
First published in the *Government Gazette*, Electronic Edition, on 28th January 2016 at 5:00 pm.

No. S 42

**TOWN COUNCILS ACT
(CHAPTER 329A)**

**TOWN COUNCIL OF JURONG-CLEMENTI
(COMMON PROPERTY AND OPEN SPACES)
BY-LAWS 2016**

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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 Jurong-Clementi makes the following By-laws:

Citation and commencement

1. These By-laws are the Town Council of Jurong-Clementi (Common Property and Open Spaces) By-Laws 2016 and come into operation on 1 February 2016.

Definitions

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

“building” means a building in a housing estate of the Board in the Town;

“common property” means the common property in the Town;

“mobility aid” means any of the following carrying an individual who is unable to walk or has difficulty in walking:

(a) a wheelchair (motorised or otherwise);

(b) a mobility scooter as defined by the Active Mobility Act 2017 (Act 3 of 2017);

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“open space” means an open space in the Town;

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

“parking place” has the same meaning as in section 2 of the Parking Places Act (Cap. 214);

“public path” means a path declared under section 6 of the Active Mobility Act 2017 as a public path;

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“secretary” means the secretary to the Town Council appointed under section 20(1) of the Act;

“sign” includes a signal, warning sign post, direction post, notice, poster, banner or advertisement;

“Town” means the Town of Jurong-Clementi;

“Town Council” means the Town Council of the Town;

“vehicle” means a vehicle, whether mechanically propelled or not, intended or adapted for use on a road, such as (but not limited to) a bicycle, power-assisted bicycle or personal mobility device as defined by the Active Mobility Act 2017, but excludes any mobility aid.

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Unlawful parking, etc.

3.—(1) A person must not, without the prior written permission of the Town Council —

- (a) park a vehicle on any common property or in an open space that is not a parking place; or
- (b) use, ride or drive on any common property or in an open space a vehicle other than a perambulator, a child’s toy vehicle used solely by a child, or a mobility aid.

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(2) Paragraph (1)(b) does not apply to any common property or open space that is a public path within the Town.

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Unlawful dumping, etc.

4.—(1) A person must not —

- (a) place, deposit, keep or leave, or cause or permit to be placed, deposited, kept or left, a material, article, object or thing on any common property or in an open space, except on such common property or in such open space designated by the Town Council for that purpose; or
- (b) without the prior written permission of the Town Council, transport renovation debris or other building material in a lift in a building or over any common property.

(2) If a dog, cat or other animal defecates on any common property or in an open space, the person who owns or is responsible for the control of the dog, cat or other animal must immediately remove the faeces and dispose of the faeces in a lawful and suitable manner.

Unauthorised structures

5.—(1) A person must not, without the prior written permission of the Town Council, erect or install a fixture, structure or thing on any common property or in an open space.

(2) A person who erects or installs a fixture, structure or thing in contravention of paragraph (1) must, within 7 days after the Town Council has served a written notice on the person —

- (a) remove, at the person's expense, that fixture, structure or thing; and
- (b) repair any damage caused to the common property or open space as a result of the erection or installation.

(3) If the person does not comply with paragraph (2), the Town Council may —

- (a) remove the fixture, structure or thing;
- (b) repair any damage caused to the common property or open space as a result of the erection or installation; and
- (c) recover from the person the expenses incurred by the Town Council for the removal and repair.

Power to remove and detain vehicles

6.—(1) Paragraph (2) applies in respect of a vehicle that —

- (a) is parked on any common property or in an open space in contravention of by-law 3(1)(a); or

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- (b) appears to have been abandoned on any common property or in an open space.

(2) The secretary or an officer authorised by the Town Council (called the authorised officer) may —

- (a) remove the vehicle to and detain it at a place of safety or any other suitable place; or
- (b) immobilise the vehicle by affixing an immobilisation device to the vehicle to prevent the removal of the vehicle

without the consent of the secretary or the authorised officer.

(3) The secretary or the authorised officer must, as soon as practicable after the detention or immobilisation of the vehicle, give a written notice to the owner of the vehicle as to the procedure by which the owner may secure its release.

(4) The notice must be served on the owner —

(a) in the case where the vehicle has been removed and detained, in accordance with by-law 20 or, where this is not possible, by posting the notice on a notice board maintained by the Town Council nearest that part of the common property or open space where the vehicle was removed from; or

(b) in the case where the vehicle has been immobilised, by affixing the notice on the windscreen or a conspicuous part of the vehicle.

(5) The vehicle must not be released by any person to the owner of the vehicle unless —

(a) the owner has paid all the expenses incurred by the Town Council in the removal and detention, or the immobilisation, of the vehicle; and

(b) the secretary or the authorised officer has directed the release of the vehicle to the owner.

