

Town Council of Tampines (Common Property and Open Spaces) By-laws

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Legislative History

TOWN COUNCILS ACT (CHAPTER 329A, SECTIONS 24 AND 49)

TOWN COUNCIL OF TAMPINES (COMMON PROPERTY AND OPEN SPACES) BY-LAWS

By 35

REVISED EDITION 2001

(31st January 2001)

[17th July 1992]

Citation

1. These By-laws may be cited as the Town Council of Tampines (Common Property and Open Spaces) By-laws.

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 Tampines;

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

“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 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.

Unlawful parking, etc.

3.—(1) No person shall —

- (a) park any vehicle on any common property or in any open space except in a parking place or with the prior written permission of the Town Council;
- (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 except with the prior written permission of the Town Council; or
- (c) 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)(c) 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.

Power to detain or remove 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 or an officer authorised by the Town Council may —

- (a) detain the vehicle by any means and, if the vehicle is detained, shall give notice in writing of the detention to the owner or person who had lawful possession of the vehicle when it was detained that he may, on payment of the expenses incurred by the Town Council in respect of such detention, claim possession of the vehicle within 7 days of such notice being served on him; and
- (b) if such owner or person fails to claim possession of the vehicle within the period specified in sub-paragraph (a), remove or cause the vehicle to be removed to a place of reasonable safety.

(2) Where any vehicle is removed under paragraph (1)(b) to a place of reasonable safety, the secretary shall, with all reasonable despatch, give notice in writing of the

removal to the owner or person who had lawful possession of the vehicle when it was removed that he may, on payment of the expenses incurred by the Town Council in respect of such removal, claim possession of the vehicle within 30 days of such removal.

(3) Where the Town Council has detained or removed or caused the detention or removal of any vehicle to a place of reasonable safety under paragraph (1), the owner or person who had lawful possession of the vehicle when it was detained or removed shall —

- (a) in the case of detention, within the period specified in paragraph (1)(a); or
- (b) in the case of removal, within the period specified in paragraph (2),

pay all expenses incurred by the Town Council in respect of such detention or removal, as the case may be.

Dumping and renovation debris

5. No person shall —

- (a) place, deposit, keep or leave, or cause or permit to be placed, deposited, kept or left, any material, article, object or thing on any common property or in any open space except in such common property or 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, except with the prior written permission of the Town Council.

Obstruction of refuse chutes

6. No person shall throw or deposit or cause or permit to be thrown or deposited into any refuse chute in a building in any housing estate any object, material, thing, article or substance which will or is likely to choke, clog or obstruct the free fall of refuse in the chute or cause any nuisance, annoyance or inconvenience to other occupiers of the building.

Obstruction of common property

7.—(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 any object, fixture or thing obstructing the lawful use of any common property.

(3) The Town Council shall immediately give a written notice to the owner or occupier of the flat 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, claim possession from the Town Council within 30 days of such removal and detention.

(4) If the object, fixture or thing removed and detained by the Town Council is not claimed within 30 days of such removal and detention by the owner or occupier of the flat or person who had lawful possession thereof when it was removed and detained, the Town Council may sell by public auction or otherwise dispose of such object, fixture or thing.

(5) The proceeds of the sale or disposal shall be applied —

- (a) firstly to the expenses incurred by the Town Council in the removal and detention and the sale or disposal; and
- (b) the surplus, if any, shall be paid to such owner, occupier or person.

Damage to turf, plant, shrub or tree

8. No person shall —

- (a) remove, cut, damage or dispose of any turf, plant, shrub or tree or part thereof situated on any common property or in any open space; or
- (b) pick a shrub or plant or any part thereof situated on any common property or in any open space.

Damage to common property

9.—(1) No person shall remove, destroy, damage, deface or commit an act that may result in the removal, destruction, damage or defacement of any common property 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 damaged common property to its condition before such damage or destruction or in replacing earth soil or any other property that has been removed shall constitute a debt due to the Town Council and shall be recoverable as such.

(3) No person shall permit any dog, cat, pet or other animal belonging to him or in his charge to urinate, defecate or otherwise soil any common property or open space.

Display of signs

10. No person shall display or cause or permit to be displayed any sign on any common property or in any open space except with the prior written permission of the Town Council.