

**LOCAL GOVERNMENT ACT 1995**

**SHIRE OF EXMOUTH**

**LOCAL LAW RELATING TO PARKING**

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the Twenty First day of May 1998 to make the following Local Laws.

**PART 1 – PRELIMINARY**

**Citation**

1. This Local Law shall be cited as the Shire of Exmouth Parking Local Law.

**Arrangement and Definitions**

2. This Local Law is divided into parts as follows –

PART I	PRELIMINARY
PART II	DELEGATED AUTHORITY
PART III	PARKING ON ROADS
PART IV	STANDING AND PARKING GENERALLY
PART V	DISABLED PARKING
PART VI	MISCELLANEOUS SCHEDULES

3. In this Local Law unless the context requires otherwise –

‘ACROD Authority’ means an authority issued by ACROD Limited (WA Division) for the purpose of identifying vehicles driven by or carrying a disabled person or person;

‘Act’ means the Local Government Act 1995;

‘appointed place’ means a place appointed by the Council to which vehicles causing an obstruction may be removed;

‘AS’ means Australian Standard published by the Standards Association of Australia;

‘authorised person’ means a person appointed by the Council to administer the Local Law;

‘authorised vehicle’ means a vehicle authorised by the Council or an authorised person to stand or park on a road or in a parking facility, which is designated by signs to be used for parking by authorised vehicles only;

‘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 standing or parking of vehicles. Where a road has two or more of those portions divided by median strip, the expression means each of those portions separately;

“CEO” means the Chief Executive Officer of the Shire of Exmouth;

“commercial vehicle” means a vehicle designed for or used for commercial purposes, exceeding the load capacity of one tonne and/or a vehicle designed for or used for industrial purposes;

“Council” means the Council of the Shire of Exmouth;

“cycle” means any wheeled vehicle that is designed to be propelled solely by human power;

“disabled parking space” means a part of the road, parking station or parking facility which is identified or marked out by painted lines, symbols, inscriptions or signs as a space either for or restricted to the parking of vehicles driven by or carrying a disabled person or persons.

“driver” means any person driving, or in control of, a vehicle or animal;

“footpath” includes a path used by, or set aside or intended for use by, pedestrians or both pedestrian and cyclists;

“Local Government” means the Shire of Exmouth;

“median strip” means –

- a) any provision dividing a road to separate vehicular traffic proceeding in opposing directions or to separate two (2) one-way carriageways for vehicles proceeding in opposing directions in parking stations;
- b) any physical provision, including a traffic island, designed to separate parked cars from vehicle movement areas;

“motor vehicle” means a motor vehicle designed to travel on two wheels and does not include a motorcycle to which a sidecar is attached;

“No Parking Area” means a portion of a carriageway that lies-

- a) between two (2) consecutive white signs inscribed with a symbol or the words “No Parking”, in red lettering and each with an arrow pointing generally towards the other of them;
- b) between a white sign inscribed with a symbol or the words “No Parking” in red lettering and a dead end or an area in which parking is prohibited and that lies in the general direction indicated by an arrow inscribed on the sign;

“No Standing Area” means a portion of a carriageway that lies-

- a) between two (2) consecutive white signs inscribed with a symbol or the words “No Parking”, in red lettering and each with an arrow pointing generally towards the other of them; or
- b) between a white sign inscribed with a symbol or the words “No Parking” in red lettering and a dead end or an area in which standing is prohibited

and that lies in the general direction indicated by an arrow inscribed on the sign;

“notice” means a notice in form of Forms 1, 2 and 3 of Schedule 1 issued pursuant to this Local Law;

“omnibus” means a passenger vehicle equipped to carry more than eight (8) adult persons and used to carry passengers for separate fares;

“owner of a vehicle” means the person who is the holder of the requisite vehicle licence under the Road Traffic Act 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;

“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 of immediately picking up or setting down persons or goods and “parking” has a correlative meaning.