(6) A person must not, without the authorisation of the secretary or the authorised officer —

(a) remove or attempt to remove —

(i) the vehicle from the place at which the vehicle is detained; or

(ii) the immobilisation device affixed to the vehicle; or

(b) remove or tamper with the notice affixed to the vehicle under paragraph (4)(b).

(7) If the owner of the vehicle does not claim the vehicle within 30 days after the date of its detention or immobilisation, the Town Council may sell the vehicle or otherwise dispose of it.

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(8) The Town Council may apply the proceeds of the sale or disposal of the vehicle to meet the expenses incurred by the Town Council under this by-law before paying the balance (if any) of the proceeds to the owner of the vehicle.

(9) Where the proceeds are insufficient to meet the expenses incurred by the Town Council under this by-law, the Town Council may recover the balance of the expenses from the owner of the vehicle.

(10) In this by-law, “immobilisation device” means a device or appliance —

- (a) which is designed or adapted to be fixed to a part of a vehicle for the purpose of preventing the vehicle from being driven or otherwise put in motion; and
- (b) which is of such type approved by the secretary or an officer authorised by the Town Council for the purposes of this by-law.

Repairing, painting, etc., of vehicles

7.—(1) A person must not repair, paint, spray, test or service, or cause or permit to be repaired, painted, sprayed, tested or serviced, a vehicle on any common property or in an open space.

(2) Paragraph (1) does not apply to repairs that are reasonably necessary for the removal of the vehicle from the common property or open space.

Playing of games

8.—(1) The Town Council may designate a part of any common property or an open space (called the designated area), as described in a notice board affixed on or set up in a conspicuous place in the designated area, as an area where a person may —

- (a) roller skate;

(b) ride a skateboard; or

(c) play a game specified in the notice board.

(2) A person must not roller skate, ride a skateboard, or play or take part in a game specified in the notice board, on or in any common property or open space, except in the designated area.

Obstruction of common property

9.—(1) A person must not, with an object, fixture or thing, obstruct, or cause or permit the obstruction of, the lawful use of any common property.

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

(3) The Town Council must immediately give a written notice to —

(a) the owner of the object, fixture or thing so removed and detained; or

(b) if the owner cannot be found or ascertained, the person (called the other person) who had lawful possession of the object, fixture or thing prior to its removal,

stating that he or she may, on payment of the expenses incurred by the Town Council in removing and detaining the object, fixture or thing, claim possession of it from the Town Council.

(4) If the object, fixture or thing is not claimed by the owner or the other person within 30 days after its removal and detention, the Town Council may —

(a) dispose of it by public auction or otherwise; and

(b) apply the proceeds of the disposal to meet the expenses incurred by the Town Council under this by-law, and pay the balance (if any) of the proceeds to —

(i) the owner; or

(ii) if the owner cannot be found or ascertained, the other person.

(5) Where the proceeds are insufficient to meet the expenses incurred by the Town Council under this by-law, the Town Council may recover the balance of the expenses from —

- (a) the owner; or
- (b) if the owner cannot be found or ascertained, the other person.

Littering on common property and open spaces

10. A person must not throw or deposit, or cause or permit to be thrown or deposited, dust, dirt, ashes, refuse, rubbish or other matter or thing, into or onto any common property or an open space, other than in a refuse chute or other refuse or litter container or receptacle designated by the Town Council for that purpose.

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

11.—(1) A person (called the first person) must not endanger life or property, or cause nuisance, annoyance or inconvenience to another person in the Town, by throwing, or allowing to fall from the first person's flat or any part of a building, an object, material, thing, article or substance.

(2) A person must not place a pot, plant, ornament, article, object or substance on or at a window-sill, corridor or other part of the common property in a 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 any common property or the property of another person.

(3) The Town Council may, by a written notice, direct —

- (a) an owner of a flat in the Town; or
- (b) an occupier of the flat,

to remove, within 7 days after the date of the notice, a pot, plant, ornament, article, object or substance that is placed on or at a

window-sill, corridor or other part of the common property outside the flat in contravention of paragraph (2).

(4) If the owner or the occupier fails to comply with the notice under paragraph (3), the Town Council may remove and detain the pot, plant, ornament, article, object or substance.

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

(6) The Town Council must, immediately after the removal and detention of the pot, plant, ornament, article, object or substance under paragraph (4) or (5), give a written notice to —

- (a) the owner or the occupier, as the case may be; or
- (b) if the owner and the occupier cannot be found or ascertained, the person (called the other person) who had lawful possession of the pot, plant, ornament, article, object or substance prior to its removal,

that he or she may, on payment of the expenses incurred by the Town Council in the removal and detention of the pot, plant, ornament, article, object or substance, claim possession of it from the Town Council.

