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LOCAL GOVERNMENT ACT 1995

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**CITY OF FREMANTLE**

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**PARKING LOCAL LAW 2006**



**LOCAL GOVERNMENT ACT 1995**

CITY OF FREMANTLE

**PARKING LOCAL LAW 2006**

Under the powers conferred by the *Local Government Act 1995*, the Council of the City of Fremantle resolved on 22 November 2006 to make the "*City of Fremantle Parking Local Law 2006*".

**PART 1—OPERATION**

**1 Repeal**

The City of Fremantle Local Laws Relating to Parking published in the *Government Gazette* on 17 December 2001, and the City of Fremantle Parking (Residential Parking) Amendment Local Law 2005 published in the *Government Gazette* on 27 January 2006, are hereby repealed.

**2 Citation**

This Local Law may be cited as City of Fremantle Parking Local Law.

**3 Terms used in this Local Law**

(1) The following definitions apply throughout this Local Law unless the context otherwise requires—

“**Act**” means the *Local Government Act 1995*;

“**attended parking station**” means a parking station which has an attendant on duty at such parking station during the hours of operation;

“**approved alternative payment method**” or **similar expressions** mean a method of payment approved pursuant to clause 69;

“**authorised person**” means a person authorised by the Local Government under section 9.10 of the Act, and includes a person authorised by the Local Government under section 3.39(1) of the Act, to perform functions as specified in this Local Law;

“**bicycle**” means a vehicle with two or more wheels that is built to be propelled by human power through a belt, chain or gears (whether or not it has an auxiliary motor)—

(a) including a pedicab, penny-farthing and tricycle; but

(b) not including a wheelchair, wheeled recreational device, wheeled toy, scooter or a power-assisted pedal cycle (if the motor is operating);

“**built-up area**” means the territory contiguous to and including any road—

(a) on which there is provision for lighting by means of streetlamps at intervals of not over 100 metres for a distance of at least 500 metres or, if the road is shorter than 500 metres, for the whole road; or

(b) which is built up with structures devoted to business, industry or dwelling houses at intervals of less than 100 metres for a distance of 500 metres or more; or

(c) beyond a sign indicating “Built-up Area” erected at the roadside to face drivers approaching a development consisting of dwelling houses, or business or industrial structures;

“**bus**” means a motor vehicle, built mainly to carry people, that seats over 12 adults (including the driver);

“**carriageway**” means a portion of a road that is improved, designed or ordinarily used for vehicular traffic, and includes the shoulders, and areas including embayments at the side or centre of the carriageway, used for the stopping or parking of vehicles. Where a road has two or more of those portions divided by a median strip, the expression means each of those portions separately;

“**centre**” in relation to a carriageway, means a line or series of lines, marks or other indications placed at, or near, the middle of the carriageway or, in the absence of any such lines, marks or other indications, the middle of the main travelled portion of the carriageway;

“**Chief Executive Officer**” means the Chief Executive Officer of the City of Fremantle;

“**children’s crossing**” has the same meaning as in the *Road Traffic Code 2000*;

“**City**” means the City of Fremantle;

“**Council**” means the council of the Local Government;

“**District**” means the district of the City of Fremantle;

- “**driver**” means any person driving, or in control of, a vehicle or animal;
- “**Fees Schedule**” means the schedule of fees and charges which form part of the annual budget;
- “**footpath**” means an area that is open to the public that is designated for, or has as one of its main uses, use by pedestrians;
- “**goods vehicle**” means a vehicle specifically designed, constructed and used primarily for, the conveyance therein or thereon of goods (not being a trailer or a vehicle to which a trailer is attached);
- “**loading zone**” means a length of carriageway to which a loading zone sign applies and is designated for use by goods vehicles;
- “**Local Government**” means the City of Fremantle;
- “**median strip**” means any physical provision, other than lines, dividing a road to separate vehicular traffic proceeding in opposing directions or to separate two one-way carriageways for vehicular traffic proceeding in opposing directions;
- “**metered stall**” means a parking stall in a metered zone in or adjacent to which a parking meter is installed;
- “**metered zone**” means such roads or reserves or such parts of roads or reserves in which parking meters are installed;
- “**motorcycle**” means a motor vehicle that has two wheels and includes—
- (a) a two-wheeled vehicle with a sidecar attached to it that is supported by a third wheel; and
  - (b) a motor vehicle with three wheels that is ridden in the same way as a motor vehicle with two wheels;
- “**motor vehicle**” means a self-propelled vehicle that is not operated on rails; and the expression includes a trailer, semi-trailer or caravan while attached to a motor vehicle, but does not include a power assisted pedal cycle;
- “**no parking**” means a driver shall not stop on a length of carriageway or in an area to which a “no parking” sign applies, unless the driver is—
- (a) setting down, or picking up, passengers or goods;
  - (b) does not leave the vehicle unattended; and
  - (c) completes the setting down, or picking up, of the passengers or goods within two minutes of stopping, and drives on;
- “**no parking area**” means—
- (a) a portion of carriageway to which a “no parking” sign applies;
  - (b) an area to which a “no parking” sign applies; or
  - (c) a portion of a road verge to which a “no parking” sign applies;
- “**no parking sign**” means a sign inscribed with the words “no parking” or the letter “P” within a red annulus and a red diagonal line across it on a white background;
- “**no stopping area**” means—
- (a) a portion of carriageway to which a “no stopping” sign applies; or
  - (b) an area to which a “no stopping” sign applies; or
  - (c) a portion of a road verge to which a “no stopping” sign applies;
- “**no stopping sign**” means a sign inscribed with the words “no stopping” or “no standing” or the letter “S” within a red annulus and a red diagonal line across it on a white background;
- “**obstruct**” includes to impede or hinder, and “obstruction” shall be construed accordingly;
- “**occupier**” has the same meaning as the Act;
- “**omnibus**” means any motor vehicle equipped to seat more than 8 adult persons (including the driver) used for the carriage of passengers for hire or reward;
- “**owner**” where used in relation to a vehicle, means a person who is the registered holder of the requisite licence under the *Road Traffic Act 1974* in respect of that vehicle, or if the vehicle is not licensed under the Act, the person who owns the vehicle or is entitled to its possession; and where used in relation to land has the meaning as in the Act;
- “**park**” means to permit a vehicle, whether attended or not, to remain stationary, except for the purpose of avoiding conflict with other traffic, or complying with the provisions of any law or immediately picking up or setting down persons or goods; and “parking” has a correlative meaning;
- “**parking area**” means—
- (a) a portion of carriageway to which a permissive parking sign applies;
  - (b) an area to which a permissive parking sign applies; or
  - (c) a portion of a road verge to which a permissive parking sign applies;
- “**parking facilities**” includes land, buildings, reserve, road, parking area, metered zone, ticket machine zone, parking bay, parking station, attended parking station, and any other facility available to the public generally with or without signs and/or for a specified class of persons for the parking of a vehicle, whether or not a fee is charged;

- “parking meter”** means a machine or device either manually or electronically operated by the insertion of money or other permitted form of payment being inserted into the machine/device or otherwise transacted using the machine/device, to measure and display the initial period of time purchased and decreasing time available until expired, for a vehicle to occupy the adjacent parking bay and includes the stand on which the meter is erected;
- “parking region”** means the District, excluding the following portions—
- (a) all declared Highways and Main Roads and any road which comes under the control of the Commissioner of Main Roads;
  - (b) the approach and departure prohibition areas of all traffic control signal installations; and
  - (c) prohibition areas applicable to all bridges and subways;
- “parking stall”** means a section or part of a road, reserve or parking station which is marked or defined by painted lines or by similar devices for the purpose of indicating where a vehicle may stop or park whether on payment of a fee or charge or otherwise;
- “parking station”** means any land, building or other structure providing for the purpose of accommodating vehicles with or without charge but does not include a metered zone or metered stall or private garage;
- “pay station”** means a machine or device placed within or near a parking station, which issues, as a result of money or other permitted form of payment being inserted into the machine/device or otherwise transacted using the machine/device, a token, ticket or other media for the purpose of activating an exit barrier of the parking station to enable egress of a vehicle from such parking station;
- “payment device”** includes a token, credit card, debit card, or a card with a combined credit/debit option;
- “pedestrian crossing”** has the same meaning as in the *Road Traffic Code 2000*;
- “permissive parking sign”** means a sign—
- (a) inscribed with the word “parking”, but excludes a sign inscribed with the words “no parking”; or
  - (b) inscribed with the letter “P” with any arrow, figure, letter and words in green;
- “place of refuge for pedestrians”** includes any area or place which is open to or used by the public and not ordinarily intended for the stopping, parking, or movement of vehicles, and also includes any physical provision or an area demarcated by the marking of lines or otherwise identified by a sign;
- “public place”** includes any place, whether or not upon private property, which is open to or used by the public;
- “reserve”** includes any land—
- (a) owned by the City;
  - (b) of which the City is the management body under the *Land Administration Act 1997*; or
  - (c) which is an “otherwise unvested facility” in terms of section 3.53 of the Act;
- “residential parking permit”** means a permit issued by the Local Government pursuant to the provisions of clause 59;
- “road”** means any highway, road, street, lane, thoroughfare or similar place within the parking region which is open to or used by the public and includes every part of the highway, road, street, lane or thoroughfare and other things including bridges and culverts appurtenant thereto;
- “road verge”** means the portion of a road, which lies between the boundary of a carriageway and the front boundary of adjacent land, this area includes the crossover but does not include a footpath;
- “sign”** includes a traffic sign, inscription, mark, structure or device approved by the Local Government on which may be shown words, numbers, expressions or symbols, and which is placed on or near a road or within a parking station or reserve for the purpose of prohibiting, regulating, guiding, directing or restricting the stopping or parking of vehicles;
- “stop”** in relation to a vehicle, means to stop a vehicle and permit it to remain stationary, except for the purposes of avoiding conflict with other traffic or of complying with the provisions of any law;
- “symbol”** includes any symbol specified by Australian Standard 1742.11 and any symbol specified from time to time by Standards Australia for use in the regulation of parking and any reference to the wording of any sign in this Local Law shall be also deemed to include a reference to the corresponding symbol;
- “taxi”** has the same meaning as “taxi” in the *Taxi Act 1994* or a “taxi-car” in section 47Z of the *Transport Coordination Act 1966*;
- “term parker”** means a vehicle which displays the appropriate current calendar monthly ticket designated for a particular parking station;
- “ticket issuing machine”** means a machine or device which issues, as a result of money or other permitted form of payment being inserted into the machine/device or otherwise transacted using the machine/device, a ticket showing the period during which it is lawful to remain parked in the area to which the machine/device is referable;

“**ticket issuing machine zone**” means such roads or reserves or such parts of roads or reserves where any ticket issuing machines are installed on-road to control a number of parking stalls, but does not include a parking station;

“**tour coach**” means any vehicle licensed as a Tour Coach and displaying “TC” registration plates, which is hired or chartered for the specific purpose of sight seeing and/or tourism;

“**unexpired parking ticket**” means a ticket on which a date and expiry time is printed and that time has not expired;

“**vehicle**” includes—

- (a) every conveyance, not being a train, vessel or aircraft, and every object capable of being propelled or drawn, on wheels or tracks, by any means; and
- (b) where the context permits, an animal being driven or ridden.