“parking facilities” includes land, buildings, shelters, ticket zones, parking spaces and other facilities open to the public generally for the parking of vehicles with or without charge and signs, notices and facilities used in connection with those things;

“parking region” means the whole of the Municipality of the Shire of Exmouth with the exception of –

- a) all declared highways and main roads;
- b) the approach and departure prohibition areas of all traffic control signal installations;
- c) prohibition areas applicable to all bridges and subways;
- d) any road under the control of the Commissioner of Main Roads.

“parking space” means a section or part of a road, reserve or a parking facility, which is marked or defined by painted lines or by metallic studs or by similar devices for the purpose of indicating where a vehicle may stand or be parked whether on payment of a fee or charge or otherwise;

“property line” means the boundary between the land comprising a street and the land that abuts thereon;

“public reserve” includes parklands, squares, reserves, beaches and other lands included in or adjoining a district and set apart for the use and enjoyment of the inhabitants of the district and includes parks and other lands acquired for public purposes and vested in or under the care, control and management of the Council;

“road” means any road, street, land, thoroughfare or similar place within the parking region and includes all of the land lying between the property lines including the street verge and footpath;

“Road Traffic Act” means the Road traffic Act 1974;

“service vehicle” means a vehicle specifically designed, constructed and used primarily for the conveyance of goods but does not include service type vehicles being used for private purposes;

“sign” means a traffic sign, mark, structure, symbol or device placed or erected on or near a road or within a parking facility or a reserve for the purpose of regulating, guiding or directing, the parking of vehicles;

“stand” in relation to a vehicle, means to stop the vehicle and permit it to remain stationary, except for the purpose of avoiding conflict with other traffic or complying with the provisions of any law and “standing” has a correlative meaning;

“street” has the same meaning as “road”.

“street verge” means that portion of a street which lies between the portion of a street that is improved, paved, designed or ordinarily used for vehicular traffic and the nearest property line;

“symbol” includes any symbol specified by Australian Standard 1742.iJ-1989 for use in the regulations of parking and any reference to the wording of any sign in this Local law shall also be deemed to include a reference to the corresponding symbol;

“taxi” means a vehicle licensed under the Taxi-Car Control Act 1985;

“tour coach” means any vehicle licensed as a tour coach which is hired or chartered for the specific purpose of sightseeing or tourism;

“trailer” means a vehicle (not including a semi-trailer) drawn by another vehicle but not including a sidecar attachment to a motor cycle or any vehicle that comes within the description of a caravan in the Road Traffic Act;

“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.

#### **Application of Local Law**

4. This Local Law shall apply to all parking facilities in the parking region, however, the provisions of this Local Law shall not apply to any parking facility -

- a) which is neither owned, controlled, nor occupied by the Local Government; or
- b) which although owned by the municipality, is leased to another person.

### **Vehicle Classification**

5. For the purpose of this Local Law vehicles are, divided into the following classes-
- a) omnibus;
  - b) service vehicles;
  - c) motor cycles;
  - d) taxis;
  - e) commercial vehicles;
  - f) tour coaches; and
  - g) all other vehicles not otherwise classified

### **Application of Signs**

6. (1) Where the standing or parking of vehicles in a street is regulated by a sign then the sign shall for the purposes of this Local Law apply to that part of the street which –
- a) lies beyond the sign
  - b) lies between the sign and the next sign; and
  - c) is that side of the carriageway of the street nearest to the sign.
- (2) For the purposes of this Local Law a sign may prohibit or regulate parking or standing by the use of any symbol or other traffic control device in accordance with AS.1742.11.

## **PART 2 – DELEGATED AUTHORITY**

7. Council may by resolution passed by an absolute majority, delegate to the “CEO” as defined in this Local Law, the performance of any function of the Council in relation to this Local Law. In this Local Law a reference to the Council having powers to do something in its discretion or a reference to the Council forming an opinion prior to the doing of anything shall be deemed to include a reference to any employee of the Local Government to whom the “CEO” has delegated the exercise of any of the “CEO”s powers or the discharge of any of the “CEO”s duties in relation to this Local Law.

