

Town Councils Act
(Chapter 329A, Section 24 and 49)
Town Council of Tampines
(Common Property and Open Spaces) By-Laws

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 –

“bicycle” means a stwo-wheeled pedal cycle constructed or adapted for use as a means of conveyance;

“bicycle path” means a path specifically designated for the use of cyclist;

“common property” and “open space” mean any common property and any open space, respectively, within the Town of Tampines;

“footway” means any part of the common Property or open space, except where it is part of any building and its surrounding apron, specifically designated to be used or intended to be used as a means of access;

“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);

“power-assisted bicycle” means a bicycle that is equipped with an electric motor and that may be propelled by muscular power or by the electric motro with which it is equipped, or by both;

“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 offices or employees of the Town Council or any person authorized by the Town Council from doing any act that is reasonably necessary or expedient in the enforcement of these By-laws.

Unlawful parking, use of bicycles, etc.

3. – (1) No person shall –

- (a) park any vehicle, bicycle or power-assisted bicycle on any common property or in any open space except in a parking place or with 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.
- (3) No person shall –
- (a) ride a bicycle on any common property or in any open space except on bicycle paths and footways;
 - (b) ride or propel a bicycle on any common property or in any open space otherwise than in an orderly manner and with due regard for the safety of other;
 - (c) ride or propel a bicycle on any common property or in any open space in such a manner that is likely to endanger the life of any person or likely to cause injury or annoyance to any person;
 - (d) when riding or propelling a bicycle on any common property or in any open space, contravene any notice, line marking or sign exhibited regarding the use of bicycles;
 - (e) when riding a bicycle on any common property or any open space, fail or refuse to give way to pedestrians on footways at any time;
 - (f) ride a bicycle on any common property or in any open space in such a manner as to cause his bicycle to be adjacent to another bicycle proceeding abreast in the same direction except when he is overtaking such other bicycle;
 - (g) ride a bicycle on any common property or in any open space except close to the left hand edge of the bicycle path or footway and in such a manner as not to obstruct bicycles moving at a faster speed;
 - (h) when riding a bicycle on any common property or in any open space, use the bicycle to carry at any one time more persons than the number for which it is designed;
 - (i) when riding a bicycle on any common property or in any open space, carry a pillion passenger on the bicycle unless the bicycle is designed such as to be provided with a seat for a pillion passenger;
 - (j) when riding a bicycle on any common property or in any open space, carry a child below the age of 12 years on the bicycle has no properly constructed seat or carrier affixed to it;
 - (k) ride a bicycle on any common property or in any open space during the hours of darkness unless the bicycle carries a lamp showing to the front a white light visible from a reasonable distance and carries a lamp or a red reflector showing to the rear a red light or a red reflector visible from a reasonable distance.
- (4) No person shall ride a power-assisted bicycle on any common property or in any open space.

Power to detain or remove vehicles, bicycles and power-assisted bicycles

4. – (1) Where a vehicle, bicycle or power-assisted bicycle is parked on common property or in any open space in contravention of any by-law, the secretary or any officer authorized by the Town Council may –

- (a) detain the vehicle, bicycle or power-assisted bicycle by any means and, if the vehicle, bicycle or power-assisted bicycle is detained, shall give notice in writing of the detention to the owner or person who had lawful possession of the vehicle, bicycle or power-assisted bicycle 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, bicycle or power-assisted bicycle within 7 days of such notice being served on him; and

(b) if such owner or person fails to claim possession of the vehicle, bicycle or power-assisted bicycle within the period specified in sub-paragraph (a), remove or cause the vehicle, bicycle or power-assisted bicycle to be removed to a place of reasonable safety.

(2) Where any vehicle, bicycle or power-assisted bicycle 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, bicycle 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, bicycle or power-assisted bicycle within 30 days of such removal.

(3) Where the Town Council has detained or removed or caused the detention or removal of any vehicle, bicycle or power-assisted bicycle to a place of reasonable safety under paragraph (1), the owner or person who had lawful possession of the vehicle, bicycle or power-assisted bicycle 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 or 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 any 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.

Diversion of water or electricity

11. No person shall draw, divert or take –

(a) any water from any water service installation for the supply of water, tap or pipe situated on any common property; or

(b) any electricity from any electrical installation for the supply of electricity, socket or electrical supply line situated on any common property,

except with the prior written permission of the Town Council.

Unauthorised structures

12. – (1) No person shall erect or install any fixture, structure or thing on any common property or in any open space except with the prior written permission of the Town Council.

(2) Any person who erected or installed any fixture, structure or thing in contravention of paragraph (1) shall, if requested in writing by the Town Council, remove at his expense that fixture, structure or thing and repair any damage to the common property or open space within 7 days of that request being served on him, in default of which the Town Council may remove that fixture, structure or thing and repair any such damage caused.

