

Town Council of Bishan-Toa Payoh (Common Property and Open Spaces) By-laws 1997

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No. S 243

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

**TOWN COUNCIL OF BISHAN-TOA PAYOH (COMMON PROPERTY AND OPEN
SPACES) BY-LAWS 1997**

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

Citation and commencement

1. These By-laws may be cited as the Town Council of Bishan-Toa Payoh (Common Property and Open Spaces) By-laws 1997 and shall come into operation on 1st June 1997.

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 Bishan-Toa Payoh;

“housing estate” means a housing estate of the Board within the Town of Bishan-Toa Payoh;

“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.

No parking, dumping and erection of fixtures, etc.

3. 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, not being a perambulator, a child’s toy vehicle used solely by a child or a wheelchair used solely for the conveyance of a person suffering from some physical defect or disability, except with the prior written permission of the Town Council;
- (c) 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 places designated by the Town Council for that purpose;
- (d) erect or install or cause or permit to be erected or installed any fixture, structure or thing on any common property or in any open space except with the prior written permission of the Town Council; or
- (e) permit any dog, cat or other animal belonging to him or in his charge to urinate, defecate or otherwise soil any common property or open space.

Power to detain and remove vehicles

4.—(1) Where a vehicle is parked on any common property or in any open space in contravention of any by-law, 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 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 it

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 authorised officer has removed any vehicle to a place of safety or any other place pursuant to paragraph (1)(a) or fixed an immobilisation device to the vehicle pursuant to paragraph (1)(b), he shall, with reasonable despatch and provided that the owner can be identified or traced after making reasonable enquiries, give notice in writing to the owner of the vehicle as to the procedure by which he may secure the release of the vehicle, and such notice shall be served on the owner of the vehicle —

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

(3) No vehicle which has been removed and detained 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 Secretary or the authorised officer, and such other charges as may be imposed under these By-laws.

(4) 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 (2)(b) shall be guilty of an offence.

(5) 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.

(6) Where any abandoned vehicle which has been removed and detained or to which an immobilisation device has been fixed in accordance with this by-law is not claimed by the owner within 7 days of the date of its detention or immobilisation, the Secretary may,