## **PART 3 – PARKING ON ROADS**

### **Establishing and Amending the Parking Scheme**

8. The Council may by resolution constitute, determine, vary and indicate by signs –
- a) prohibitions;
  - b) regulations; and
  - c) restrictions;

on the parking and standing of vehicles of a specified class or classes in all roads, specified roads or specified parts of roads in the parking region at all times or at specified times, but this discretionary authority shall not be exercised in a manner inconsistent with the provisions of this Local Law.

### **Standing or Parking Contrary to Signs**

9. (1) A person shall not stand a vehicle on a road or part of a road or parking facility –
- a) if that road, part of the road, or parking facility is set apart from the standing of vehicles of a different class;
  - b) upon which the standing of vehicles is prohibited at all times by a sign; or
  - c) upon which the standing of vehicles at that time is prohibited by a sign.
- (2) A person shall not park a vehicle on a road, part of a road or parking facility –
- a) if that road or part of the road or parking facility is set apart for the parking of vehicles of a different class;
  - b) upon which the parking of vehicles is prohibited at all times by a sign; or
  - c) upon which the parking of vehicles at that time is prohibited by a sign
- (3) A person shall not stand or park a vehicle on any part of road or parking facility whether or not that part is marked as a parking space, for more than the maximum time specified by a sign.

### **Occupied Parking Spaces**

10. A person shall not stand or park or attempt to stand or park a vehicle in a parking space in which another vehicle is standing or parking.

### **Median Strips and Traffic Islands**

11. A person shall not stand or park a vehicle on any part of a road so that any portion of the vehicle is –
- a) on a median strip;
  - b) adjacent to a median strip otherwise than in a parking space; or

### **Parking Position on Roads and Parking Facilities**

12. (1) A person shall not stand or park a vehicle or permit a vehicle to stand or park on any road or parking facility otherwise than –
- a) parallel to the kerb and as close to the kerb as practical
  - b) headed in the direction of the movement of traffic on the part of the road on which the vehicle is parked;
  - c) wholly within a parking space if the part of the road or parking facility upon which the vehicle is standing or parked is provided with parking spaces.
- (2) A person shall not stand or park a vehicle in a parking space which is not set out parallel to a kerb otherwise than wholly within that parking space.

### **Parking Near Fire Hydrant**

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

### **Traffic Obstructions**

14. A person shall not stand or park a vehicle so that any portion of the vehicle is –
- (a) in front of a right of way, passage or private drive or so close to one as to deny vehicles 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 broken by an intersecting carriageway;
  - (c) within six (6) metres of the nearest property line of any road intersecting the road on the side on which the vehicle is standing or parked;
  - (d) alongside any hoarding, scaffolding, obstacle or impediment to traffic; or
  - (e) on or over a footpath or a place of refuge for pedestrians.

### **Double Parking**

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

### **Verge Parking**

16. (1) A person shall not stand or park a vehicle on a street verge where signs prohibit the standing or parking of vehicles on that verge.
- (2) A person, not being the occupier of the land abutting on to a street verge, shall not without consent of that occupier, drive, park or stand a vehicle upon that verge.

### **Bus Stops, Pedestrian and Children's Crossings**

17. (1) A person shall not stand a vehicle on a road so that any portion of the vehicle is within nine (9) metres of the departure side of –
- (a) a sign inscribed with the words "Bus Stop" or "Hail Bus Here", unless that vehicle is an omnibus taking up or setting down passengers; or
  - (b) A pedestrian or children's crossing established on a road.
- (2) A person shall not stand a vehicle on a road so that any portion of the vehicle is within eighteen (18) metres of the approach side of –
- (a) a sign inscribed with the words "Bus Stop" or "Hail Bus Here", unless that vehicle is an omnibus taking up or setting down passengers; or
  - (b) A pedestrian or children's crossing.

- (3) A person shall not permit a vehicle to stand or park in a parking space which is set aside for use by omnibusses except for the purpose of taking up or setting down passengers to or from such vehicle.

#### **Direction to Move Vehicles**

18. A person shall not permit a vehicle to stand or park in any part of a street, if any authorised person or member of the Police Force directs the driver of such vehicle to move it.

