

LOCAL GOVERNMENT ACT 1995

*Shire of Tammin*

**PARKING AND PARKING FACILITIES AMENDMENT LOCAL LAW 2007**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Tammin resolved on (adoption date) to make the following local law.

**1.1 Citation**

This local law may be cited as the *Shire of Tammin Parking and Parking Facilities Amendment Local Law 2007*.

**1.2 Principal Local Law**

In this local law, the *Shire of Tammin Parking and Parking Facilities Local Law 2006* published in the *Government Gazette* No 20 of 7 February 2007 is referred to as the principal local law. The principal local law is amended as follows.

**1.3 Clause 3.10 amended**

Clause 3.10(1)(d) is amended by deleting the reference to “clause 1.7(b)” and inserting instead “clause 1.5(2)”.

**1.4 Schedule 3 and Schedule 4 Inserted**

After Schedule 2, the following is inserted:

**“SCHEDULE 3**

**LOCAL GOVERNMENT ACT 1995**

**SHIRE OF TAMMIN PARKING AND PARKING FACILITIES LOCAL LAW 2006**

**Forms**

**FORM 1: NOTICE TO OWNER OF VEHICLE INVOLVED IN OFFENCE**

Date ..... / ..... / .....

To: (1) .....

of: (2) .....

It is alleged that on ..... / ..... / ..... at (3) .....

at (4) ..... your vehicle:

make: ..... ;

model: ..... ;

registration: ..... ,

was involved in the commission of the following offence - .....

.....  
.....

contrary to clause ..... of the *Shire of Tammin Parking and Parking Facilities Local Law 2006*.

You are required under section 9.13 of the *Local Government Act 1995* to identify the person who was the driver or person in charge of the vehicle at the time when the offence is alleged to have been committed.

If you do not prove otherwise, you will be deemed to have committed the offence unless:

- (a) within 28 days after being served with this notice;
  - (i) you inform the Chief Executive Officer or another authorized officer of the local government as to the identity and address of the person who was the driver or person in charge of the vehicle at the time the offence is alleged to have been committed; and
  - (ii) you satisfy the Chief Executive Officer that the vehicle had been stolen, or was being unlawfully used, at the time the offence is alleged to have been committed;

or

- (b) you were given an infringement notice for the alleged offence and the modified penalty specified in it is paid within 28 days after the notice was given or such further time as is allowed.

(5) .....

(6) .....

Insert:

- (1) Name of owner or 'the owner'
- (2) Address of owner (not required if owner not named)
- (3) Time of alleged offence
- (4) Location of alleged offence
- (5) Signature of authorized person
- (6) Name and title of authorized person giving notice

### SCHEDULE 3

#### LOCAL GOVERNMENT ACT 1995

#### SHIRE OF TAMMIN PARKING AND PARKING FACILITIES LOCAL LAW 2006

#### Forms

#### FORM 2: INFRINGEMENT NOTICE

Serial No .....

Date ..... / ..... / .....

To: (1) .....

of: (2) .....

It is alleged that on ..... / ..... / ..... at (3) .....

at (4) .....

in respect of vehicle:

make: ..... ;

model: ..... ;

registration: ..... ,

you committed the following offence:

.....  
.....  
.....

contrary to clause ..... of the *Shire of Tammin Parking and Parking Facilities Local Law 2006*.

The modified penalty for the offence is \$ .....

If you do not wish to have a complaint of the alleged offence heard and determined by a court, the amount of the modified penalty may be paid to an authorized person at (5) ..... within a period of 28 days after the giving of this notice.

If you take no action this infringement notice may be registered with the Fines Enforcement Registry after which your driver's licence or any vehicle licence held by you may be suspended. If the matter is registered with the Registry additional costs will also be payable.

If the above address is not your current address, or if you change your address, it is important that you advise us immediately. Failure to do so may result in your driver's licence or any vehicle licence you hold being suspended without your knowledge.

(6) .....

