

Town Council of Aljunied-Hougang (Common Property and Open Spaces) By-laws 2012

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No. S 138

**TOWN COUNCILS ACT
(CHAPTER 329A)**

**TOWN COUNCIL OF ALJUNIED-HOUGANG
(COMMON PROPERTY AND OPEN SPACES)
BY-LAWS 2012**

In exercise of the powers conferred by section 24 of the Town Councils Act, the Town Council for the Town of Aljunied-Hougang hereby makes the following By-laws:

Citation and commencement

1. These By-laws may be cited as the Town Council of Aljunied-Hougang (Common Property and Open Spaces) By-laws 2012 and shall come into operation on 2nd April 2012.

Definitions

2.—(1) In these By-laws, unless the context otherwise requires —

“common property” and “open space” mean any common property and any open space, respectively, within the Town of Aljunied-Hougang;

“housing estate” means a housing estate of the Board within the Town of Aljunied-Hougang;

“park” means to bring a vehicle to a stationary position and cause it to remain for any purpose;

“parking place” has the same meaning as in the Parking Places Act (Cap. 214);

“sign” includes all signals, warning sign posts, direction posts, banners and advertisements;

“vehicle” means a vehicle, whether mechanically propelled or not, intended or adapted for use on the road.

(2) Nothing in these By-laws shall prohibit any officer or employee of the Town Council or any person authorised by the Town Council from doing any act that is reasonably necessary or expedient in the enforcement of these By-laws.

Unlawful parking, etc.

3. No person shall, except with the prior written permission of the Town Council —

- (a) park any vehicle on any common property or in any open space other than in a parking place; or
- (b) use, ride or drive on any common property or in any open space any vehicle other than a perambulator, a child’s toy vehicle used solely by a child or a wheel-chair used solely for the conveyance of persons suffering from some physical defect or disability.

Power to remove and detain vehicles

4.—(1) Where a vehicle is parked on any common property or in any open space in contravention of any by-law, the secretary may in his discretion and by himself or by an officer authorised by the Town Council (referred to in this by-law as the authorised officer) —

- (a) remove the vehicle to a place of safety or any other place and detain the vehicle thereat; or
- (b) prevent the removal of the vehicle without his consent by fixing an immobilisation device to the vehicle.

(2) Where the secretary or the authorised officer has removed any vehicle to a place

of safety or any other place under paragraph (1)(a) or fixed an immobilisation device to the vehicle under paragraph (1)(b), the secretary or the authorised officer shall, with reasonable despatch, give notice in writing to the owner of the vehicle as to the procedure by which he may secure the release of the vehicle.

(3) The notice referred to in paragraph (2) shall be served on the owner of the vehicle —

- (a) by post where the vehicle has been removed to a place of safety or any other place under paragraph (1)(a); or
- (b) by affixing the notice onto the windscreen or any conspicuous part of the vehicle where an immobilisation device has been fixed to the vehicle under paragraph (1)(b).

(4) No vehicle which has been removed and detained by the secretary or the authorised officer or to which an immobilisation device has been fixed in accordance with this by-law shall be released to the owner of the vehicle except —

- (a) by or under the direction of the secretary or the authorised officer; and
- (b) upon the owner of the vehicle having paid all expenses incurred by the Town Council in the removal and detention, and all fines and composition sums payable by the owner for any offence under these By-laws in respect of that vehicle.

(5) Any person who, without the authority of the secretary or the authorised officer, removes or tampers with any notice affixed to a vehicle under paragraph (3)(b) shall be guilty of an offence.

(6) Any person who, without being authorised to do so in accordance with this by-law, removes or attempts to remove —

- (a) any vehicle from any place at which it is being detained under this by-law; or
- (b) an immobilisation device fixed to a vehicle in accordance with this by-law,

shall be guilty of an offence.

(7) Where any vehicle which has been removed and detained by the secretary or the authorised officer or to which an immobilisation device has been fixed in accordance with this by-law is not claimed by the owner within one month after the date of receipt of any notice given under paragraph (2), the secretary may, after giving one month's notice in the *Gazette* of his intention to do so, sell the vehicle by public auction or otherwise dispose of the vehicle in any manner as he thinks fit.

(8) The proceeds of the sale or disposal of any such vehicle shall be applied —

- (a) firstly, in payment of any expenses incurred in carrying out the provisions of this by-law; and
- (b) thereafter in payment of all fines and composition sums payable under these By-laws in respect of that vehicle, and the surplus, if any, shall be paid to the owner of the vehicle.

(9) In this by-law, “immobilisation device” means any device or appliance designed or adapted to be fixed to any part of a vehicle for the purpose of preventing the vehicle from being driven or otherwise put in motion, being a device or an appliance of such type approved by the secretary or an officer authorised by the Town Council in that behalf.

Repairing, painting, etc., of vehicles

5.—(1) No person shall repair, paint, spray, test or service or cause or permit to be repaired, painted, sprayed, tested or serviced any vehicle on any common property or in any open space.

(2) Paragraph (1) shall not apply to such repairs as may be reasonably necessary to enable the vehicle to be removed from the common property or open space.

Obstruction of common property

6.—(1) No person shall obstruct or cause or permit the obstruction of the lawful use of any common property with any object, fixture or thing.

(2) The Town Council may remove and detain any object, fixture or thing obstructing the lawful use of any common property.

(3) The Town Council shall immediately give written notice to the owner or person having lawful possession of the object, fixture or thing removed and detained by the Town Council that he may, on payment of the expenses incurred by the Town Council in the removal and detention, claim possession of it from the Town Council within 30 days after the date of receipt of such notice.

(4) If the object, fixture or thing removed and detained by the Town Council is not claimed by the owner or person having lawful possession thereof within the period specified in paragraph (3), the Town Council may —

- (a) dispose of such object, fixture or thing by public auction or otherwise; and
- (b) apply the proceeds of the sale to the expenses incurred by the Town Council in the removal and detention, and the surplus, if any, shall be paid to the owner or person having lawful possession of the object, fixture or thing when it was removed and detained.