#### **Loading Zones**

19. (1) A person shall not permit a vehicle to stand or park in a parking space which is at that time set aside for use by service vehicles carrying commercial goods unless some person is actively engaged in loading or unloading commercial goods to or from the vehicle, and in any case not for a period longer than fifteen (15) minutes.
  - (2) In this clause, “commercial goods” means an article or collection of articles weighing at least ten (10) kg of which the content is at least 0.3 cubic metres.
  - (3) A parking space may be set aside for use by service vehicles by a sign marked “Loading Zone” or by other means.

### **PART 4 – STANDING AND PARKING GENERALLY**

#### **Cycle Parking and Standing**

20. A person shall not park or stand any cycle in a parking space.

#### **Authorised Parking**

21. A person shall not, without the permission of the Council or an authorised person, stand or park a vehicle, other than an authorised vehicle, in an area designated by signs for the parking of authorised vehicles only.

#### **Private Property**

22. A person shall not stand or park or permit a vehicle to stand or park on land which is not a road or parking facility without the consent of the owner or person in occupation of such land.

#### **Service Vehicle/Trailer Parking**

23. (1) A person shall not park a service vehicle, commercial vehicle or trailer –
  - (a) on a street verge for more than four hours consecutively; or
  - (b) On a street verge for the purpose of repairing, servicing or cleaning that vehicle.
- (2) A person shall not park a service vehicle, commercial vehicle or trailer on a road or street verge within six (6) metres of where that road or street verge meets or intersects with another road or street verge.

### **Vehicle Parking**

24. A person shall not park a vehicle on any portion of a street, parking facility or public place –
- (a) if the vehicle is exposed for sale;
  - (b) if that vehicle is not licensed under the Road Traffic Act;
  - (c) if that vehicle is a trailer, caravan or boat
  - (d) if that vehicle is being used as a commercial sign board; or
  - (e) For the purpose of effecting repairs to it, other than the minimal repairs necessary to enable the vehicle to be moved to a place other than a road.

### **Overlength Vehicle Parking**

25. A person shall not stand a vehicle or any combination of vehicles that, together with anything in or on that vehicle or vehicles is more than eight (8) metres in length on a carriageway for any period exceeding one (1) hour during any twenty four (24) hour period.

### **Chalking of Tyres**

26. (1) An authorised person may mark the tyres of a parked vehicle with chalk or any other non-indelible substance for any purpose connected with or arising out of that authorised person's duties and powers.
- (2) A person shall not remove a mark made by an authorised person so the purpose of the affixing of such mark is defeated or likely to be defeated.

### **Parking on Reserves**

27. A person shall not stand or park a vehicle in a public reserve, other than within a parking facility on that reserve, without the permission of the Council or an authorised person.

### **Lawfully Parked Vehicles**

28. A vehicle that is parked in any portion of a public place wherein vehicles may lawfully be parked does not cause an obstruction, unless:
- (a) the vehicle is so parked for any period exceeding twenty four (24) hours, without the consent in writing of the Chief Executive Officer of the Council or authorised person; or
  - (b) the vehicle is so parked during any period in which the parking of vehicles is prohibited or restricted by a sign.

### **Unlawfully Parked Vehicles – Obstruction**

29. (1) A person shall not park a vehicle in a public place so as to cause an obstruction.
- (2) A vehicle is deemed to be causing an obstruction if –
- (a) it is stood or parked so as to cause obstruction to the passage of any traffic, pedestrians or cyclists in a street or public place;
  - (b) it is parking in a public place where vehicles may not lawfully be parked;

- (c) it is not fitted with an identification tablet or plate;
- (d) it is apparently abandoned; or
- (e) it is in an unsafe condition.

#### **Removal of Vehicles**

30. Where an authorised person or Police Officer finds a vehicle causing an obstruction that person or Officer –
- (a) may remove the vehicle;
  - (b) may use such force as is necessary to enter the vehicle for the purpose of so removing it; and
  - (c) if that person or Officer removes the vehicle, shall take it to an appointed place.

