

# **Town Council of Nee Soon (Common Property and Open Spaces) By-laws 2013**

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**No. S 318**

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

**TOWN COUNCIL OF NEE SOON  
(COMMON PROPERTY AND OPEN SPACES)  
BY-LAWS 2013**

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

**Citation and commencement**

**1.** These By-laws may be cited as the Town Council of Nee Soon (Common Property and Open Spaces) By-laws 2013 and shall come into operation on 1st June 2013.

**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 Nee Soon;

“housing estate” means a housing estate of the Board within the Town of Nee Soon;

“mobility aid” means any of the following carrying an individual who is unable to

walk or has difficulty in walking:

- (a) a wheelchair (motorised or otherwise);
- (b) a mobility scooter as defined by the Active Mobility Act 2017 (Act 3 of 2017);

*[S 594/2019 wef 01/09/2019]*

“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);

“public path” means a path declared under section 6 of the Active Mobility Act 2017 as a public path;

*[S 594/2019 wef 01/09/2019]*

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

“vehicle” means a vehicle, whether mechanically propelled or not, intended or adapted for use on the road, such as (but not limited to) a bicycle, power-assisted bicycle or personal mobility device as defined by the Active Mobility Act 2017, but excludes any mobility aid.

*[S 594/2019 wef 01/09/2019]*

(2) Nothing in these By-laws shall prohibit officers or employees 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.

(3) These By-laws do not affect the rights of the public to pass along a public path within the Town of Nee Soon in accordance with the Active Mobility Act 2017.

*[S 594/2019 wef 01/09/2019]*

## **Dumping and renovation debris**

3. No person shall —

- (a) place, deposit, keep or leave, or cause or permit to be placed, deposited, kept or left, any object, material, article or thing on any common property or in any open space, except on such common property or in such open space designated by the Town Council for that purpose; or
- (b) transport any renovation debris or other building material in any lift in a building in any housing estate, or over any other common property or open space, except with the prior written permission of the Town Council.

## **Obstruction of common property**

4.—(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 or detention, claim possession of it from the Town Council within 7 days after the date of its removal and detention.

(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 it 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 such owner or person having lawful possession of the object, fixture or thing when it was removed and detained.

### **Damage to common property**

5.—(1) No person shall remove, destroy, damage or deface, or remove any earth or soil from, any common property.

(2) The costs and expenses (including administrative costs) incurred by the Town Council in restoring any destroyed, damaged or defaced common property to its condition before such destruction, damage or defacement or in replacing earth, soil or any other property that has been removed shall constitute a debt due from the person responsible for the destruction, damage, defacement or removal to the Town Council and shall be recoverable as such.

### **Damage to soil, turf, plant, shrub or tree**

6.—(1) No person shall remove, cut, damage or dispose of any soil, turf, plant or tree or part thereof situated on any common property or in any open space.

(2) No person shall pick a shrub or plant or any part thereof situated on any common property or in any open space.

### **Unlawful parking, etc.**

7.—(1) 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 except 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 mobility aid.

*[S 594/2019 wef 01/09/2019]*

*[S 594/2019 wef 01/09/2019]*

(2) Paragraph (1)(b) does not apply to any common property or open space that is a public path within the Town of Nee Soon.

*[S 594/2019 wef 01/09/2019]*

### **Power to detain or remove vehicles**

**8.**—(1) Where a vehicle is parked on any common property or in any open space in contravention of these By-laws, or appears to have been abandoned on any common property or in any open space, 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 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