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## No. S 138

### TOWN COUNCILS ACT (CHAPTER 329A)

#### TOWN COUNCIL OF ALJUNIED-HOUGANG (COMMON PROPERTY AND OPEN SPACES) BY-LAWS 2012

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In exercise of the powers conferred by section 24 of the Town Councils Act, the Town Council for the Town of Aljunied-Hougang hereby makes the following By-laws:

### **Citation and commencement**

1. These By-laws may be cited as the Town Council of Aljunied-Hougang (Common Property and Open Spaces) By-laws 2012 and shall come into operation on 2nd April 2012.

### **Definitions**

2.—(1) In these By-laws, unless the context otherwise requires —

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

“housing estate” means a housing estate of the Board within the Town of Aljunied-Hougang;

“park” means to bring a vehicle to a stationary position and cause it to remain for any purpose;

“parking place” has the same meaning as in the Parking Places Act (Cap. 214);

“sign” includes all signals, warning sign posts, direction posts, banners and advertisements;

“vehicle” means a vehicle, whether mechanically propelled or not, intended or adapted for use on the road.

(2) Nothing in these By-laws shall prohibit any officer or employee of the Town Council or any person authorised by the Town Council from doing any act that is reasonably necessary or expedient in the enforcement of these By-laws.

### **Unlawful parking, etc.**

3. No person shall, except with the prior written permission of the Town Council —

(a) park any vehicle on any common property or in any open space other than in a parking place; or

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- (b) use, ride or drive on any common property or in any open space any vehicle other than a perambulator, a child's toy vehicle used solely by a child or a wheel-chair used solely for the conveyance of persons suffering from some physical defect or disability.

### **Power to remove and detain vehicles**

4.—(1) Where a vehicle is parked on any common property or in any open space in contravention of any by-law, the secretary may in his discretion and by himself or by an officer authorised by the Town Council (referred to in this by-law as the authorised officer) —

- (a) remove the vehicle to a place of safety or any other place and detain the vehicle thereat; or
- (b) prevent the removal of the vehicle without his consent by fixing an immobilisation device to the vehicle.

(2) Where the secretary or the authorised officer has removed any vehicle to a place of safety or any other place under paragraph (1)(a) or fixed an immobilisation device to the vehicle under paragraph (1)(b), the secretary or the authorised officer shall, with reasonable despatch, give notice in writing to the owner of the vehicle as to the procedure by which he may secure the release of the vehicle.

(3) The notice referred to in paragraph (2) shall be served on the owner of the vehicle —

- (a) by post where the vehicle has been removed to a place of safety or any other place under paragraph (1)(a); or
- (b) by affixing the notice onto the windscreen or any conspicuous part of the vehicle where an immobilisation device has been fixed to the vehicle under paragraph (1)(b).

(4) No vehicle which has been removed and detained by the secretary or the authorised officer or to which an immobilisation device has been fixed in accordance with this by-law shall be released to the owner of the vehicle except —

- (a) by or under the direction of the secretary or the authorised officer; and

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(b) upon the owner of the vehicle having paid all expenses incurred by the Town Council in the removal and detention, and all fines and composition sums payable by the owner for any offence under these By-laws in respect of that vehicle.

(5) Any person who, without the authority of the secretary or the authorised officer, removes or tampers with any notice affixed to a vehicle under paragraph (3)(b) shall be guilty of an offence.

(6) Any person who, without being authorised to do so in accordance with this by-law, removes or attempts to remove —

(a) any vehicle from any place at which it is being detained under this by-law; or

(b) an immobilisation device fixed to a vehicle in accordance with this by-law,

shall be guilty of an offence.

(7) Where any vehicle which has been removed and detained by the secretary or the authorised officer or to which an immobilisation device has been fixed in accordance with this by-law is not claimed by the owner within one month after the date of receipt of any notice given under paragraph (2), the secretary may, after giving one month's notice in the *Gazette* of his intention to do so, sell the vehicle by public auction or otherwise dispose of the vehicle in any manner as he thinks fit.