#### **Recording of Vehicles in Appointed Places**

31. Where an authorised person or Police Officer places a vehicle in an appointed place, that person or Officer shall enter in a register to be provided by the Council for that purpose –
- (a) details of the time and date;
  - (b) description of the vehicle; and
  - (c) the place from which it was removed, and shall notify the Chief Executive Officer of the Council.

#### **Notification to Owner**

32. The Chief Executive Officer of the Council shall notify, in writing, the last known owner of the vehicle removed to an appointed place, of the removal of that vehicle.

#### **Recovery of Removed Vehicles**

33. (1) A person may recover a vehicle from an appointed place, after paying to the Chief Executive Officer of the Council –
- (a) the cost incurred by the Council in removing the vehicle to the appointed place; and
  - (b) the sum of \$10 per day or part of a day that the vehicle has remained in the appointed place.
- (2) A person who removed a vehicle from an appointed place without complying with the provisions of this clause commits an offence.

#### **Sale of Removed Vehicles**

34. Where a vehicle placed in an appointed place has not been recovered by the owner or person entitled to it within one month from the day upon which it was placed there, the Council may –
- (a) cause the vehicle to be offered for sale by public auction or by public tender;
  - (b) accept the best offer made; and
  - (c) where no offer is made for the purchase of the vehicle, cause the vehicle to be destroyed.

### **Indemnity**

35. A person is not entitled to any claim, by way of damages or otherwise, against an authorised person, member of the Police Force or the Council in respect of any vehicle seized and dealt with under this part or against any person who purchases a vehicle sold by Council under clause 34.

### **Application of Sale Proceeds**

36. (1) The proceeds of the sale of a vehicle sold under the provisions of clause 34 shall be applied by the Council –
- (a) firstly, in meeting the costs of the sale; and
  - (b) secondly, in meeting the costs referred to in clause 33(1), and these sums shall be paid into the Municipal Fund.
- (2) Any surplus of the proceeds of the sale shall be paid by the Council into its Trust Fund, and may be paid within ten years, to any person who satisfies the Council that they were the owner of the vehicle at the time of its sale by the Council.
- (3) Any amounts under clause 36(2) may, if not paid to the owner within ten years, be paid into the Municipal Fund, on the condition that the Council shall repay it from that fund to a person claiming and establishing their right to that repayment.

### **Recovering of Costs Where Sale Proceeds Insufficient**

36. Where the proceeds of the sale of any vehicle sold under clause 34, after deduction of the moneys authorised to be applied by the Council by clause 36(1), do not cover the costs of the removal, custody and sale or disposal of that vehicle, the Council may recover the balance of these costs from the owner of that vehicle in a court of competent jurisdiction.

## **PART 5 – DISABLED PARKING**

### **Disabled Parking**

37. A person shall not stand or park a vehicle in a disabled parking space unless an ACROD authority is displayed on the front windscreen of the vehicle and is clearly visible and able to be read by an authorised person from outside the vehicle.

## **PART 6 – MISCELLANEOUS**

### **Affixing Signs and Notices**

38. A person shall not without the permission of the Council affix any board, sign, placard, notice or other thing to or paint or write upon any part of a parking area.

### **Appointment of Authorised Persons**

- 40 The Council may appoint a person as an authorised person for the purposes of this Local Law.

### **Impersonation of Authorised Person**

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

**Obstruction of Authorised Person**

42 A person shall not in any way obstruct or hinder an authorised person in the execution of any duty under this Local Law.

**Form 1 – Original Notice**

43 An infringement notice served under Section 9.16 of the Act in respect of an offence against this Local Law shall be in or to the effect of Form 1 of Schedule 1 of this Local Law.

**Form 2 – Notice to Owner to Identify Driver**

44 A notice served under of Section 9.13 of the Act in respect of an offence alleged to have been committed against this Local Law shall be in or to the effect of Form 2 of Schedule 1 of this Local Law.

**Form 3 – Withdrawal Notice**

45 A notice sent under Section 9.20 of the Act withdrawing an infringement notice served under that section in respect of an offence alleged to have been committed against this Local Law shall be in or to the effect of Form 3 of Schedule 1 of this Local Law.

