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By-laws under the *Local Government Ordinance*

The Corporation of the City of Darwin in pursuance of the powers conferred on it by the *Local Government Ordinance* hereby makes the following by-laws.

Dated this sixth day of April, 1976.

T. ABBOTT  
Town Clerk

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AMENDMENTS OF THE BY-LAWS OF THE MUNICIPALITY  
OF DARWIN

1. The By-laws of the Municipality of Darwin are amended by inserting after Chapter 4 the following chapter:

"CHAPTER 4A  
CAR PARKS"

"1.(1) In this Chapter (unless inconsistent with the context or subject Definitions matter)—

'car park' means an area of land under the control (whether permanently or temporarily) of the Corporation being an area on which there is an official traffic sign containing the words 'CITY OF DARWIN PARKING AREA' whether with or without other words;

'Corporation' means the Corporation of the City of Darwin;

'fixed hours' in relation to a car park means the fixed hours within the meaning of By-law 2 in respect of that car park;

'maximum period' in relation to a parking space in a car park or part of a car park means the maximum period within the meaning of By-law 3 in respect of that car park or part;

'motor vehicle' means motor vehicle within the meaning of Chapter 4 but includes a trailer when not attached to a motor vehicle;

'official traffic sign' means an official traffic sign within the meaning of the *Local Government Ordinance*;

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\* Confirmed by the Administrator's Council in the *Northern Territory Government Gazette* on 22 July, 1976.

'park' means to cause or permit a motor vehicle or trailer to remain standing whether occupied or not;

'parking meter' means a parking meter within the meaning of the *Local Government Ordinance*;

'parking space' means parking space within the meaning of the *Local Government Ordinance* and includes an area bounded—

(a) by parallel lines—

(i) not less than 3 metres long and not more than 5 metres long; and

(ii) not less than 2 metres apart and not more than 3 metres apart, marked on the surface of the car park; and

(b) by imaginary lines drawn at right angles to the ends of one of those marked lines to meet the other marked line;

'parking voucher' means parking voucher within the meaning of the *Local Government Ordinance*.

"(2) An abbreviation specified in the first column of the following table inscribed on an official traffic sign has the meaning specified opposite to it in the second column of that table:

Abbreviation	Meaning
Mon.	Monday
Tue.	Tuesday
Wed.	Wednesday
Thurs.	Thursday
Fri.	Friday
Sat.	Saturday
Sun.	Sunday
min.	minutes
hr.	hour
hrs.	hours
a.m.	the time o'clock between midnight and noon
p.m.	the time o'clock between noon and midnight

#### Fixed Hours

"2.(1) The Corporation may place on or in a car park an official traffic sign on which is inscribed an indication that on certain days and hours, within those days, a charge is payable.

"(2) Where there is an official traffic sign placed on or in a car park in accordance with sub-clause (1), the hours inscribed on that sign, being those referring to the time during which a charge is payable, are the fixed hours in relation to that car park.

"(3) Where there is a sign placed on or in a car park in accordance with sub-clause (1), then a person may not park a motor vehicle in that car park during the fixed hours except in accordance with these By-laws.

"3.(1) The Corporation may place on or in a car park an official traffic sign or official traffic signs on which are inscribed the words 'PARKING LIMIT' followed by a number followed by the word, or an abbreviation of the word, 'MINUTES', 'HOUR' or 'HOURS', whether with or without other words. Maximum  
Period

"(2) The Corporation may, in pursuance of sub-clause (1), place different official traffic signs on or in a car park, displaying different periods of time for different parking spaces in that car park.

"(3) The period of time displayed on an official traffic sign placed on or in a car park in accordance with this By-law is the maximum period in relation to a parking space to which that official traffic sign relates.

"(4) A parking space is one to which an official traffic sign placed in accordance with this By-law, relates if—

- (a) that parking space is located between that sign and another official traffic sign bearing a similar inscription to the first-mentioned sign;
- (b) the inscription borne on that official traffic sign is the same as the inscription borne on each other official traffic sign placed in accordance with this By-law on or in that car park; or
- (c) that official traffic sign is placed in a discrete area of the car park and the inscription borne on that official sign is the same as the inscription borne on each other official traffic sign placed in accordance with this By-law on or in that discrete part of the car park.

"4. Subject to this By-law, where a person parking a car in a car park obtains from a parking meter in that car park a parking voucher or parking vouchers, the voucher or vouchers authorize the parking of the motor vehicle upon a parking space in that car park on the date shown on the voucher or vouchers— Authorized  
Time

- (a) where one voucher is obtained, for a period of one hour after the time shown on the voucher as the time of issue of the voucher; or
- (b) where 2 or more vouchers are obtained, for a period of one hour after the time shown on the first voucher obtained as the time of the issue of that voucher together with a further period of one hour in respect of each voucher so obtained in addition to the first.