(8) The proceeds of the sale or disposal of any such vehicle shall be applied —

(a) firstly, in payment of any expenses incurred in carrying out the provisions of this by-law; and

(b) thereafter in payment of all fines and composition sums payable under these By-laws in respect of that vehicle, and the surplus, if any, shall be paid to the owner of the vehicle.

(9) In this by-law, “immobilisation device” means any device or appliance designed or adapted to be fixed to any part of a vehicle for the purpose of preventing the vehicle from being driven or otherwise put in motion, being a device or an appliance of such type approved

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by the secretary or an officer authorised by the Town Council in that behalf.

### **Repairing, painting, etc., of vehicles**

5.—(1) No person shall repair, paint, spray, test or service or cause or permit to be repaired, painted, sprayed, tested or serviced any vehicle on any common property or in any open space.

(2) Paragraph (1) shall not apply to such repairs as may be reasonably necessary to enable the vehicle to be removed from the common property or open space.

### **Obstruction of common property**

6.—(1) No person shall obstruct or cause or permit the obstruction of the lawful use of any common property with any object, fixture or thing.

(2) The Town Council may remove and detain any object, fixture or thing obstructing the lawful use of any common property.

(3) The Town Council shall immediately give written notice to the owner or person having lawful possession of the object, fixture or thing removed and detained by the Town Council that he may, on payment of the expenses incurred by the Town Council in the removal and detention, claim possession of it from the Town Council within 30 days after the date of receipt of such notice.

(4) If the object, fixture or thing removed and detained by the Town Council is not claimed by the owner or person having lawful possession thereof within the period specified in paragraph (3), the Town Council may —

- (a) dispose of such object, fixture or thing by public auction or otherwise; and
- (b) apply the proceeds of the sale to the expenses incurred by the Town Council in the removal and detention, and the surplus, if any, shall be paid to the owner or person having lawful possession of the object, fixture or thing when it was removed and detained.

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**Damage to common property**

7.—(1) No person shall remove, destroy, damage or deface, or remove any earth or soil from, any common property.

(2) The costs and expenses (including administrative costs) incurred by the Town Council in restoring any damaged common property to its condition before such removal, destruction, damage or defacement or in replacing earth, soil or any other property that has been removed shall constitute a debt due to the Town Council and shall be recoverable as such.

**Littering on and soiling common property and open spaces**

8.—(1) No person shall throw or deposit or cause or permit to be thrown or deposited any dust, dirt, ash, refuse, rubbish, food or other matter or thing onto any common property or into any open space except in a refuse chute, dustbin or other refuse or litter container or receptacle designated for that purpose.

(2) No person shall permit any dog, cat, pet or other animal belonging to him or in his charge to urinate, defecate or otherwise soil any common property or open space.

**Entertainment and sale of goods on common property and open spaces**

9. No person shall, except with the prior written permission of the Town Council —

(a) hold or stage or cause the holding or staging of any show, play, wayang or other similar entertainment or any reception or formal party; or

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

**Damage to turf, plant, shrub or tree**

10.—(1) Subject to paragraph (2), no person shall —

(a) remove, cut, damage or dispose of any turf, plant, shrub or tree or part thereof situated on any common property or in any open space; or

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(b) pick a shrub or plant or any part thereof situated on any common property or in any open space.

(2) Nothing in paragraph (1) shall prohibit any person authorised by the Town Council from picking or removing any fruit or other produce from any plant, shrub or tree situated on any common property or in any open space.