(2) For the purposes of the application of the definitions “no parking area”, “no stopping area”, “parking area” and similar definitions, an arrow inscribed on a traffic sign erected at an angle to the boundary of the carriageway is deemed to be pointing in the direction in which it would point, if the signs were turned at an angle of less than 90 degrees until parallel with the boundary.

(3) Unless the context otherwise requires, where a term is used, but not defined, in this Local Law, and that term is defined in the *Road Traffic Act 1974* or in the *Road Traffic Code 2000*, then the term shall have the meaning as in that Act or Code.

#### 4 Application of Local Law

(1) Subject to sub-clause 4(2), this Local Law applies to the parking region.

(2) This Local Law does not apply to a parking facility or a parking station that is not occupied by the Local Government, unless the Local Government and the owner or occupier of that facility or station have agreed in writing that this Local Law will apply to that facility or station.

(3) The agreement referred to in sub-clause 4(2) may be such terms and conditions as the parties may agree.

#### 5 Vehicle Classification

For the purpose of this Local Law vehicles are divided into classes as follows—

- (a) buses and public buses;
- (b) goods vehicles;
- (c) motorcycles and bicycles;
- (d) taxis;
- (e) vehicles 2.1 metres or higher;
- (f) tour coaches; and
- (g) all other vehicles not otherwise classified.

#### 6 Application of Signs

(1) Where this Local Law applies to the stopping or parking of vehicles within the district, which is controlled by a sign, such sign shall be read as applying to that part of the road which—

- (a) lies beyond the sign; or
- (b) lies between the sign and the next sign; and
- (c) is that side of the carriageway of the road nearest to the sign.

(2) A sign that—

- (a) was erected by the Local Government or the Commissioner of Main Roads prior to the coming into operation of this Local Law; and
- (b) relates to the parking or stopping of vehicles within the parking region, shall be deemed for the purposes of this Local Law to have been erected by the Local Government under the authority of this Local Law.

(3) An inscription or symbol on a sign referred to in sub-clause 6(2) operates and has effect according to its tenor.

### PART 2—METERED ZONES AND TICKET ISSUING MACHINE ZONES

#### 7 Establishing Meter Zones, Meter Stalls and Ticket Issuing Machine Zones

The Local Government may by resolution or by delegated authority, constitute, determine and vary from time to time, and also indicate by signs—

- (a) metered zones, metered stalls and ticket issuing machine zones;
- (b) permitted times and conditions of parking therein depending on and varying with locality;
- (c) permitted classes of vehicles to park therein;
- (d) manner of parking therein;

but such discretionary authority shall not be exercised in a manner inconsistent with the provisions of this Local Law.

#### 8 Fees in Metered Zones and Ticket Issuing Machine Zones

The fees payable for the stopping and parking of vehicles, excluding motorcycles, in metered zones and ticket issuing machine zones are as set out in the Fees Schedule.

**9 Fees in Metered Zones for Motorcycles**

The fees payable for the stopping and parking of motorcycles in metered zones and ticket issuing machine zones are as set out in the Fees Schedule.

**10 Expired Meter and Parking Limit in Metered Stalls**

(1) Subject to clause 11, a person shall not, unless payment of the appropriate fee has been effected by an approved alternative method of payment, stop or park a vehicle, or a combination of vehicles whether or not they continue to remain combined, in a metered stall or stalls or a part of a metered stall,

- (a) unless the appropriate fee prescribed in the Fees Schedule is forthwith on each occasion inserted in the parking meter using money or such other permitted form of payment, or otherwise forthwith transacted using the parking meter, such parking meter being adjacent to such stall or each of such stalls so occupied; or,
- (b) on any permitted day or during any permitted period if such parking meter or any of such meters has or have expired.

(2) In this clause and where used in clause 14—

“permitted day” or “permitted period” means any day or period stated on a sign referring to the parking meter; and

“expired” means that a plate indicator or device on the parking meter which appears in the face thereof bears the word “expired” or a series of flashing lights, or a negative time or symbol indicating that the time during which a vehicle may occupy the metered stall to which it relates, has expired.

**11 Changing Provisions for Clause 10**

The Local Government may by resolution or by delegated authority declare that the provisions of clause 10 shall not apply during a period or such periods on a particular day or such days specified.

**12 Hoods for Metered Stalls**

Notwithstanding any other provision of this Local Law and any sign or notice, a person without the permission of the Local Government or an authorised person, shall not stop or park a vehicle in a metered stall if the parking meter adjacent to such metered stall is covered with a hood or other device to indicate a temporary parking prohibition, restriction or reservation of the stall.

**13 Fees for Meter Hood and Reserved Parking**

The fees payable for such hooded meters are set out in the Fees Schedule.

**14 Restrictions and Time Limits in Metered Stalls**

(1) A person shall not stop a vehicle in a metered stall—

- (a) if the stopping of a vehicle on that part is prohibited by a sign; or
- (b) during a period in which the stopping of vehicles on that part is prohibited by a sign.

(2) A person shall not park a vehicle in a metered stall—

- (a) if the parking of vehicles on that part is prohibited by a sign; or
- (b) during a period in which the parking of vehicles on that part is prohibited by a sign; or
- (c) if a sign thereon or adjacent to a metered stall, is set apart for the stopping or parking of vehicles of a different class.

(3) A person shall not suffer, permit or allow a vehicle to be present within a part of a metered zone on any permitted day or during any permitted period on any day for more than the maximum time limit applicable to such part specified by a sign, unless the vehicle has been removed from the road or reserve in which the zone is located, during or upon the completion of such maximum time limit for a period of at least two hours, and so for any subsequent presence of such vehicle within such zone on that day.

**15 Display of Tickets in Ticket Issuing Machine Zones**

(1) A person shall not, unless payment of the appropriate fee has been effected by an approved alternative method of payment, stop or park a vehicle or part of a vehicle, or a combination of vehicles or any part of a vehicle forming a combination of vehicles, in a ticket issuing machine zone during any permitted period unless,

- (a) an unexpired parking ticket applicable to that zone for each parking stall so occupied, whether wholly or partly; and,
- (b) the location of issue, expiry date and time printed on the ticket or tickets,

is or are displayed inside the vehicle, or where there is a combination of vehicles within the zone, a parking ticket or tickets in respect to each of such vehicles is displayed inside each of such vehicles, or where a part of a vehicle forming a combination of vehicles is within the zone, inside that vehicle, whether or not any such combined vehicles remain combined, in a prominent position in such a manner so as to be clearly visible to and able to be read by an authorised person from outside of and from the front of any such vehicle or each such vehicle of the combination of vehicles, as the case may be, at all times while the vehicle, combination of vehicles, or a vehicle having formed part of the combination, or a part of a vehicle forming or having formed a combination, remains stopped or parked in the zone.

(2) It shall be the responsibility of such person to take all precautions as may be necessary so as to ensure the parking ticket is displayed and remains displayed as required by this clause.

(3) A person does not commit an offence under sub-clause 15(1) if the person, having stopped or parked a vehicle or combination of vehicles in a ticket issuing machine zone, and not having,

- (a) an unexpired parking ticket(s) applicable to that zone, or,
- (b) existing credit of an unexpired period of time for the stopping or parking of the vehicle(s) in that zone provided upon payment of the appropriate fee effected by a payment made by an approved alternative payment method,

whilst the person immediately—

- (i) directly and without delay attends a ticket issuing machine provided for that zone, forthwith purchases a parking ticket(s), immediately returns directly and without delay to the vehicle(s) and forthwith displays or causes to be displayed the parking ticket(s) as required by this clause, or,
- (ii) effects payment of the appropriate fee(s) for that zone by an approved alternative method for payment.

#### **16 Parking Limits in Ticket Issuing Machine Zones**

(1) A person shall not suffer, permit or allow a vehicle to be present within a ticket issuing machine zone during any permitted period on any day for longer than the maximum period applicable to such part, unless the vehicle has been removed from the road or reserve in which the zone is located, during or upon the completion of such maximum period for a period of at least two hours, and so for any subsequent presence of such vehicle within such zone on that day.

(2) In this clause and where used in clause 15—

**“maximum period”** with respect to a ticket issuing machine zone means the maximum period stated on a sign referring to a ticket issuing machine in such zone, during which the continuous parking of a vehicle in the zone is permitted;

**“permitted period”** with respect to a ticket issuing machine zone means the period stated on a sign referring to a ticket issuing machine in such zone, during which the parking of a vehicle is permitted upon purchase of a parking ticket.