"5.(1) A person driving a motor vehicle shall not, on any occasion on which he enters a car park, park the motor vehicle in the car park during the fixed hours in relation to the car park unless— Control of  
car parks

- (a) he obtains, from a parking meter in that car park, in accordance with instructions inscribed on the parking meter, a parking voucher or parking vouchers; and
- (b) he displays and keeps displayed that parking voucher in or on that motor vehicle.

Penalty: 50 dollars.

"(2) For the purposes of sub-clause (1), a parking voucher shall be deemed not to be displayed in or on a motor vehicle (not being a motor cycle or trailer) unless the voucher is so placed against the interior of a windscreen or window of the vehicle that all writing and imprinted words, figures and symbols appearing on

the side of the voucher bearing the date and time of issue of the voucher are capable of being clearly read by a person standing beside the vehicle.

“(3) For the purposes of sub-clause (1), a parking voucher shall be deemed not to be displayed on a motor cycle or trailer unless the voucher is so attached to the motor cycle or trailer that all writing and imprinted words, figures and symbols appearing on the side of the voucher bearing the date and time of issue of the voucher are capable of being clearly read by a person standing beside the motor cycle or the trailer, as the case may be.

“(4) In proceedings for an offence against sub-clause (1), it is a defence for the defendant to establish that he displayed in or on the motor vehicle or trailer concerned a parking voucher or parking vouchers in accordance with this clause and took reasonable steps to ensure that the voucher or vouchers remained so displayed.

Limitation on parking

“6. A person who parks a motor vehicle in a parking space in a car park shall not, during the fixed hours in relation to that parking space, permit that motor vehicle to remain in the parking space—

- (a) after the expiration of the period of time during which the parking of that vehicle upon that parking space is authorized by a parking voucher or parking vouchers; or
- (b) for a period longer than the maximum period.

Penalty: 50 dollars.

Offences with relation to parking

“7. A person shall not park a motor vehicle—

- (a) in a car park unless the vehicle is wholly within a parking space; or
- (b) in any access or exit to a car park.

Penalty: 50 dollars.

Non-metered parking

“8. Where a car park is not equipped with a parking meter, a person who parks a motor vehicle in that car park shall not permit that motor vehicle to remain in that car park during the fixed hours in relation to that car park for a longer period than the maximum period.

Penalty: 50 dollars.

Offences with relation to parking meters etc.

“9. A person shall not—

- (a) insert or cause to be inserted or attempt to insert into the slot of a parking meter anything other than the coin or coins indicated by notice on the meter;
- (b) deface a parking meter or official traffic sign or, without the authority of the Town Clerk, affix any placard, advertisement, notice, list, document or any other thing to, or paint or write upon, any parking meter or official traffic sign;
- (c) tether any animal to a parking meter or official traffic sign; or
- (d) otherwise, without the authority of the Town Clerk, remove, obscure or interfere with a parking meter or official traffic sign.

Penalty: 200 dollars.

"10. A person driving a motor vehicle shall not—

- (a) enter a car park through a driveway at or near which is an official traffic sign displaying the word 'EXIT' or the words 'NO ENTRY' or 'EXIT ONLY'; or
- (b) leave a car park through a driveway at or near which is an official traffic sign displaying the word 'ENTRY', 'IN' or the words 'ENTRY ONLY' or 'NO EXIT'; or
- (c) obstruct or impede the movement of other motor vehicles in a car park.

Offences with relation to entry & exit to car park

Penalty: 50 dollars.

"11. A person, other than a person authorized by the Town Clerk, shall not paint or otherwise mark the surface of a car park.

Only authorized person to mark surface of car park

Penalty: 200 dollars.

"12. Section 354A of the *Local Government Ordinance* applies to these By-laws.

Section 354A of *Local Government Ordinance* to apply

"13.(1) The Town Clerk may—

- (a) erect a barrier in a car park or in a part of a car park; or
- (b) display a notice in a car park or in a part of a car park indicating that the use of the car park or part is temporarily discontinued.

Closing of car park or parking area

"(2) Where a barrier is erected or a notice is displayed in pursuance of sub-clause (1), a person shall not cause a vehicle to stand or wait in the car park or part while that barrier is erected or that notice is displayed.

"(3) A person shall not remove or cause to be removed any barrier erected or notice displayed in accordance with sub-clause (1).

Penalty: 50 dollars.

\*14.(1) Where a person commits an offence against By-laws 5, 6 or 7, and continues to be in default of complying with those By-laws, he is, for each period of 30 minutes during which the default continues, guilty of a further offence and liable to a further penalty of 25 dollars.

Continuing Offences

"(2) For the purposes of this By-law, a person who contravenes or fails to comply with the provisions of By-law 5 on a day shall be deemed to have parked the motor vehicle concerned in the car park at the commencement of the fixed hours of that day.

\* The Legislative Assembly for the Northern Territory on 19 August, 1976 disallowed By-law 14 of Chapter 4A of the By-laws of the Municipality of Darwin. Pursuant to section 15 (2A) of the Interpretation Ordinance By-law 14 ceased to have effect from 19 August, 1976.