### **Bathing, etc., in fountains**

**11.** No person shall —

(a) bathe, wade or wash in; or

(b) cause or permit any animal belonging to him to enter or remove any thing from,

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

### **Playing of games**

**12.** Where the Town Council has set apart any part of any common property or open space described in a notice board affixed or set up in some conspicuous position in that part of the common property or open space for the purpose of —

(a) roller skating;

(b) riding of skateboards; or

(c) any game specified in the notice which may, by reason of the rules or manner of playing, or for the prevention of damage, danger or discomfort to any person on the common property or in the open space, necessitate at any time during the continuance of the game the exclusive use by the players of any space in such part of the common property or open space,

no person shall, on any common property or in any open space elsewhere, roller skate, ride a skateboard or play or take part in any game so specified.

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

13.—(1) No person shall endanger the life of, or cause any injury to, any person or cause damage to any property within the Town or cause any nuisance, annoyance or inconvenience to any person by throwing, or allowing to fall, from his flat or any part of the building in a housing estate within the Town, any pot, plant, ornament, article, object or substance.

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

- (a) endanger the life of any person;
- (b) cause injury to any person; or
- (c) cause damage to that or other common property or the property of any other person.

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

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

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

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

(7) If the pot, plant, ornament, article, object or substance removed and detained by the Town Council under paragraph (4) or (5) is not claimed within the period specified in paragraph (6) by the owner or occupier of the flat or other person who had lawful possession thereof when it was removed and detained, the Town Council may —

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

### **Obstruction of refuse chutes**

**14.** No person shall throw or deposit or cause or permit to be thrown or deposited into any refuse chute in a building in any housing estate within the Town any object, material, thing, article or substance which will or is likely to choke, clog or obstruct the free fall of refuse in the chute or cause any nuisance, annoyance or inconvenience to other occupiers of the building.

### **Usage beyond operating hours**

**15.—**(1) If the Town Council designates any operating hours for any common property or open space, a person must not use that common property or open space outside of those hours.

(2) Paragraph (1) does not affect any public right of way.

*[S 427/2021 wef 01/07/2021]*

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**Dumping and renovation debris**

**16.** No person shall —

- (a) place, deposit, keep or leave, or cause or permit to be placed, deposited, kept or left, any material, article, object or thing on any common property or in any open space except on such common property or in such open space designated by the Town Council for that purpose; or
- (b) transport any renovation debris or other building material in any lift in a building in any housing estate within the Town, or over any other common property, except with the prior written permission of the Town Council.

**Diversion of water or electricity**

**17.** No person shall, except with the prior written permission of the Town Council, draw, divert or take —

- (a) any water from any tap, pipe or water service installation for the supply of water situated on any common property or in any open space; or
- (b) any electricity from any socket, electrical supply line or electrical installation for the supply of electricity situated on any common property or in any open space.

**Trespassing onto lift motor rooms, etc.**

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

**Display of signs**

**19.** No person shall display or cause or permit to be displayed any sign on any common property or in any open space except with the prior written permission of the Town Council.

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### **Unauthorised structures**

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

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

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

### **Service of documents**

**21.** Except insofar as these By-laws otherwise expressly provide, any document required by these By-laws to be served on any person may be served on the person —

- (a) by delivering the document to the person or to some adult member or employee of his family or household at the usual or last known place of residence;
- (b) by leaving the document at his usual or last known place of residence or place of business in an envelope addressed to the person;
- (c) by sending the document by registered post to the person at his usual or last known place of residence or place of business; or
- (d) in the case of an incorporated company, a partnership or a body of persons —
  - (i) by delivering the document to the secretary or other like officer of the company, partnership or body of persons at its registered office or principal place of business; or

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- (ii) by sending the document by registered post addressed to the company, partnership or body of persons at its registered office or principal place of business.

### **Compoundable offences**

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

### **Revocation**

**23.** The following By-laws are revoked:

- (a) The Town Council of Hougang (Common Property and Open Spaces) By-laws (By 33); and
- (b) The Town Council of Aljunied (Common Property and Open Spaces) By-laws (By 41).

Made this 3rd day of March 2012.

SYLVIA LIM  
*Chairman,  
The Town Council for  
the Town of Aljunied-Hougang,  
Singapore.*

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