#### **17 Reserved Parking for Ticket Issuing Machine Zones**

(1) Notwithstanding any other provision of this Local Law and any sign or notice, a person without the permission of the Local Government or an authorised person, shall not stop or park a vehicle in a reserved section of a ticket issuing machine zone, unless a reserved parking permit is displayed inside the vehicle in a prominent position in such a manner so the particulars thereon are clearly visible to and able to be read by an authorised person from outside of and from the front of the vehicle at all times while the vehicle remains stopped or parked in the reserved section.

(2) In this clause—

**“reserved section”** with respect to ticket issuing machine zones means a bay or bays within that Zone being reserved for a fee;

**“reserved parking permit”** with respect to ticket issuing machine zones means a permit issued to allow a vehicle to park in a reserved section on payment of a fee.

(3) The fees payable for such reserved parking are set out in the Fees Schedule.

(4) It shall be the responsibility of such person to take all precautions as may be necessary so as to ensure the permit is displayed and remains displayed as required by this clause.

#### **18 Carrying out Works in a Metered Stall and Ticket Issuing Machine Zone**

The Local Government or an authorised person may permit a person who requires to stop or park a specified vehicle or vehicles in a metered stall or ticket issuing machine zone in order to carry out urgent or essential work or services to stop or park a vehicle in the metered stall or ticket issuing machine zone for a period longer than the maximum period whether or not at any time the meter or ticket has expired.

### **PART 3—PARKING STATIONS**

#### **19 Establishing Parking Stations**

The Local Government may by resolution or by delegated authority, constitute, determine and vary from time to time, and also indicate by signs—

- (a) parking stations;
- (b) permitted times and conditions of parking or stopping in parking stations depending on and varying with locality;
- (c) permitted classes of vehicles to park or stop in parking stations; and/or
- (d) the manner of parking or stopping in parking stations;

but such discretionary authority shall not be exercised in a manner inconsistent with the provisions of this Local Law.

#### **20 Fees for Parking Stations**

The fees payable for the stopping or parking of a vehicle in a parking station, or where differential fees exist within a parking station, the fees payable relevant to such section or part of such parking station in which the vehicle is stopped or parked at any material time, are as set out in the Fees Schedule. For the purpose of calculating fees in an attended parking station, the expression “stopping or parking” includes and may consist solely of the presence of a vehicle in a parking station.



**21 Conditions to Park in a Parking Station**

(1) Subject to clause 22, a person shall not stop or park a vehicle or permit a vehicle to remain stopped or parked in any of the parking stations specified in the Fees Schedule or any part or section of any of such parking stations, between the hours specified in the Schedule unless—

- (a) in the case of a parking station having an attendant on duty, the appropriate fee prescribed in the Fees Schedule is paid when demanded;
- (b) in the case of a parking station being equipped with one or more meters, unless payment of the appropriate fee has been effected by an approved alternative method of payment, the appropriate fee prescribed in the Fees Schedule is forthwith on each occasion inserted in the parking meter using money or such other permitted form of payment, or otherwise forthwith transacted using the parking meter, such parking meter being adjacent or otherwise relevant to the position where the vehicle is stopped or parked at any material time;
- (c) in the case of a parking station, or a section or part of a parking station being equipped with one or more ticket issuing machines, unless payment of the appropriate fee for that parking station, or where differential fees exist within a parking station, for such section or part of the parking station in which the vehicle is stopped or parked at any material time, has been effected by an approved alternative method of payment, the appropriate fee as prescribed in the Fees Schedule for that parking station, or where differential fees exist within a parking station, for such section or part of the parking station in which the vehicle is stopped or parked at any material time, is inserted in a ticket issuing machine relevant to such parking station or such section or part of the parking station, using money or such other permitted form of payment, or otherwise transacted using the ticket issuing machine, and the parking ticket issued is displayed as per sub-clause 23(1); and
- (d) in the case of a parking station having parking stalls—
  - (i) which are let to term parkers on a monthly basis, the appropriate unexpired ticket is displayed inside the vehicle in a prominent position in such a manner so the particulars thereon are clearly visible to and able to be read by an authorised person from outside of and from the front of the vehicle at all times while the vehicle remains stopped or parked in the parking station, and the conditions on such ticket being the vehicle registration number, the parking station number, the floor level or the part or section of the parking station, and the prescribed fee, are adhered to; and
  - (ii) such vehicle is wholly within one of those parking stalls.

(2) For the purpose of sub-clause 21(1)(d)(i) it shall be the responsibility of such person to take all precautions as may be necessary so as to ensure the ticket is displayed and remains displayed as required by that sub-clause.

**22 Changing the Provisions for Clause 21**

The Local Government may by resolution or by delegated authority declare that the provision of clause 21 shall not apply during a period or such periods on a particular day or such days specified.

**23 Display of Tickets**

(1) A person shall not, unless payment of the appropriate fee has been effected by an approved alternative method of payment, stop or park a vehicle or combination of vehicles in a parking station, or a section or part of a parking station equipped with a ticket issuing machine during any permitted period unless,

- (a) an unexpired parking ticket applicable to that parking station, or where differential fees exist within a parking station, applicable to such section or part of the parking station in which the vehicle is stopped or parked at any material time, for each parking stall so occupied, whether wholly or partly; and,
- (b) the location of issue, expiry date and time printed on the ticket or tickets,

is or are displayed inside the vehicle, or where there is a combination of vehicles, a parking ticket or tickets in respect to each of such vehicles is displayed inside each of such vehicles, whether or not such combined vehicles remain combined, in a prominent position in such a manner so as to be clearly visible to and able to be read by an authorised person from outside of and from the front of any such vehicle or each such vehicle of the combination of vehicles, as the case may be, at all times while the vehicle, combination of vehicles, or a vehicle having formed part of the combination, remains stopped or parked in the parking station or such part or section of the parking station, as the case may be.

(2) It shall be the responsibility of such person to take all precautions as may be necessary so as to ensure the parking ticket is displayed and remains displayed as required by this clause.

(3) A person does not commit an offence under sub-clauses 21(1)(c) or 23(1) if the person, having stopped or parked a vehicle in a parking station or a part or section of a parking station equipped with a ticket issuing machine, and not having,

- (a) an unexpired parking ticket applicable to that parking station or such part or section of the parking station, as the case may be, or,
- (b) existing credit of an unexpired period of time for the stopping or parking of the vehicle in that parking station or such part or section of the parking station, as the case may be, provided upon payment of the appropriate fee effected by a payment made by an approved alternative payment method,

whilst the person immediately—

- (i) directly and without delay attends a ticket issuing machine provided for that parking station or such part or section of the parking station, as the case may be, forthwith purchases a parking ticket, immediately returns directly and without delay to the vehicle and forthwith displays or causes to be displayed the parking ticket as required by this clause, or,
- (ii) effects payment of the appropriate fee for that parking station or such part or section of the parking station, as the case may be, by an approved alternative method for payment.

(4) The Local Government may by resolution or by delegated authority provide for unexpired parking tickets or credit of an unexpired period of time for the stopping or parking of a vehicle effected by a payment made by an approved alternative payment method, to be transferable between specified parking stations, a specified part or section of a parking station and a specified part or section of another parking station, or a specified part or section of a parking station and another specified part or section of the same parking station.

(5) In this clause—

“**permitted period**” with respect to a parking station or a part or section of a parking station equipped with a ticket issuing machine, means the period stated on a sign referring to such ticket issuing machine, during which the parking of a vehicle is permitted upon the purchase of a parking ticket.

#### **24 Attended Parking Station**

In any parking station where provision is made for payment of fees on the departure of vehicles therefrom, and the ticket issued when such vehicle entered the parking station is not produced on departure, the fees stated in the Fees Schedule shall be calculated from the time the parking station was opened on that day to the time of departure.

#### **25 Removal of Vehicles**

(1) A person shall not remove a vehicle from a parking station in which such vehicle has been present, until the fee appropriate to the period for which the vehicle has been present in such parking station, has been paid.

(2) A person shall not remove a vehicle which has been present in a parking station and which remained within the parking station beyond the hours of operation, or which entered a parking station beyond the hours of operation, until the fee appropriate to the period for which the vehicle has been present in such parking station, plus any fee(s) applicable to the opening of the parking station where the parking station is opened for the purpose of the removal of such vehicle, have been paid.

(3) The fee(s) payable for the opening of the parking station for the purpose of removal of a vehicle, as referred to in sub-clause 25(2), are set out in the Fees Schedule.

#### **26 Obstruction of Parking Station**

A person shall not stop or park a vehicle so as to obstruct an entrance to or an exit from a parking station, or any area or part thereof within a parking station provided for or intended for the movement of vehicles through such parking station.

#### **27 Footpaths and Places of Refuge for Pedestrians**

A person shall not stop or park a vehicle on any part of a parking station so that any portion of such vehicle is on or over a footpath or place of refuge for pedestrians.

#### **28 Restrictions and Time Limits in Parking Stations**

(1) A person shall not stop or park a vehicle on any part of a parking station—

- (a) if the stopping of a vehicle on that part is prohibited by a sign; or
- (b) during a period in which the stopping of a vehicle on that part is prohibited by a sign.

(2) A person shall not park a vehicle on any part of a parking station—

- (a) if the parking of a vehicle on that part is prohibited by a sign;
- (b) during a period in which the parking of a vehicle on that part is prohibited by a sign; or
- (c) if a sign thereon or adjacent to a parking stall, is set apart for the stopping or parking of a vehicle of a different class.

(3) A person shall not suffer, permit or allow a vehicle to be present within a parking station for more than the maximum time limit specified by a sign, or within a section or a part of a parking station which has a maximum time limit specified by a sign, for more than that maximum time limit, unless the vehicle has been removed from the parking station during or upon the completion of such maximum time limit for a period of at least two hours, and so for any subsequent presence of such vehicle in such parking station or any section or part of such parking station on that day.

(4) A person shall not cause, permit or allow a vehicle which has been present in a part of a parking station which has a maximum time limit specified by a sign, whether or not the maximum time limit for such part of such parking station has been reached or exceeded, to again park in such parking station on the same day unless the vehicle has been removed from such parking station for a period of at least two hours, and so for any subsequent presence of such vehicle within such parking station on that day.