**Removal of Notice**

46 A person other than the driver of the vehicle shall not remove from that vehicle any notice affixed to or on it by an authorised person or a member of the Police Force.

**Offence**

47 Any person who contravenes or fails to comply with the provisions of this Local Law commits an offence and is liable upon conviction to a penalty not exceeding \$5000.00.

**Modified Penalties**

48 The amount appearing in column 4 of Schedule 2 is the modified penalty for an offence if the offence is dealt with under Section 9.16 of the Act.

**Recovery of Penalties**

49 A penalty, other than a modified penalty, for an offence against this Local Law, may be recovered from the alleged offender by the Council in proceedings in a Court of Petty Sessions.

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**FIRST SCHEDULE**  
**Form 1**  
**SHIRE OF EXMOUTH**  
**Local Law Relating to Parking**  
**PARKING INFRINGEMENT NOTICE**

No

To the owner of the vehicle, registration number \_\_\_\_\_ Make \_\_\_\_\_  
Type \_\_\_\_\_

It is alleged that at \_\_\_\_\_ am/pm, on the \_\_\_\_\_ 19 \_\_\_\_\_

At (location) \_\_\_\_\_

You committed a breach of the Shire of Exmouth Parking Facilities Local Law as indicated below by a cross (x)

- |  |   |
|--|---|
| <input type="checkbox"/> Causing an Obstruction                                    | <input type="checkbox"/> Parking contrary to traffic direction  |
| <input type="checkbox"/> Standing on private land without consent                  | <input type="checkbox"/> Parking in a No Parking Area   |
| <input type="checkbox"/> Not wholly within a parking stall                         | <input type="checkbox"/> Standing on/over a footpath  |
| <input type="checkbox"/> Standing on a verge                                       | <input type="checkbox"/> Standing in a No Standing Area   |
| <input type="checkbox"/> Standing in a Taxi or Bus/Tourist Coach Stand             | <input type="checkbox"/> Unauthorised use of Disabled Parking   |
| <input type="checkbox"/> Standing a Non-Commercial Vehicle in a Loading/Truck Zone | <input type="checkbox"/> Other offence not classified of which the use, parking, standing, or leaving of a vehicle is an element. |

Signature of Authorised Person \_\_\_\_\_ Penalty: \$ \_\_\_\_\_

If you do not wish to have a complaint of the above offence heard and determined by a Court, you may pay the modified penalty within twenty-eight (28) days after the date of service of the notice.

Unless within twenty-eight (28) days after the date of the service of this notice you –

- (a) inform the Chief Executive Officer, Shire of Exmouth in writing as to the identity and address of the person in charge of the above vehicle at the time of the offence; or
- (b) satisfy the Chief Executive Officer, Shire of Exmouth that the above vehicle had been stolen or was unlawfully used at the time of the above offence.

YOU WILL IN THE ABSENCE OF PROOF TO THE CONTRARY, BE DEEMED TO HAVE COMMITTED THE ABOVE OFFENCE AND COURT PROCEEDINGS MAY BE INSTITUTED AGAINST YOU.

Payment may be made by either posting this form together with the amount mentioned above, to the Chief Executive Officer, Shire of Exmouth, PO Box 21, Exmouth 6707 or by delivering this form and paying the amount at the Shire Office, Maidstone Crescent, Exmouth between 9.00am to 4.00pm Mondays to Fridays.

**Form 2  
SHIRE OF EXMOUTH**

**Local Law Relating to Parking**

**NOTICE REQUIRING OWNER OF VEHICLE TO IDENTIFY DRIVER**

DATE \_\_\_\_\_

To

\_\_\_\_\_

Infringement Number \_\_\_\_\_

Date of Service \_\_\_\_\_

The Driver of Vehicle, Make \_\_\_\_\_ Reg. Number \_\_\_\_\_

You are hereby notified that it is alleged that on \_\_\_\_\_ at  
about \_\_\_\_\_ hrs, the driver or person in charge of the above vehicle  
did \_\_\_\_\_

\_\_\_\_\_

In contravention of the provisions of clause number \_\_\_\_\_ of the Shire of Exmouth  
Parking Facilities Local Law.