(7) .....

Insert:

- (1) Name of alleged offender or 'the owner'
- (2) Address of alleged offender
- (3) Time of alleged offence
- (4) Location of alleged offence
- (5) Place where modified penalty may be paid
- (6) Signature of authorized person
- (7) Name and title of authorized person giving notice

**SCHEDULE 3**

**LOCAL GOVERNMENT ACT 1995**

**SHIRE OF TAMMIN PARKING AND PARKING FACILITIES LOCAL LAW 2006**  
**Forms**

**FORM 3: INFRINGEMENT NOTICE**

Serial No .....

Date ..... / ..... / .....

To: (1) .....

of: (2) .....

It is alleged that on ..... / ..... / ..... at (3) .....  
at (4) .....  
in respect of vehicle:

make: ..... ;

model: .....

registration: .....

you committed the following offence:

.....  
.....  
.....

contrary to clause ..... of the *Shire of Tammin Parking and Parking Facilities Local Law 2006*.

The modified penalty for the offence is \$ .....

If you do not wish to have a complaint of the alleged offence heard and determined by a court, the amount of the modified penalty may be paid to an authorized person at (5) ..... within a period of 28 days after the giving of this notice.

Unless within 28 days after being served with this notice:

- (a) you pay the modified penalty; or
- (b) you:
  - (i) inform the Chief Executive Officer or another authorized officer of the local government as to the identity and address of the person who was the driver or person in charge of the above vehicle at the time the offence is alleged to have been committed; or
  - (ii) satisfy the Chief Executive Officer that the above vehicle had been stolen or was being unlawfully used at the time the offence is alleged to have been committed,

you will, in the absence of proof to the contrary, be deemed to have committed the above offence and court proceedings may be instituted against you.

If you take no action this infringement notice may be registered with the Fines Enforcement Registry after which your driver's licence or any vehicle licence held by you may be suspended. If the matter is registered with the Registry additional costs will also be payable.

If the above address is not your current address, or if you change your address, it is important that you advise us immediately. Failure to do so may result in your driver's licence or any vehicle licence you hold being suspended without your knowledge.

(6) .....

(7) .....

Insert:

- (1) Name of owner or 'the owner'
- (2) Address of owner (not required if owner not named)
- (3) Time of alleged offence
- (4) Location of alleged offence
- (5) Place where modified penalty may be paid
- (6) Signature of authorized person
- (7) Name and title of authorized person giving notice

**SCHEDULE 3**

**LOCAL GOVERNMENT ACT 1995**

**SHIRE OF TAMMIN PARKING AND PARKING FACILITIES LOCAL LAW 2006**  
**Forms**

**FORM 4: WITHDRAWAL OF INFRINGEMENT NOTICE**

Serial No .....

Date ..... / ..... / .....

To: (1) .....

of: (2) .....

Infringement Notice No. .... dated ..... / ..... / .....

in respect of vehicle:

make: ..... ;

model: ..... ;

registration: ..... ,

for the alleged offence of .....  
.....  
.....  
.....

has been withdrawn.

The modified penalty of \$ .....

- has been paid and a refund is enclosed.
- has not been paid and should not be paid.
- delete as appropriate.

(3) .....

(4) .....

Insert:

- (1) Name of alleged offender to whom infringement notice was given or 'the owner'.
- (2) Address of alleged offender.
- (3) Signature of authorized person
- (4) Name and title of authorized person giving notice

**SCHEDULE 4**

**SHIRE OF TAMMIN PARKING AND PARKING FACILITIES LOCAL LAW 2006  
DEEMED PARKING STATIONS"**

Dated 23 October 2007

The Common Seal of the )  
Shire of Tammin was )  
affixed by authority of the )  
resolution of the Council )  
in the presence of -- )

\_\_\_\_\_  
BARRY JAMES LESLIE  
President

\_\_\_\_\_  
MICHAEL GEOFFREY OLIVER  
Chief Executive Officer