**29 Special Event Parking**

- (1) The Local Government may by use of signs set aside, for any period specified on the signs, any parking station for the parking of vehicles by persons attending a special event.
- (2) A person shall not stop or park a vehicle in a parking station set aside under sub-clause 29(1) during the period for which it is set aside unless a permit obtained from the Local Government with respect to the special event is displayed inside the vehicle in a prominent position in such a manner so the particulars thereon are clearly visible to and able to be read by an authorised person from outside of and from the front of the vehicle at all times while the vehicle remains stopped or parked in such parking station.
- (3) For the purpose of this clause a special event means any event or occurrence considered by the Local Government to be special and or likely to attract a substantial number of persons driving vehicles.
- (4) During the period referred to in sub-clause 29(1) the provisions of clause 23, and sub-clauses 28(1) (b), 28(2) (b), 28(3) and/or 28(4) shall not apply to the parking station.
- (5) It shall be the responsibility of such person to take all precautions as may be necessary so as to ensure the permit is displayed and remains displayed as required by this clause.

**30 Behaviour in Parking Stations**

- (1) A person shall not remain in or upon a parking station after having been directed to leave that parking station by an authorised person or a sworn member of the Western Australia Police Service.
- (2) A person shall not loiter in or upon a parking station.
- (3) A person shall not drive in a parking station in a direction other than the direction indicated by a sign.
- (4) A person shall not drive a vehicle in a parking station at a speed which is in excess of the speed limit for such parking station as indicated by a sign.
- (5) A person shall not drive a vehicle in a parking station so as to cause any person present in or near the parking station apprehension of danger to such driver, such person present, or any other person, or apprehension of damage or injury to any property.
- (6) A person shall not ride on or drive or be carried on any bicycle, tricycle, skateboard, roller skate or roller blade or other wheeled contrivance other than a licensed vehicle or a wheelchair within a parking station.

**31 Local Government may Lock Parking Stations**

At the expiration of the hours of operation the Local Government whether or not any vehicle remains present in a parking station may lock the parking station or otherwise prevent the movement of any vehicle within or to or from the parking station without the Local Government being responsible for any loss of or damage to any such vehicle or its accessories or contents or for any other loss, claim or liability.

**32 Selling and Hiring in Parking Stations**

A person shall not without the written permission of the Local Government stop or park a vehicle upon any part of a parking station otherwise than in compliance with the following condition—

No goods, wares or merchandise, or any article or thing of whatsoever nature or kind shall be sold, hired or given away or offered or exposed for sale or hire in or upon that part of a parking station.

**33 Set Aside Parking Stations**

- (1) The Local Government may by use of signs set aside any parking station or any stall in a parking station for the parking of vehicles by persons authorised by the Local Government.
- (2) Where the Local Government authorises a person pursuant to sub-clause 33(1) the Local Government—
  - (a) shall issue a written permit to the person; and
  - (b) may revoke the permit at any time.
- (3) A person shall not stop or park a vehicle in a parking stall set aside under this clause unless a permit issued with respect to the vehicle is displayed inside the vehicle in a prominent position in such a manner so the particulars thereon are clearly visible to and able to be read by an authorised person from outside of and from the front of the vehicle at all times while the vehicle remains stopped or parked in the parking stall.
- (4) It shall be the responsibility of such person to take all precautions as may be necessary so as to ensure the permit is displayed and remains displayed as required by this clause.

**34 No. 18 (Ferry Terminal) Parking Station**

A person shall not accost any person in the No. 18 Parking Station (situated at the ferry terminal, Beach Street, Fremantle) to solicit fares or to obtain passengers.

**35 Damage to Parking Stations**

- (1) A person shall not remove, damage, deface or misuse any parking meter, ticket issuing machine or pay station, or any part of a parking station, or any fitting or equipment of a parking station or any part thereof, or attempt to do any of such acts.
- (2) A person shall not permit, cause to permit, or neglect to prevent a minor of whom they are parent, guardian, or at the relevant time having the charge, control or welfare of such minor, to remove, damage, deface or misuse any parking meter or ticket machine or any fitting or equipment of a parking station or any part thereof, or attempt to do any such acts.

(3) In this clause—

“**minor**” means any person under the age of 18 years or, in the absence of positive evidence as to age, any person appearing to be under the age of 18 years or any person defined as a child under the *Children’s Court of Western Australia Act (No.2) 1988*.

## PART 4—STOPPING/PARKING ON ROADS

### 36 Establishing and Amending the Parking Scheme

The Local Government may by resolution or by delegated authority, constitute, determine and vary and also indicate by signs, from time to time, prohibitions, regulations and restriction of stopping and parking of vehicles of a specified class or of specified classes in all roads or specified roads or in specified parts of a road or reserve in the parking region at all times or at specified times but such discretionary authority shall not be exercised in a manner inconsistent with the provisions of this Local Law.

### 37 Parking Contrary to Signs

(1) A person shall not stop or park a vehicle on a road or part of a road—

- (a) if the stopping or parking of a vehicle on that part of the road is set apart for the stopping or parking of vehicles of a different class;
- (b) if the stopping of a vehicle on that part is prohibited at all times by a sign;
- (c) if the parking of a vehicle on that part is prohibited or restricted by a sign; or
- (d) during a period in which the stopping of a vehicle on that part is prohibited or restricted by a sign.

(2) A person shall not suffer, permit or allow a vehicle to be present upon a part of a road whether or not that part is marked with a parking stall or stalls, where such part has a maximum time limit specified by a sign, for more than that maximum time limit, unless the vehicle has been removed from that road during or upon the completion of such maximum time limit for a period of at least two hours, and so for any subsequent presence of such vehicle on such road on that day.

### 38 Occupied Parking Stall

A person shall not stop or park or attempt to stop or park a vehicle in a parking stall in which another vehicle is stopped or parked.

### 39 Vehicles in Motorcycle Stalls

A person shall not stop or park a vehicle other than a motorcycle to which no sidecar is attached in a parking stall—

- (a) marked with a symbol M/C;
- (b) in which the parking of motorcycles is permitted by a sign referring to the parking stall; and
- (c) otherwise than wholly within the parking stall.

### 40 Time Restriction on Motorcycle Stalls

A person shall not suffer, permit or allow a motor cycle to be present on any part of a road that is marked with a parking stall or stalls marked with the symbol “M/C”—

- (a) for more than the maximum time limit specified by a sign, or,
- (b) if there is no sign referring to the parking stall or stalls, then for more than the maximum time limit for which a vehicle may occupy any adjacent parking stall,

unless the motor cycle has been removed from that road during or upon the completion of such maximum time limit for a period of at least two hours, and so for any subsequent presence of such motor cycle upon such road on that day.

### 41 Median Strips and Traffic Islands

The driver of a vehicle (other than a bicycle or an animal) shall not stop or park so that any portion of the vehicle is on or over a median strip or traffic island adjacent to a length of carriageway in a built up area, unless—

- (a) the driver stops or parks in an area to which a parking control sign applies and the driver is permitted to stop or park at that place under this Local Law; or
- (b) the driver is permitted to do so under a Local Law.

### 42 Parking Position on Road

(1) Except as provided for in sub-clause 42(2), a person shall not stop or park a vehicle or permit a vehicle to stop or park on any road otherwise than—

- (a) parallel to the kerb and as close to the kerb as practicable;
- (b) headed in the direction of the movement of traffic on the part of the road on which the vehicle is parked unless the road is otherwise exempted by the Local Government; and
- (c) wholly within a parking stall if the part of the road upon which the vehicle is stopped or parked is provided with parking stalls.

(2) A person shall not stop or park a vehicle in a parking stall which is not set out parallel to a kerb otherwise than wholly within that parking stall.

#### 43 Traffic Obstructions

A person shall not stop or park a vehicle—

- (a) in front of a right of way, passage or private drive or so close thereto as to deny any vehicle reasonable access to, or egress from, the right of way, passage or private drive;
- (b) upon an intersection except adjacent to a carriageway boundary that is not broken by an intersecting carriageway;
- (c) upon a carriageway so that any part of such vehicle is closer than 3 metres to the nearer of two lines marked in close proximity to each other longitudinally upon and at or near the centre of the carriageway, where such nearer line is unbroken; or
- (d) at the side of a carriageway marked with a continuous yellow edge line.

#### 44 Parking Near Fire Hydrant or Pillar Box

(1) A person shall not stop or park a vehicle on a road so that any portion of the vehicle is within 1 metre of a fire hydrant or fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug.

(2) A person shall not stop or park a vehicle within 3 metres of a public postal pillar box, unless the vehicle is being used for the purpose of collecting postal articles from the postal pillar box.

#### 45 Intersections, Hoardings and Footpaths

A person shall not stop or park a vehicle on a carriageway so that any portion of the vehicle is—

- (a) within 10 metres of the prolongation of the nearer edge of any intersecting carriageway, such intersection not having traffic-control signals erected, intersecting that carriageway on the side on which the vehicle is stopped;
- (b) alongside any hoarding, scaffolding, obstacle or impediment to traffic; or
- (c) on or over a footpath or a place of refuge for pedestrians.

#### 46 Double Parking

A person shall not stop or park a vehicle on a road so that any portion of the vehicle is between any vehicle which is stopped or parked on a carriageway of that road and the centre of that road.

#### 47 Verge Parking

(1) A person shall not stop or park a vehicle on a road verge—

- (a) if the stopping of a vehicle on a road verge is prohibited at all times by a sign;
- (b) if the parking of a vehicle on a road verge is prohibited at all times by a sign;
- (c) during a period in which the stopping of a vehicle on a road verge is prohibited by a sign; or
- (d) during a period in which the parking of a vehicle on a road verge is prohibited by a sign.

