Stand/Park unlawfully in a public place thereby causing an obstruction	50.00
76.2	Stand/Park in a public place so as to obstruct any portion of that place.	50.00
77(a)	Stand/Park an oversized vehicle on carriageway exceeding one hour	50.00
77(b)	Stand/Park an oversized vehicle not in truck bay	50.00
77(c)	Stand/Park an oversized vehicle in a car park or reserve except in truck bay	50.00
	All other offences not classified in which the use of a vehicle is an element	30.00

Dated this 14th day of March 2000.

The Common Seal of the City of Fremantle was affixed in the presence of—

RICHARD UTTING, Mayor.
RAY GLICKMAN, Chief Executive Officer.

