

Town Council of Jalan Besar (Common Property and Open Spaces) By-laws 2016

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No. S 140

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

**TOWN COUNCIL OF JALAN BESAR
(COMMON PROPERTY AND OPEN SPACES)
BY-LAWS 2016**

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

Citation and commencement

1. These By-laws are the Town Council of Jalan Besar (Common Property and Open Spaces) By-laws 2016 and come into operation on 1 April 2016.

Definitions

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

“building” means a building in a housing estate of the Board in the Town;

“common property” means any common property in the Town;

“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 590/2019 wef 01/09/2019]

“open space” means an open space in the Town that is common property;

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

“parking place” has the same meaning as in section 2 of 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 590/2019 wef 01/09/2019]

“sign” includes a signal, warning sign post, direction post, banner or notice, or an advertisement;

“Town” means the Town of Jalan Besar;

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

“vehicle” means a vehicle, whether mechanically propelled or not, intended or adapted for use on a 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 590/2019 wef 01/09/2019]

Dumping and renovation debris

3. A person must not —

(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 an open space not designated by the Town Council for that purpose; or

(b) transport renovation debris or other building material in any lift in a

building, or over any other common property or an open space, without the prior written permission of the Town Council.

Littering on common property and open spaces

4. A person must not throw or deposit, or cause or permit to be thrown or deposited, any dust, dirt, ash, refuse, rubbish or other matter or thing into or onto any common property or open space other than in a refuse chute or any other refuse or litter container or receptacle designated by the Town Council for that purpose.

Throwing items from buildings and dangerously positioned items

5.—(1) A person (A) must not endanger the life of, or cause injury to, another person, or cause damage to any property in the Town by throwing an item, or allowing an item to fall, from A's flat or any part of a building onto any common property or an open space.

(2) A person must not place any item on or at any window-sill, corridor or other part of the common property in a manner that, in the opinion of the Town Council, is likely to —

- (a) endanger the life of any person;
- (b) cause injury to any person; or
- (c) cause damage to any common property or the property of another person.

(3) Where an item is placed on or at a window-sill of a flat in the Town in contravention of paragraph (2), the Town Council may, by a written notice, direct the owner or occupier of the flat to remove the item within the time specified in the notice.

(4) Where an item is placed on or at a corridor or other part of the common property in contravention of paragraph (2), the Town Council may, by a written notice, direct —

- (a) the person who placed the item; or
- (b) the person who has lawful possession of the item,

to remove the item within the time specified in the notice.

(5) If the person notified under paragraph (3) or (4) fails to comply with the notice under that paragraph, the Town Council may remove and detain the item.

(6) Where any item placed on or at any window-sill, corridor or other part of the common property poses, in the opinion of the Town Council, an imminent danger to life or person, the Town Council may, without giving any notice under paragraph (3) or (4), remove and detain the item.

(7) The Town Council must, as soon as practicable after the removal and detention of

the item under paragraph (5) or (6), serve a written notice on —

- (a) where the item is placed on or at the flat's window-sill, the owner or occupier of the flat; or
- (b) where the item is placed on or at a corridor or other part of the common property, the person who placed the item or had lawful possession of the item prior to its removal,

that he or she (called the notified person) may, on payment of the expenses incurred by the Town Council in removing and detaining the item, claim possession of it from the Town Council.

(8) If the item is not claimed by the notified person within 30 days after its removal and detention, the Town Council may —

- (a) dispose of it by public auction or otherwise; and
- (b) apply the proceeds of the disposal to meet the expenses incurred by the Town Council under this by-law and then pay the balance (if any) of the proceeds to the notified person.

(9) The Town Council may recover from the notified person —

- (a) any expenses incurred by the Town Council under this by-law; and
- (b) where the item is disposed of under paragraph (8) and the proceeds are insufficient to meet the expenses, the balance of the expenses.

(10) In this by-law, “item” means any pot, plant, ornament, article, object or substance.

Obstruction of common property

6.—(1) A person must not, with an object, fixture or thing, obstruct, or cause or permit the obstruction of, the lawful use of any common property.

(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 must, as soon as practicable, give a written notice to —

- (a) the owner of the object, fixture or thing so removed and detained; or
- (b) if the owner cannot be found or ascertained, any other person who had lawful possession of the object, fixture or thing prior to its removal,

stating that he or she (called the notified person) may, on payment of the expenses incurred by the Town Council in removing and detaining the object, fixture or thing,