(2) A person shall not suffer, permit or allow a vehicle to be present upon any part of a road verge whether or not that part is marked as a parking stall, for more than the maximum time limit specified by a sign unless the vehicle has been removed from that road during or upon the completion of such maximum time limit for a period of at least two hours, and so for any subsequent presence of such vehicle on that part of such road on that day.

#### 48 Bus Stop/Zone, Pedestrian and Children's Crossings, Railway Crossings

(1) A person shall not stop or park a vehicle on a road so that any portion of the vehicle is within 10 metres of the departure side of—

- (a) a bus stop, unless the vehicle is a public bus stopped to take up or set down passengers, or
- (b) a pedestrian crossing or children's crossing.

(2) A person shall not stop or park a vehicle on a road so that any portion of the vehicle is within 20 metres of—

- (a) the approach side of a bus stop, unless the vehicle is a public bus stopped to take up or set down passengers;
- (b) the approach side of a pedestrian crossing or children's crossing; or
- (c) the approach side or departure side of a railway crossing.

(3) A person shall not stop or park a vehicle in a bus zone unless the person is driving a public bus, or a bus of a type that is permitted to stop at the bus zone by information on or with the "bus zone" sign applying to the bus zone.

(4) In this clause—

**"public bus"** means a bus operated by or on behalf of the State as a passenger vehicle, to carry passengers for hire or reward, whether in connection with a railway or not, but does not include a vehicle operating as a taxi;

**"bus zone"** means a length of carriageway to which a "bus zone" sign applies.

#### 49 No Parking Within Two Hours

A person shall not cause, permit or allow a vehicle which has been parked on a part of a road where parking is subject to a maximum time limit, whether or not the maximum time limit for such part of such road has been reached or exceeded, to park again in such road on the same day unless the vehicle has been removed from such road for a period of at least two hours, and so for any subsequent parking of such vehicle within such road on that day.

### 50 Loading Zones

(1) A person shall not suffer, permit or allow a vehicle to be present within a loading zone or a part of a loading zone, unless the vehicle is a goods vehicle and is—

- (a) actively engaged in the picking up or setting down of goods, or
- (b) in any event for not longer than the maximum time limit specified by a sign, or for not longer than thirty minutes if no maximum time is specified on the sign, unless the vehicle has been removed from that zone during or upon the completion of the relevant maximum time limit for a period of at least two hours, and so for any subsequent presence of such vehicle in that zone on that day.

(2) A parking stall is set aside for use by Goods Vehicles if there is a sign thereon or adjacent thereto marked "Loading Zone".

### 51 Repairs to Vehicles

A person shall not park a vehicle on any portion of a road—

- (a) for the purpose of or whilst it is held for effecting repairs or maintenance to it, other than the minimum repairs necessary to enable the vehicle to be moved to a place other than a road; or
- (b) if the vehicle is exposed for sale.

## PART 5—STOPPING AND PARKING GENERALLY

### 52 Bicycle Parking and Stopping

A person shall not stop or park any bicycle in a parking stall.

### 53 Authorised Parking

A person shall not stop or park a vehicle in an area designated by a sign "Authorised Vehicles Only" unless authorised to do so by the Local Government, the Chief Executive Officer, an authorised person or by any written law.

### 54 ACROD Parking

(1) A driver shall not stop or park a vehicle on any land which has been set aside within a parking region as a parking bay for use of a disabled person unless a current ACROD sticker is displayed inside the vehicle in a prominent position in such a manner so the particulars thereon are clearly visible to and able to be read by an authorised person from outside of and from the front of the vehicle at all times while the vehicle remains stopped or parked in such bay.

(2) It shall be the responsibility of such person to take all precautions as may be necessary so as to ensure the ACROD sticker is displayed and remains displayed as required by this clause.

(3) In this clause—

"ACROD sticker" has the same meaning given to it in regulation 2 of the *Local Government (Parking for Disabled Persons) Regulations 1988*, and includes a current parking permit issued by the organisation referred to in such regulation.

### 55 Permit Zone Parking

(1) A person shall not stop or park a vehicle in a Permit Zone unless a current permit of a type permitted by information on or with a "permit zone" sign applying to that zone, is displayed inside the vehicle in a prominent position in such a manner so the particulars thereon are clearly visible to and able to be read by an authorised person from outside of and from the front of the vehicle at all times while the vehicle remains stopped or parked in such zone.

(2) It shall be the responsibility of such person to take all precautions as may be necessary so as to ensure the permit is displayed and remains displayed as required by this clause.

(3) In this clause—

"permit zone" means a length of carriageway to which a "permit zone" sign applies.

### 56 Private Property

A person shall not stop, park, or permit or allow a vehicle to stop or park, or permit or allow a vehicle to continue to stop or park on land which is not a road or parking facility without the consent of, or otherwise than in accordance with the consent of the owner or person in occupation of such land.

### 57 Goods Vehicles Parking

A person shall not suffer, permit or allow a goods vehicle to be present on a road verge or any part of a road verge—

- (a) on any day for a period exceeding four consecutive hours, or,
- (b) for the apparent purpose of repairing, servicing, or cleaning such vehicle.

### 58 Chalking of Tyres

Where a mark has been made upon a tyre, or the position of a wheel or any feature on it has been recorded by an authorised person, or both, a person shall not remove, attempt to remove, interfere with or attempt to interfere with, rotate or cause such wheel to rotate, so that the purpose of making such mark or of recording the position of the wheel or feature thereon, or both, is or is likely to be defeated.

**PART 6—RESIDENTIAL PARKING PERMITS****59 Conditions of Exemption for Residential Parking Permits and Multi-purpose Parking Permits**

Where the stopping or parking of a vehicle on any part of a road within the District, whether such part be marked as a parking stall or not, is prohibited for longer than a specified time, the holder of a Residential Parking Permit or a Multi-purpose Parking Permit is exempted from such prohibition and the driver of a vehicle in which Multi-purpose Parking Permit is displayed in accordance with this clause is exempted from such prohibition, provided that such exemption shall apply only—

- (a) to the road, roads, parking stall or parking station specified in the permit;
- (b) in the case of a Residential Parking Permit, if that permit is affixed to the passenger side of the front windscreen above the Certificate of Registration so the particulars thereon are clearly visible to and able to be read by an authorised person from outside of the vehicle at all times while the vehicle remains stopped or parked in the permitted area, and being the responsibility of such person to take all precautions as may be necessary so as to ensure the permit is displayed and remains displayed as required by this clause, and the vehicle to which the permit is attached is the vehicle in respect of which the permit was issued;
- (c) in the case of a Multi-purpose Parking Permit, if that permit is displayed inside the vehicle in a prominent position in such a manner so the particulars thereon are clearly visible to and able to be read by an authorised person from outside of and from the front of the vehicle at all times while the vehicle remains stopped or parked in the permitted area, and being the responsibility of such person to take all precautions as may be necessary so as to ensure the permit is displayed and remains displayed as required by this clause;
- (d) if the period in respect of which the Residential Parking Permit or Multi-purpose Parking Permit was issued has not expired;
- (e) if at the time of stopping or parking such vehicle the holder of the Residential Parking Permit or Multi-purpose Parking Permit still lives in the premises in respect of which the Residential Parking Permit or Multi-purpose Parking Permit was granted;
- (f) if the vehicle is not—
  - (i) a caravan, motor home or trailer; or
  - (ii) a commercial vehicle that exceeds 7.5 metres in length and 4.5 tonnes gross vehicle mass; and
- (g) if the place where the vehicle is parked is not within a metered zone or a ticket issuing machine zone.

**60 Restrictions On Issue Of Residential Parking Permits And Multi-purpose Parking Permits**

- (1) The Council may, on written application, issue a Residential Parking Permit and/or a Multi-purpose Parking Permit for a period not exceeding one year to a person who is—
  - (a) the owner or occupier of a single house or residential unit fronting a road within the District and who lives in that house or residential unit;
  - (b) the owner or occupier of a single house or residential unit which has not had renovations carried out after January 1993 which has affected that parking availability on the property; and
  - (c) in the case of a Residential Parking Permit, the holder of the requisite vehicle licence under the *Road Traffic Act 1974* for a vehicle licensed at the address shown on the application or a work vehicle which is certified by an employer as being a vehicle assigned to the person.
- (2) The maximum number of Residential Parking Permits that can be issued in respect of a single house or residential unit where there is no adequate off road parking on the site is as per the eligibility table in sub clause 60(7).
- (3) No more than one Multi-purpose Parking Permit may be issued for a single home or residential unit, as per the eligibility table in sub clause 60(7).
- (4) Residential Parking Permits or Multi-purpose Parking Permit will not be issued in respect of—
  - (a) caravans, motor homes, trailers; or
  - (b) commercial vehicles that exceed 7.5 metres in length or 4.5 tonnes gross vehicle mass.
- (5) Council may restrict the number of Residential Parking Permits or Multi-purpose Parking Permits that can be issued in respect of particular roads or particular areas.
- (6) Residential Parking Permits and Multi-purpose Parking Permits cannot be issued to the owner or occupier of a residential unit in a residential complex unless the parking prohibitions that apply to the street or road that the residential complex is accessible from were implemented after the person became the owner or occupier of the residential unit.
- (7) The Residential Parking Permit and Multi-Purpose Parking Permit eligibility table is shown in this sub-clause and shall be read as follows: the maximum number of permits that can be issued, as shown in the right hand column, shall be read in accordance with each of the two columns to the left,

having regard to the number of parking bays on site and the number of vehicles registered to the residential address—

Number of parking bays on site	Number of vehicles registered to the residential address	Maximum number of permits that can be issued
Nil	Nil	1 Multi-Purpose Parking Permit
	1	1 Residential Parking Permit 1 Multi-Purpose Parking Permit
	2 or more	2 Residential Parking Permits 1 Multi-Purpose Parking Permit
1	Nil	Nil
	1	1 Multi-Purpose Parking Permit
	2 or more	1 Residential Parking Permit 1 Multi-Purpose Parking Permit
2	Nil	Nil
	1	Nil
	2 or more	1 Multi-Purpose Parking Permit

(8) In the event that a person cannot be issued with a Residential Parking Permit or a Multi-Purpose Parking Permit because of the application of this clause, Council may issue a Residential Parking Permit or a Multi-Purpose Parking Permit where—

- (a) Council receives written submissions from the applicant for the Residential Parking Permit or a Multi-Purpose Parking Permit setting out the extraordinary circumstances that apply; and,
- (b) Council is of the opinion that extraordinary circumstances apply.