(7) If the pot, plant, ornament, article, object or substance is not claimed by the owner, the occupier or the other person within 30 days after its removal and detention, the Town Council may —

- (a) dispose of it by public auction or otherwise; and
- (b) apply the proceeds of the disposal to meet the expenses incurred by the Town Council under this by-law and pay the balance (if any) of the proceeds to —
 - (i) the owner or the occupier, as the case may be; or
 - (ii) if the owner or the occupier cannot be found or ascertained, the other person.

(8) Where the proceeds are insufficient to meet the expenses incurred by the Town Council under this by-law, the Town Council may recover the balance of the expenses from —

- (a) the owner or the occupier, as the case may be; or
- (b) if the owner or the occupier cannot be found or ascertained, the other person.

Damage to turf, plant, shrub or tree

12. A person must not —

- (a) remove, cut, damage or dispose of a turf, plant, shrub or tree (or a part of the turf, plant, shrub or tree), situated on any common property or in an open space; or
- (b) pick a shrub or plant (or a part of the shrub or plant) situated on any common property or in an open space.

Damage to common property

13.—(1) A person must not remove, destroy, damage or deface any common property, or remove any earth, soil or property from the common property.

(2) If a person contravenes paragraph (1), the costs and expenses (including administrative costs) incurred by the Town Council in replacing or restoring the common property to its condition before the removal, destruction, damage or defacement, or in replacing the earth, soil or property removed from the common property, are recoverable from the person as a debt due to the Town Council.

Display of signs

14. A person must not, without the prior written permission of the Town Council, display, or cause or permit to be displayed, a sign on any common property or in an open space.

Diversion of water or electricity

15. A person must not, without the prior written permission of the Town Council, draw, divert or take —

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

Entertainment or public gathering and sale of goods or services on common property and open spaces

16. A person must not, without 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 entertainment, or any reception, formal party or public gathering, on any common property or in an open space; or
- (b) sell, or offer or exhibit for sale, goods or services, on any common property or in an open space.

Swimming, fishing, bathing, etc.

17. A person must not —

- (a) bathe, wade, wash, swim or fish in;
- (b) cause or permit any animal belonging to the person or in the person's charge or control to enter or remove any thing from,

a pond, lake or fountain that is in the Town and maintained by the Town Council.

Trespassing onto lift motor room, etc.

18. A person must not, without the prior written permission of the Town Council, enter —

- (a) a lift motor room; or
- (b) any common property that —
 - (i) is a fenced enclosure, building or room; and

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-
- (ii) contains an installation for the use or supply of water or electricity.

Obstruction of rubbish chutes

19. A person must not throw or deposit, or cause or permit to be thrown or deposited, into a refuse chute in a building, an object, material, thing, article or substance which will or is likely to —

- (a) choke or clog the refuse chute;
- (b) obstruct the free fall of refuse in the refuse chute; or
- (c) cause nuisance, annoyance or inconvenience to other occupiers of the building.

Service of documents

20.—(1) Unless otherwise expressly provided in these By-laws, a notice or document required by these By-laws to be given to or served on a person may be given to or served on the person —

- (a) by delivering the notice or document to the person or to some adult member or employee of the person's family or household at the person's last known place of residence;
- (b) by leaving the notice or document at the person's usual or last known place of residence or place of business in an envelope addressed to the person;
- (c) by sending the notice or document by registered post addressed to the person at the person's 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 notice or 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
 - (ii) by sending the notice or document by registered post addressed to the company, partnership or body of

persons at its registered office or principal place of business.

(2) A notice or document sent by registered post to a person in accordance with paragraph (1) is deemed to be duly served on the person at the time when the notice or document would in the ordinary course of post be delivered and, in proving service of the notice or document, it is sufficient to prove that the envelope containing the same was properly addressed, stamped and posted by registered post.

Compoundable offences

21. Any offence under these By-laws (read with section 24(9) of the Act) may be compounded by the Town Council in accordance with section 49 of the Act.

By-laws not to prevent officers of Town Council, etc., from enforcing By-laws

22. These By-laws do not prevent an officer or employee of the Town Council, or a person authorised by the Town Council, from doing an act that is reasonably necessary or expedient to enforce these By-laws.

Public paths not affected

22A. These By-laws do not affect the rights of the public to pass along a public path within the Town in accordance with the Active Mobility Act 2017.

[S 591/2019 wef 01/09/2019]

Revocation

23. The following By-laws are revoked:

- (a) Town Council of Jurong (Common Property and Open Spaces) By-laws 2002 (G.N. No. S 103/2002);

Made on 23 January 2016.

DAVID ONG KIM HUAT
Chairman,
The Town Council for
the Town of Jurong-Clementi,
Singapore.

[AG/LEGIS/SL/329A/2015/15 Vol. 1]