YOU WILL IN THE ABSENCE OF PROOF TO THE CONTRARY, BE DEEMED TO HAVE  
COMMITTED THE ABOVE OFFENCE AND COURT PROCEEDINGS MAY BE INSTITUTED  
AGAINST YOU.

Unless within twenty-eight (28) days after the date of the service of this notice you –

- (a) inform the Chief Executive Officer, Shire of Exmouth in writing as to the identity and address of the person in charge of the above vehicle at the time of the offence; or
- (b) satisfy the Chief Executive Officer, Shire of Exmouth that the above vehicle had been stolen or was unlawfully used at the time of the above offence.

Payment may be made by either posting this form together with the amount mentioned above, to the Chief Executive Officer, Shire of Exmouth, PO Box 21, Exmouth 6707 or by delivering this form and paying the amount at the Shire Office, Maidstone Crescent, Exmouth between 9.00am to 4.00pm Mondays to Fridays.

\_\_\_\_\_  
Chief Executive Officer

**Form 3**

**SHIRE OF EXMOUTH**

**Local Law Relating to Parking**

**NOTICE OF WITHDRAWAL OF INFRINGEMENT NOTICE**

Shire Offices  
Maidstone Crescent  
PO Box 21  
EXMOUTH WA 6707

DATE \_\_\_\_\_

To \_\_\_\_\_

Infringement number :

Date \_\_\_\_\_

Time \_\_\_\_\_

Offence \_\_\_\_\_

Take notice that I, being authorised to do so, hereby withdraw proceedings in relation to the above infringement notice.

Authorised Person \_\_\_\_\_

## SECOND SCHEDULE

### SHIRE OF EXMOUTH

#### Local Law Relating to Parking MODIFIED PENALTIES

<u>Item No.</u>	<u>Clause</u>	<u>Nature of Offence</u>	<u>Modified Penalty</u>
1	9(1)(a)	Standing on part of a road or parking facility set apart for vehicles of a different class.	\$ 50
2	9(1)(b)	Standing or parking in a No Standing Area	50
3	11(a)	Standing or parking on or adjacent to a median strip.	50
4	12(b)	Parking not facing the direction of traffic movement	50
5	13	Standing or parking within 1 metre of a fire hydrant	50
6	14(a)	Parking in front of a driveway	50
7	14(b)	Parking on an intersection	50
8	14(c)	Standing within 6 metres of an intersection	50
9	14(e)	Parking on/over a footpath	50
10	15	Double parking	50
11	17(1)	Standing within 9 metres of the departure side of omnibus stop, pedestrian or children's crossing	50
12	17(2)	Standing within 18 metres of the approach side of omnibus stop, pedestrian or children's crossing	50
13	17(3)	Standing or parking in an omnibus stand	50
14	18	Failing to move vehicle after direction	50
15	21	Unauthorised parking	50
16	22	Standing or parking on private property without consent	50
17	26(2)	Removing a chalk mark	50
18	27	Parking on a reserve	50
19	29	Parking so as to cause an obstruction	50
20	9(2)(a)	Parking on part of a road or parking facility set aside for vehicles of a different class	50
21	9(2)(b)	Parking in a No Parking Area	40
22	10	Standing or parking in an occupied parking space	40
23	12(1)(a)	Parking too far from the kerb	40
24	12(1)(c)	Parking outside parking space marked on road or parking facility	40
25	12(2)	Parking not within the confines of a marked parking stall	40
26	14(d)	Parking next to a traffic obstruction	40
27	16	Standing or parking on a verge contrary to a sign or without consent	40
28	19(1)	Standing or parking in a loading zone without loading/unloading	40
29	24	Parking on a street or parking facility contrary to clause 24	40
30	23	Parking a service vehicle on a street verge for more than 4 hours or to repair it	40
31	25	Overlength vehicle parking	40
32	37	Standing or parking in an ACROD bay not displaying current authority	80
33		All other offences not classified of which the use, parking, standing or leaving of a vehicle is an element	25