(9) In this clause—

“**single house**” means premises constructed on its own lot and lawfully used for self-contained living quarters and which is adjacent to a part of a road on which the stopping or parking of vehicles is prohibited for more than a specified period;

“**residential complex**” means a group of 9 or more residential units with a common driveway or access way; and

“**residential unit**” means a premises used for self-contained living quarters and which is part of a building adjacent to a part of a road on which the stopping or parking of vehicles is prohibited for more than a specified period.

### 61 Validity Of Residential Parking Permit and Multi-purpose Parking Permit

(1) Renewal notices will be issued approximately one month before expiry. It is the responsibility of the Permit holder to renew Permits upon expiry. Should the Permit(s) be allowed to expire by the Permit holder, a new application has to be submitted.

(2) Temporary permits may be issued for a period of less than six months.

(3) Permits are not transferable from one person to another or from one property to another. Residential Parking Permits are not transferable from one vehicle to another unless an application is made to Council to change the vehicle registration.

(4) A person shall not display in a vehicle a permit issued by the Local Government which has been altered, added to or defaced in any way.

### 62 Specifications of Residential Parking Permit

Every permit shall specify—

- (a) A permit number;
- (b) the registration number of the vehicle in respect of which the permit was issued;
- (c) the name of the road(s) or parking station(s) to which the exemption granted by sub-clause 59(a) applies; and
- (d) the date on which the permit expires.

### 63 Specifications of Multi-purpose Parking Permit

Every permit shall specify—

- (a) a permit number;
- (b) the address of the house or unit in respect of which the permit is granted;
- (c) the name of the road(s) or parking station(s) to which the exemption granted by sub-clause 59(a) applies; and
- (d) the date on which the permit expires.

### 64 Removal of Residential Parking Permit From Vehicle

Every holder of a Residential Parking Permit who changes their place of residence or changes their vehicle, which is subject to a Residential Parking Permit, shall forthwith remove such permit from the vehicle to which it is affixed.



**65 Withdrawal Of Multi-purpose Parking Permit On Change Of Residence**

Every holder of a Multi-purpose Parking Permit who changes their place of residence shall forthwith return such permit to the Local Government.

**66 Fees For Residential Parking Permit and Multi-purpose Parking Permits**

Fees payable for Residential Parking Permits and Multi-purpose Parking Permits are set out in the Fees Schedule.

**PART 7—MISCELLANEOUS****67 Use of Money, Tokens and Electronic Credit/Debit Cards with Parking Meters, Ticket Issuing Machines and Pay Stations**

(1) A person shall not insert, cause to be inserted, or attempt to do so, or suffer, permit or allow so to be done, into a money slot of a parking meter, ticket issuing machine, or pay station anything other than money that is legal tender pursuant to the *Currency Act 1965 (Cth)* and which is appropriate to that slot.

(2) Where a parking meter, ticket issuing machine, or pay station has a facility to transact payment of a parking fee by means of another form of payment being inserted into, drawn through, or placed upon or in close proximity to such facility of the meter, machine, or station, or otherwise transacted using such facility, a person shall not insert, draw through, or place upon or near such facility, cause or attempt so to do, or suffer, permit or allow so to be done, any thing other than a payment device permitted by the Local Government and appropriate to such facility.

**68 Operating Parking Meters, Ticket Issuing Machines and Pay Stations**

A person shall not operate or attempt to operate a parking meter, ticket issuing machine or a pay station except in accordance with the operating instructions appearing on such parking meter, ticket issuing machine, or pay station.

**69 Alternative Methods for Payment of Fees**

(1) The Local Government may by resolution or by delegated authority, determine, introduce, vary from time to time, or discontinue the use of—

- (a) an approved alternative method or methods for the payment of parking fees applicable in accordance with this Local Law; and
- (b) such other contingencies as are necessary for the operation of such method or methods, provided such contingencies are consistent with this Local Law.

(2) Where an alternative method for payment of parking fees approved pursuant to this clause consists of funds held on account of a person or a business by the organisation administering the approved alternative method for payment, the payment of an appropriate parking fee in accordance with this Local Law and the credit of an unexpired period of time for the stopping or parking of a vehicle which the payment of the fee provides, shall not be taken to have been effected until that account has been debited for the required amount at the request of a person lawfully entitled to do so.

(3) Subject to sub-clause 23(4), a credit of an unexpired period of time for the stopping or parking of a vehicle provided upon payment of the appropriate fee in accordance with this Local Law effected by a payment made by an approved alternative payment method shall not be transferable from—

- (a) a parking station to any other parking station;
- (b) a part or section of a parking station to a part or section of another parking station;
- (c) a part or section of a parking station to another part or section in the same parking station; or
- (d) a metered zone or a ticket issuing machine zone to any other zone.

(4) In prosecution proceedings under this Local Law, it shall not be a defence that an approved alternative payment method was used unless the person charged produces a receipt disclosing that the appropriate fee had been paid prior to or immediately at the commencement of the period of time for the stopping or parking of the vehicle for which payment was made, and such period of time includes the material time or period of time to which the charge relates.

**70 Damage to Parking Meters, Ticket Issuing Machines and Pay Stations**

A person shall not remove, damage, deface, misuse or interfere with any parking meter, ticket issuing machine, or pay station, or cause, attempt, suffer, permit or allow any such act.

**71 Defacing a Parking Ticket or Permit**

A person shall not display, or cause, suffer, permit or allow to be displayed in a vehicle—

- (a) a ticket purchased from a ticket issuing machine or from any place authorised by the Local Government; or,
- (b) a permit obtained from the Local Government or any place authorised by the Local Government;

which has been altered, added to or defaced in any way.

**72 Affixing Signs and Notices**

A person shall not without the permission of the Local Government affix, paint or write upon, or cause or attempt any such act, or suffer, permit or allow to be affixed, painted or written upon, any board sign, placard, notice or other thing, to or upon any part of a parking meter, ticket issuing machine, pay station, or parking station.

**73 Impersonation of authorised person**

A person who is not an authorised person shall not in any way assume the duties or designation of an authorised person.

**74 Obstruction of Authorised Person or Employee**

A person shall not in any way obstruct or hinder—

- (a) an authorised person in the execution of his/her duty; or
- (b) an employee or person acting on behalf of the Local Government doing anything to give effect to the Act as it may relate to this Local Law, or this Local Law.

**75 Infringement Notice to owner of vehicle**

A notice pursuant to section 9.18 of the Act to the owner of a vehicle that is involved in an offence against this Local Law in which the use, driving, parking, stopping or leaving a vehicle is an element, combining an infringement notice under sections 9.16 and 9.17 of the Act and a notice under section 9.13 of the Act, shall be in or to the effect of either—

- (a) a combination of Form 1A and Form 1B of Schedule 1 of this Local Law; or
- (b) a combination of Form 2A and Form 2B of Schedule 1 of this Local Law.

**76 Notice to owner of vehicle**

(1) A notice under section 9.13 of the Act to the owner of a vehicle that is involved in an offence against this Local Law in which the use, driving, parking, stopping or leaving a vehicle is an element shall be in the form of Form 1 of Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.

(2) An infringement notice under section 9.16 of the Act to an alleged offender in respect of an offence against this Local Law shall be in the form of Form 2 of Schedule 1 to the *Local Government (Functions and General) Regulations 1996*.

**77 Notice of withdrawal of infringement notice**

A notice under section 9.20 of the Act to withdraw an infringement notice shall be in the form of Form 3 of Schedule 1 to the *Local Government (Functions and General) Regulations 1996*.

**78 Removal of a Notice**

A person other than the driver of the vehicle shall not deface, or remove or cause to be removed from such vehicle any notice affixed thereto or thereon by an authorised person or a sworn member of the Western Australia Police Service in the execution of his/her duty.

**79 Display of Signs**

A person shall not without the authority of the Local Government or an authorised person, erect, display, mark, place, deploy, set up, or exhibit, or cause or attempt any such act, or permit or allow a sign or any thing purporting to be or resembling a sign, erected, displayed, marked, placed, deployed, set up or exhibited by the Local Government under the authority of this Local Law.

**80 Interfering with a sign**

A person shall not, without the authority of the Local Government, an authorised person, or a sworn member of the Western Australia Police Service in the execution of his/her duty, remove, move, interfere with or damage, cause or attempt any such act, or permit or allow any sign or similar device whether fixed or portable, erected, displayed, marked, placed, deployed, set up or exhibited by the Local Government or an authorised person.

**81 Powers of authorised persons**

(1) An authorised person is hereby authorised by the Local Government to—

- (a) carry into effect the provisions of this Local Law;
- (b) report to the Local Government on the working effectiveness and functioning of this Local Law;
- (c) make inquiries and investigations concerning any alleged, purported or actual offences against any of the provisions of this Local Law, with power to interview, question and obtain particulars from person(s) wheresoever living in respect of offences and suspected offences within the parking region;
- (d) mark a tyre or tyres of a stopped or parked vehicle with chalk or any other non-indelible substance, or, record the position of a wheel or wheels or any feature thereon of the vehicle, or both, for any purpose connected with or arising out of his/her duties and powers;
- (e) photograph a vehicle or any part or feature of it, or anything in or upon such vehicle;
- (f) affix to a vehicle any notice, not being a notice pursuant to section 9.13 or section 9.18 of the Act, connected with or arising out of his/her duties and powers;
- (g) recommend to the Local Government the institution of prosecutions; and
- (h) institute and conduct prosecutions as directed by the Local Government or the Chief Executive Officer, from time to time.

(2) No offence under this Local Law is committed by an authorised person while carrying out his or her duties.