(3) The amount of expenses incurred by the Town Council in removing the fixture, structure or thing and performing the repairs shall be recoverable by the Town Council from that person.

Unauthorised use of common property

13. – (1) No person shall without the prior written permission of the Town Council –

(a) hold or stage or cause the holding or staging of any show, play, wayang or other entertainment or any reception or formal party or any other activities on any common property or in any open space; or

(b) sell or offer or expose for sale any commodity or article on any common property or in any open space.

(2) No person shall use any common property or open space in such a manner that is, in the opinion of the Town Council, likely to endanger the life of any person or cause injury to any person.

Swimming, etc., in ponds

14. No person shall -

(a) swim, wade, bathe, wash or fish in; or

(b) cause or permit any animal belonging to him or in his charge to enter or remove anything from,

any pond which is within the Town and maintained by the Town Council.

Throwing objects, etc., from buildings and dangerously positioned objects

15. – (1) No person shall endanger life or property or cause any nuisance, annoyance or inconvenience to any person within the Town by throwing, or allowing to fall, from his flat or any part of the building in a housing estate within the Town, any object, material, thing, article or substance.

(2) No person shall place any pot, plant, ornament, article, object or substance on or at any window-sill, corridor or other part of the common property within the Town in such manner which, in the opinion of the Town Council, is likely to endanger the life or cause injury to any person or cause damage to any common property within the Town or the property of any other person.

(3) The Town Council may, by notice in writing, direct any owner or occupier of a flat within the Town to remove, within 7 days of the date of such notice, any pot, plant, ornament, article, object or substance placed on or at any window-sill, corridor or other part of the common property outside the flat in contravention of paragraph (2).

(4) Where the owner or occupier of a flat fails to comply with the notice of the Town Council under paragraph (3), the Town Council may remove and detain the pot, plant, ornament, article, object or substance, as the case may be, and the amount of expenses incurred by the Town Council in such removal and detention shall be recoverable from that owner or occupier.

(5) Where, in the opinion of the Town Council, any pot, plant, ornament, article, object or substance placed on or at any window-sill, corridor ledge or other part of the common property within the Town in contravention of paragraph (2) is an imminent danger to life or person, the Town Council may remove and detain such pot, plant, ornament, article or object or substance without any notice under paragraph (3).

(6) The Town Council shall immediately give written notice to the owner or occupier of the flat or other person having lawful possession of the pot, plant, ornament, article, object or substance removed and detained by the Town Council under paragraph (4) or (5) that he may, on payment of the expenses incurred by the Town Council in such removal and detention, claim possession from the Town Council within 30 days of such removal and detention.

(7) If the pot, plant, ornament, article, object or substance removed and detained by the Town Council under paragraph (4) or (5) is not claimed within 30 days of such removal and detention by the owner or occupier of the flat or other person who had lawful possession thereof when it was removed and detained, the Town Council may –

- (a) dispose of such pot, plant, ornament, article, object or substance by public auction or otherwise; and
- (b) apply the proceeds of the sale to expenses incurred by the Town Council in the removal and detention, and the surplus, if any, shall be paid to such owner, occupier or other person.

Misuse of lifts

16. No person shall jam, misuse or obstruct or cause or permit to be jammed, misused or obstructed any lift door in any building in the Town with any material, article, object or thing.

Trespassing onto lift motor rooms, etc.

17. No person shall, except with the prior written permission of the Town Council, enter any lift motor room, pump room, switch room or any other common property, being a fenced enclosure, building or room, in which any installation for the use of supply of water or electricity may be situated.

Service of documents

18. Any document required by these By-laws to be served on any person may be served –

- (a) by delivering the document to that person or delivering the document at the usual or last known place of residence of that person to some adult member or servant of his family;
- (b) by sending the document by registered post to the usual or last known place of residence or business of the person;
- (c) by leaving the document at the usual or last known place of residence or business of the person in a cover addressed to that person; or
- (d) where the person is a body corporate –
 - (i) by delivering the document to the secretary or other like officer of the body corporate at its registered office or principal place of business; or
 - (ii) by sending the document by registered post to the registered office of the body corporate.

Composition of offences

19. Every offence under the By-laws shall be a compoundable offence in accordance with section 49 of the Act.

Application of By-laws to any area of former Town of Pasir Ris

20. With effect from 1st February 2002, these By-laws shall apply to any area of the former Town of Pasir Ris which is now comprised in the Town of Tampines by virtue of the Town Councils (Declaration of Towns) Order 2001 (G.N. No. S 563/2001).