

NORTHERN TERRITORY OF AUSTRALIA  
JABIRU TOWN DEVELOPMENT (STALLHOLDERS) BY-LAWS

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NORTHERN TERRITORY OF AUSTRALIA

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Regulations 1983, No. 8\*

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By-Laws under the *Jabiru Town Development Act*

The Jabiru Town Development Authority in pursuance of section 31 of the *Jabiru Town Development Act*, at a meeting held on the 27th day of January 1983, made the following By-laws and, for the purposes of section 63(2)(a) of the *Interpretation Act*, authorized Geoffrey Ernest Stolz, its Chairman, to sign them.

Dated this fourth day of February, 1983.

G.E. STOLZ  
Chairman

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JABIRU TOWN DEVELOPMENT (STALLHOLDERS) BY-LAWS

1. CITATION

These By-laws may be cited as the Jabiru Town Development (Stallholders) By-laws.

2. DEFINITIONS

In these By-laws, unless the contrary intention appears -

"authorized officer" means an officer or employee of the Authority authorized for the purpose of these By-laws;

"permit" means a permit issued under by-law 6 to sell goods from a stall;

"public street" has the meaning ascribed to it in the *Traffic Act*;

"stall" means a temporary structure in or on which goods are offered for sale by retail, and includes a tent, vehicle or caravan.

"stallholder" means a person issued with a permit under by-law 6 to sell goods from a stall;

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\* Notified in the *Northern Territory Government Gazette* on 18 February, 1983.

G. L. DUFFIELD, Government Printer of the Northern Territory

Price: 70 cents

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"town area of Jabiru" means the area administered by the Authority;

"Town Manager" means the person employed by the Authority as Town Manager of Jabiru, and includes a person authorized by the Authority to act in his place.

3. STALLHOLDERS TO OBTAIN PERMIT

A person shall not sell goods from a stall in the town area of Jabiru except in accordance with a permit and these By-laws.

4. APPLICATION FOR PERMIT

(1) A person may apply to the Town Manager for a permit and the application shall state -

- (a) the name and business address of the applicant;
- (b) the type of goods which the applicant intends to sell;
- (c) the proposed location of the stall; and
- (d) the period for which the permit is required.

(2) An application under clause (1) shall be accompanied -

- (a) by the fee prescribed by the Authority; and
- (b) in the case of the first application for a permit, by a certificate signed by 2 reputable inhabitants of the Territory certifying that the applicant is of good character and is a fit and proper person to hold a permit.

5. GRANT OR REFUSAL TO GRANT PERMIT

The Authority shall consider an application for a permit and may -

- (a) grant the application; or
- (b) refuse to grant the application.

6. ISSUE OF PERMIT

(1) Where the Authority grants a permit it shall issue the permit in accordance with the form in the Schedule.

(2) A permit under clause (1) shall be valid for the period, not exceeding 3 years, indicated in the permit.

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(3) A permit under clause (1) may be subject to conditions in relation to -

- (a) the goods that may be sold from the stall;
- (b) the days and hours during which goods may be sold;
- (c) the siting of the stall; and
- (d) the standards in relation to health or hygiene to be observed by the stallholder.

(4) A permit is not transferable.

7. REVOCATION OF PERMIT

(1) Subject to clause (2), the Authority may revoke a permit where the stallholder -

- (a) has become bankrupt, applied to take the benefit of a law for the relief of bankrupt or insolvent debtors or has compounded with his creditors;
- (b) has been convicted of an indictable offence;
- (c) has contravened or failed to comply with a condition of his permit or these By-laws;
- (d) is conducting his business in such a manner as to cause a nuisance or annoyance to persons in the neighbourhood of the stall; or
- (e) has purported to assign or transfer his permit or is not personally carrying on the business for which the permit was granted.

(2) Where under clause (1), the Authority revokes a permit -

- (a) it shall serve on the stallholder a notice that the permit has been revoked and that the revocation takes effect after 14 days from the date of the notice; and
- (b) the stallholder shall return the permit, and his badge or card under by-law 8, to the Town Manager within 30 days of the date of the notice under paragraph (a).

8. BADGES OR CARDS

(1) The Authority shall issue to a stallholder a badge or card for which the stallholder shall pay the sum of \$2.

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(2) A stallholder shall display his badge or card whilst selling goods from his stall.

(3) A person shall not display a stallholder's badge or card unless he is the holder of a permit.

9. RULES OF CONDUCT

(1) A stallholder whilst offering goods for sale from his stall shall -

- (a) carry his permit and upon demand by an authorized officer or a member of the Police Force produce it for inspection by the authorized officer or the member;
- (b) have his name legibly and conspicuously displayed on his stall; and
- (c) at all times maintain his stall in good order and condition.

(2) A stallholder shall not -

- (a) conduct a stall between the hours of sunset and sunrise the next day, or on a Sunday, Christmas Day or Good Friday without obtaining the consent of the Authority;
- (b) place his stall within a distance of 200 metres of a shop or permanent place of business that has for sale any goods, wares or merchandise of the type offered for sale by the stallholder;
- (c) call his wares or cause or make an outcry, noise or disturbance likely to be a nuisance or cause annoyance to a person in that vicinity;
- (d) deposit or store a box or basket under his vehicle or upon an adjacent roadway or footpath, whilst conducting his stall;
- (e) obstruct the free passage of pedestrians or vehicles on a public street, whilst conducting his stall; or
- (f) act in an offensive manner, whilst conducting his stall.

10. PARKING

A stallholder shall not sell goods from a stall on private property unless there is adequate provision on the private property for the parking of his customers' vehicles.

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11. CONDUCT OF STALL FOR CHARITY, &c.

Notwithstanding these By-laws, the Authority may grant to a person, without fee, a licence to conduct a stall in a public street or on land for the period specified in such licence where such stall is conducted solely for the purpose of raising money for a religious, sporting or charitable organization or on behalf of any other organization which, in the opinion of the Authority, has objects for the benefit of the community.

12. PENALTY

A person who contravenes or fails to comply with these By-laws or a condition of a permit granted to him is guilty of an offence.

Penalty: \$400 and a daily penalty of \$40 for each day during which the offence continues.

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SCHEDULE

STALLHOLDERS (JABIRU) BY-LAWS

Regulation 6

STALLHOLDER'S PERMIT

No.

.....

(Name)

of.....

(Address)

is hereby permitted to sell.....

(Type of goods)

from a stall erected or placed at.....

.....in the town  
area of Jabiru, subject to the following conditions.....

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

This permit shall remain in force until and including  
....., 19...

Dated this                      day of                      , 19 .

.....

Town Manager

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