**82 Direction to Move Vehicle**

(1) A person shall not cause, permit or allow a vehicle to stop or park, or to continue to stop, park, or be present upon any part of a road, footpath or place of refuge for pedestrians, parking station, reserve, or other public place, whether or not the person or the vehicle is otherwise lawfully present, upon the direction of an authorised person or a sworn member of the Western Australia Police Service in the execution of his/her duty, to leave the area, or otherwise than in accordance with such other direction as the authorised person or member may give.

(2) A person shall not cause, permit or allow a vehicle to which a direction to leave an area pursuant this clause relates, to return to that area within a period being less than two hours from the direction having been given.

**83 False or Misleading Information**

A person shall not supply, tender, or cause, permit or allow to be supplied or tendered to a Local Government, any of its employees, or an authorised person, any document or other thing, or any information whether verbally or otherwise, in relation to any matter of any kind arising from this Local Law or the Act as it relates to this Local Law, which at the relevant time that person knew or reasonably ought to have known was, or reasonably ought to have known may have been, false or misleading in any material particular.

**PART 8—PENALTIES****84 Offence**

Any person who commits or causes a breach of any provision of this Local Law shall on conviction be liable to a penalty not exceeding five thousand dollars (\$5,000.00).

**85 Modified Penalties**

(1) The amount appearing in the right hand column of Schedule 2 of this Local Law, directly opposite the offence described, in that Schedule, is prescribed for the purposes of section 9.17 of the Act as the modified penalty for that offence.

(2) A penalty for an offence against this Local Law (not being a modified penalty) may be recovered by the Local Government by taking proceedings against the alleged offender in a Magistrate's Court or in accordance with the *Fines Penalties and Infringement Notices Enforcement Act 1994*.

(3) The Local Government shall keep records of all infringement notices served and modified penalties received in respect of offences against this Local Law.

**PART 9—OBSTRUCTING VEHICLES****86 Deeming Provisions**

(1) A vehicle that is parked in any portion of a public place wherein any vehicle may lawfully be parked is not obstructing, unless—

- (a) the vehicle is so parked for any period exceeding twenty-four consecutive hours, without the consent in writing of the Chief Executive Officer; or
- (b) the presence of the vehicle continues into any prohibited or restricted period or periods, such prohibition or restriction and such period(s) as denoted by a sign.

(2) A vehicle which is parked in any portion of a public place wherein any vehicle may not lawfully be parked is deemed to be causing an obstruction.

**87 Causing an Obstruction**

A person shall not stop or park a vehicle in a public place so as to obstruct any portion of that place.

**88 Presence of Certain Vehicles**

A person shall not cause, suffer, permit or allow a vehicle or any combination of vehicles that, together with any projection on, or load carried by, the vehicle or combination of vehicles, is 7.5m or more in length or exceeds 4.5 tonnes gross vehicle mass, to be present—

- (a) on a carriageway in a built up area, on any day for a period exceeding one hour, unless engaged in the picking up or setting down of goods;
- (b) on a carriageway outside a built up area, except on the shoulder of the carriageway, or in a truck bay or other area set aside for the parking of goods vehicles; or
- (c) in a parking station or upon a reserve, except in a truck bay or other area set aside for the parking of goods vehicles.

**89 Appointment of Authorised Persons for this Part**

The Local Government may appoint a person as an authorised person for the purpose of this Part.

**90 Removal of Vehicles**

Where an authorised person or a sworn member of the Western Australia Police Service finds a vehicle parked in a public place and it presents a hazard to public safety or obstructs the lawful use of that place, the authorised person or member may remove and impound the vehicle or cause the vehicle to be removed and impounded in accordance with Part 3, Division 3, Subdivision 4 of the Act.

**91 Register of Impounded Vehicles**

The Local Government shall keep and maintain a register of impounded vehicles containing details of the time and date on which each vehicle was removed and impounded, a description of the vehicle and a description of the place from which it was removed.

**92 Release of Impounded Vehicle**

(1) Where the Local Government impounds a vehicle and institutes a prosecution against the alleged offender for an offence against this Local Law in accordance with section 3.42(a) of the Act the owner of the vehicle may collect the vehicle on payment to the Local Government of its expenses of removing, impounding and keeping the vehicle.

(2) If the alleged offender is not convicted of any offence under this Local Law the Local Government shall reimburse to the owner of the vehicle any payment made by the owner under sub-clause (1) of this clause.

**93 Offence**

A person committing a breach of the provisions of Part 9 of this Local Law commits an offence and is liable upon conviction in a court of law to a penalty not exceeding five thousand dollars (\$5,000.00).

**PART 10—OTHER AREAS****94 Parking on Reserves**

(1) A person, other than an employee of the City in the course of his or her duties or a person authorised by the City, shall not stop or park a vehicle on or over any portion of a reserve other than an area specifically set aside for that purpose.

(2) Unless authorised in writing by the City, a person shall not—

- (a) for the purposes of conducting a business, stop or park a vehicle on any part of a reserve; or
- (b) stop or park a vehicle so that any part of it is on or over, or otherwise obstructs any footpath constructed within a reserve.

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*Schedule 1*  
Form 1A

<b>CITY OF FREMANTLE</b>
ABN 74 680 272 485
<b>INFRINGEMENT NOTICE AND NOTICE OF OFFENCE</b>
It is alleged that an offence was committed as indicated below:
<hr style="border: 0.5px solid black;"/> Authorised Person:.....
<b>PAYMENT OPTIONS</b>
1) ☎ 1300 766 677 24 hours a day, 7 days a week, Bankcard, Mastercard, Visa, (available on the second working day after the date of issue);
2) 🌐 <a href="http://www.freofocus.com.au">www.freofocus.com.au</a> and follow the prompts from "Payments". Bankcard, Mastercard, Visa, (available on the second working day after the date of issue);
3) 📄 Chief Executive Officer, City of Fremantle, PO Box 807, Fremantle WA 6959. Please include infringement number, and for vehicle offences, the registered number of the vehicle. Make cheques/money orders payable to 'City of Fremantle'. (do not send cash by mail); or
4) 📍 City of Fremantle, Cashier, Town Hall Centre, ground floor, 8 William Street, Fremantle WA 6160, Mon – Fri 8.30am to 5.00pm.
<p><b>Proof of payment (the receipt) remains with you</b></p> <p>If the modified penalty of this notice is not paid by the due date using one of the payment options shown above, you may incur additional costs. If this infringement notice remains outstanding, it may be registered with the Fines Enforcement Registry which will involve further costs and may include suspension of your driver's licence or any vehicle licence held by you.</p> <p>Important – Please read the information printed on the back of this notice.</p>

*Schedule 1*  
**Legend to Form 1A**

LEGEND TO FORM 1A

- (1) Infringement notice number
- (2) Time of alleged offence
- (3) Date of alleged offence
- (4) Identification number of authorised person issuing notice
- (5) Place at which offence is allegedly committed
- (6) Short description of offence alleged (to a maximum of 40 characters) and relevant clause
- (7) Modified penalty
- (8) Due date for payment
- (9) Registered number of subject vehicle
- (10) Signature (actual or digitally recorded) of authorised person issuing notice

## Schedule 1

## Form 1B

**CITY OF FREMANTLE****INFORMATION****1. For vehicle offences pursuant to the Local Government Act 1995 and the Control of Vehicles (Off-road Areas) Act 1978:** You may:

- (a) pay the modified penalty within 28 days (21 days for an alleged offence pursuant to the *Control of Vehicles (Off-road Areas) Act 1978*) of the date of service of this notice for an alleged offence pursuant to the *Local Government Act 1995*, or
- (b) elect to have this alleged offence determined by a Court by advising the City in writing.

If the modified penalty is not paid within the required time as stated above, Section 9.13 of the *Local Government Act 1995*, or Section 37 of the *Control of Vehicles (Off-road Areas) Act 1978* require the owner of the vehicle to identify the person who was the driver or person in charge of the vehicle at the time of the alleged offence. If the owner does not prove otherwise, the owner will be deemed to have committed the offence alleged unless within the relevant period mentioned in Item 1(a) above, after being served with this notice, the owner –

- (i) informs the Chief Executive Officer, or an employee of the City authorised for the purpose, 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, or
- (ii) satisfies the Chief Executive Officer that the vehicle had been stolen or unlawfully taken, or was being unlawfully used at the time the offence is alleged to have been committed.

**2. For offences pursuant to the Bush Fires Act 1954, or Dog Act 1976:**

You may:

- (a) pay the modified penalty within 21 days of the date of this notice, or
- (b) elect to have this alleged offence determined by a Court by advising the City in writing.

**3. For offences relating to the Litter Act 1979, and all other Local Laws:**

You may:

- (a) pay the modified penalty within 28 days of the date of service of this notice, or
- (b) elect to have this alleged offence determined by a Court by advising the City in writing.
- You may incur a fee if you do not now provide written advice to the Chief Executive Officer, containing details of information which you later rely upon to cause legal proceedings to be withdrawn;
- If you change address prior to the finalisation of this matter, please 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.

The issue of this notice may be reviewed upon written submission to the Chief Executive Officer by:

- ✉ City of Fremantle, PO Box 807, Fremantle WA 6959;
- ☎ Fax (08) 9432 9738; or
- ✉ review@fremantle.wa.gov.au

Please include a return address and the infringement notice number. If you do not receive a reply within 12 working days, please telephone 9432 9811.

Schedule 1  
Form 2A

CITY OF FREMANTLE

ABN 74 680 272 485

Local Government Act 1995

Infringement

Notice No. **P** (1)

**INFRINGEMENT NOTICE  
AND NOTICE OF OFFENCE**

TO THE OWNER OF:

VEHICLE .....(2)..... MAKE .....(3).....

DATE .....(4)..... TIME .....(5).....

LOCATION .....(6).....

.....

It is alleged that an offence was committed as indicated below:

- Fail display valid ticket
- "Authorised Vehicles Only" no permission
- Not wholly in parking stall
- Not display valid monthly ticket
- Cause obstruction
- Drive contrary to sign

- ACROD bay without current ACROD sticker
- Park vehicle different class
- Stop in No Stopping area
- Park in No Parking area
- Stop/Park footpath/refuge
- Exceed time limit

.....(7).....

contrary to Clause .....(8).....  
of the City of Fremantle Parking Local Law.

**Modified Penalty \$** .....(9).....

Authorised Person .....(10)..... No. ....(11).....

**IMPORTANT - PLEASE READ THE INFORMATION  
PRINTED ON THE BACK OF THIS NOTICE**



***Schedule 1***  
**Legend to Form 2A**

LEGEND TO FORM 2A

- (1) Infringement notice number
- (2) Registered number of subject vehicle
- (3) Make of subject vehicle
- (4) Date of alleged offence
- (5) Time of alleged offence
- (6) Place at which offence is allegedly committed
- (7) Short description of offence alleged (to a maximum of 40 characters) where not pre-printed above on the notice
- (8) Relevant clause
- (9) Modified penalty
- (10) Signature of authorised person issuing notice
- (11) Identification number of authorised person issuing notice

*Schedule 1*  
Form 2B

## CITY OF FREMANTLE

### INFORMATION





You may:

- (a) pay the modified penalty within 28 days of the date of service of this notice, using one of the payment options shown below, or
- (b) elect to have this alleged offence determined by a Court by advising the City in writing.

If the modified penalty is not paid within the required time as stated above, Section 9.13 of the *Local Government Act 1995* requires the owner of the vehicle to identify the person who was the driver or person in charge of the vehicle at the time of the alleged offence. If the owner does not prove otherwise, the owner will be deemed to have committed the offence alleged unless within 28 days after being served with this notice, the owner –

- (a) informs the Chief Executive Officer, or an employee of the City authorised for the purpose, 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, or
- (b) satisfies the Chief Executive Officer that the vehicle had been stolen or unlawfully taken, or was being unlawfully used at the time the offence is alleged to have been committed.

### PAYMENT OPTIONS

- 1)  1300 766 677  
24 hours a day, 7 days a week, Bankcard, Mastercard, Visa, (available on the second working day after the date of issue);
- 2)  [www.freofocus.com.au](http://www.freofocus.com.au)  
and follow the prompts from "Payments". Bankcard, Mastercard, Visa, (available on the second working day after the date of issue);
- 3)  Chief Executive Officer, City of Fremantle, PO Box 807, Fremantle WA 6959.  
Please include infringement number, and for vehicle offences, the registered number of the vehicle. Make cheques/money orders payable to 'City of Fremantle'. (do not send cash by mail); or
- 4)  City of Fremantle, Cashier, Town Hall Centre, ground floor, 8 William Street, Fremantle WA 6160, Mon – Fri 8.30am to 5.00pm.




#### Proof of payment (the receipt) remains with you.

If the modified penalty of this notice is not paid within 28 days from the date of service of the notice using one of the payment options shown above, you may incur additional costs. If this infringement notice remains outstanding, it may be registered with the Fines Enforcement Registry which will involve additional costs and may include suspension of your driver's licence or any vehicle licence held by you.

You may incur a fee if you do not now provide written advice to the Chief Executive Officer, containing details of information which you later rely upon to cause legal proceedings to be withdrawn.

If you change address, prior to the finalisation of this matter, 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.

The issue of this notice may be reviewed upon written submission to the Chief Executive Officer by:

-  City of Fremantle, PO Box 807, Fremantle WA 6959;
-  Fax (08) 9432 9738, or
-  [review@fremantle.wa.gov.au](mailto:review@fremantle.wa.gov.au)

Please include a return address and the infringement notice number. If you do not receive a written reply within 12 working days, please telephone 9432 9811.

**Schedule 2**  
**Modified Penalties**

<i>Clause</i>	<i>Nature of Offence</i>	<i>Modified Penalty</i> \$
10(1)(b)	Stop/Park at expired meter	30.00
12	Stop/Park adjacent hooded meter	35.00
14(1)(b)	Stop during prohibited period (meter)	35.00
14(2)(b)	Park during prohibited period (meter)	35.00
14(3)	Exceed time limit (meter)	30.00
15(1)	Fail display valid ticket (ticket zone)	30.00
16(1)	Exceed time limit (ticket zone)	30.00
21(1)(a)	Fee not paid on demand (parkg stn)	30.00
21(1)(d)(i)	Not display valid monthly ticket (p stn)	30.00
21(1)(d)(ii)	Not wholly in parking stall (parkg stn)	30.00
23(1)	Fail display valid ticket (parkg stn)	30.00
25(1)	Remove vehicle without fee paid (pk stn)	60.00
26	Cause obstruction (parking station)	60.00
27	Stop/Park footpath/refuge (parking stn)	60.00
28(1)(a)	Stop in No Stopping area (parking stn)	60.00
28(2)(a)	Park in No Parking area (parking stn)	35.00
28(2)(c)	Park vehicle different class (parkg stn)	35.00
28(3)	Exceed time limit (parking station)	30.00
28(4)	Stop/Park again within 2 hrs (pkg stn)	30.00
30(1)	Remain after directed to leave (pkg stn)	60.00
30(3)	Drive contrary to sign (parkg stn)	60.00
30(4)	Exceed speed limit (parking station)	100.00
30(5)	Drive cause apprehension danger (pk stn)	100.00
30(6)	Ride/Drive unlawful conveyance (pkg stn)	35.00
37(1)(a)	Stop/Park vehicle different class (road)	35.00
37(1)(b)	Stop/Park in No Stopping area (road)	60.00
37(1)(c)	Park in No Parking area (road)	35.00
37(1)(d)	Stop/Park prohibited period (Clearway)	60.00
37(2)	Exceed time limit (road)	30.00
38	Stop/Park in occupied stall (road)	30.00
39(a)	Vehicle not solo motorcycle in M/C stall	30.00
39(c)	Not wholly in parking stall (M/C)	30.00
40(a)	Exceed time limit (M/C stall)	30.00
41	Stop/Park on median strip/traffic island	35.00
42(1)(a)	Not close and parallel to kerb (road)	35.00
42(1)(b)	Not headed in direction of traffic	35.00
42(1)(c)	Not wholly in parking stall (parallel-rd)	35.00
42(2)	Not wholly in parking stall (angle-road)	35.00
43(a)	Cause obstruction (ROW/private drive)	60.00
43(b)	Cause obstruction (intersection)	60.00
43(c)	Stop/Park within 3m of unbroken line	60.00
43(d)	Stop/Park at continuous yellow line	60.00
44(1)	Stop/Park within 1m of fire hydrant/plug	35.00
44(2)	Stop/Park within 3m of public pillar box	35.00
45(a)	Stop/Park within 10m of intersection	35.00
45(c)	Stop/Park footpath/refuge (road)	60.00
46	Double parking	60.00
47(1)(a)	Stop/Park in No Stopping area (verge)	60.00
47(1)(b)	Park in No Parking area (verge)	35.00
47(1)(c)	No Stopping prohibited period (verge)	60.00

<i>Clause</i>	<i>Nature of Offence</i>	<i>Modified Penalty</i> \$
47(1)(d)	No Parking prohibited period (verge)	35.00
47(2)	Exceed time limit (verge)	30.00
48(1)(a)	Within 10m departure side bus stop	35.00
48(1)(b)	Within 10m departure side ped/child Xing	35.00
48(2)(a)	Within 20m approach side bus stop	35.00
48(2)(b)	Within 20m approach ped/child Xing	35.00
48(2)(c)	Within 20m approach/depart rail Xing	35.00
48(3)	Stop in bus zone	35.00
49	Stop/Park again within 2 hrs (road)	30.00
50(1)(a)	No activity in loading zone (road)	35.00
50(1)(b)	Exceed time limit (loading zone—road)	35.00
51(a)	Park vehicle to repair/maintain (road)	35.00
51(b)	Park vehicle for sale (road)	35.00
52	Stop/Park bicycle in parking stall	35.00
53	“Authorised Vehicles Only” no permission	35.00
54(1)	ACROD bay without current ACROD sticker	100.00
55(1)	Fail display current permit Permit Zone	35.00
56	Private property without consent	35.00
57(a)	Goods vehicle exceed 4 hrs (verge)	30.00
57(b)	Service/clean goods vehicle (verge)	30.00
58	Defeat chalk mark/wheel position	60.00
67(1)	Non-legal tender meter/tkt mach/pay stn	60.00
67(2)	Use non-permitted payment device	60.00
71(a)	Display altered/defaced parking ticket	60.00
71(b)	Display altered/defaced parking permit	60.00
74(a)	Obstruct/hinder authorised person	150.00
74(b)	Obstruct/hinder Local Governmnt employee	150.00
80	Interfere with sign	100.00
82(1)	Disobey direction (auth person/Police)	200.00
82(2)	Return within 2 hrs direction to leave	150.00
83	Supply false/misleading information	200.00
87/86(1)(a)	Cause obstruction (24 hrs no consent)	35.00
87/86(1)(b)	Cause obstruction (prohibited period)	35.00
87/86(2)	Cause obstruction (unlawfully parked)	60.00
87	Cause obstruction (public place)	60.00
88(a)	Oversize vehicle carriageway over 1 hr	60.00
88(b)	Oversize vehicle on carriageway	60.00
88(c)	Oversize vehicle in parking stn/reserve	60.00
94(1)	Stop/Park vehicle on Reserve	60.00
94(2)(a)	Conduct business from vehicle (reserve)	60.00
94(2)(b)	Stop/Park on footpath (reserve)	60.00
	All other offences not classified in which the use of a vehicle is an element	35.00

Dated this 23rd day of November 2006.

The Common Seal of the City of Fremantle was hereunto affixed by the authority of a resolution of the Council of the City of Fremantle in the presence of—

P. TAGLIAFERRI, Mayor.  
G. MACKENZIE, Chief Executive Officer.

