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TOWN COUNCILS ACT
(CHAPTER 329A)

TOWN COUNCIL OF HOLLAND-BUKIT PANJANG (COMMON
PROPERTY AND OPEN SPACES) BY-LAWS 2002

ARRANGEMENT OF BY-LAWS

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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 Holland-Bukit Panjang hereby makes the following By-laws:

Citation and commencement

1. These By-laws may be cited as the Town Council of Holland-Bukit Panjang (Common Property and Open Spaces) By-laws 2002 and shall come into operation on 1st February 2002.

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 Holland-Bukit Panjang;

“facility” means any article, object, equipment, appliance, device or thing provided or maintained by the Town Council or any person approved by the Town Council for the use by and convenience of members of the public;

“housing estate” means a housing estate of the Board within the Town of Holland-Bukit Panjang;

“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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“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);

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

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

“trade refuse” means any waste, refuse, box, article, container, object or thing produced or discarded in the course of or as a waste product of any trade or business;

“vehicle” means a vehicle, whether mechanically propelled or not, intended or adapted for use on the 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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(2) Nothing in these By-laws shall prohibit officers or employees 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.

(3) These By-laws do not affect the rights of the public to pass along a public path within the Town of Holland-Bukit Panjang in accordance with the Active Mobility Act 2017.

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Dumping and renovation debris

3.—(1) 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 in such common property or 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, or over any other common property, except with the prior written permission of the Town Council.

(2) No person shall place, deposit, keep or leave or cause or permit to be placed, deposited, kept or left any trade refuse on any common property or in any open space except in a refuse or litter container or receptacle designated for that purpose.

Obstruction of common property

4.—(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 such removal and detention, claim possession from the Town Council within 30 days of such removal and detention.

(4) If the object, fixture or thing removed and detained by the Town Council under paragraph (2) is not claimed by the owner or person having lawful possession thereof within 30 days of such removal and detention, the Town Council may —

- (a) dispose of it 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 or person having lawful possession thereof.

Damage to common property

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

(2) No person shall remove, destroy, damage or vandalize any facility situated on any common property or in any open space.

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

Misuse of common property and open spaces

6. No person shall —

- (a) bathe, wash, wade, swim or fish in; or
- (b) cause or permit any animal belonging to him or under his charge to enter, or to remove any thing from, any pond, lake or fountain maintained by the Town Council.

Damage to turf, plant, shrub or tree

7.—(1) No person shall 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.

(2) No person shall pick a shrub or plant or any part thereof situated on any common property or in any open space.

(3) No person shall plant, cultivate or grow, or cause or permit to be planted, cultivated or grown, any plant, shrub or tree on any common property or in any open space without prior written permission of the Town Council.

(4) No person shall cause or permit any plant, shrub or tree belonging to him to damage or encroach into any common property or open space.

Unlawful parking, etc.

8.—(1) No person shall, without the prior written permission of the Town Council —

- (a) park any vehicle on any common property or in any open space that is not a parking place; or
- (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 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 of Holland-Bukit Panjang.

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Power to detain or remove vehicles

9.—(1) Where a vehicle is parked on any common property or in any open space in contravention of any by-law, or it appears to the secretary or an officer authorised by the Town Council that any vehicle which has broken down or been permitted to remain at rest on any common property or in any open space, has been abandoned without lawful authority, the secretary or an officer authorised by the Town Council —

- (a) may detain the vehicle by any means, including preventing the removal of the vehicle without the consent of the secretary or authorised officer by fixing an immobilisation device to the vehicle, and, if the vehicle is detained, shall give notice in writing of the detention to the owner or person who had lawful possession of the vehicle when it was detained that he may, on payment of the expenses incurred by the Town Council in respect of such detention, claim possession of the vehicle within 7 days of such notice being served on him; and
- (b) if such owner or person cannot be located upon reasonable inquiry being made by the Town Council, may cause to be displayed such notice referred to in sub-paragraph (a) at the nearest block's notice board, and if such owner thereafter fails to claim possession of the vehicle within the period specified in the notice, the Town Council may remove or cause the vehicle to be removed to a place of safety.

(2) Where any vehicle is removed under paragraph (1) to a place of safety, the secretary shall, with all reasonable despatch, give notice in writing of the removal to the owner or person who had lawful possession of the vehicle when it was removed that he may, on payment of the expenses incurred by the Town Council in respect of such removal, claim possession of the vehicle within 30 days of such removal.

(3) Where the Town Council has detained or removed or caused the detention or removal of any vehicle to a place of safety under

paragraph (1), the owner or person who had lawful possession of the vehicle when it was detained or removed shall —

- (a) in the case of detention, within the period specified in paragraph (1)(a); or
- (b) in the case of removal, within the period specified in paragraph (2), pay all expenses incurred by the Town Council in respect of such detention or removal, as the case may be.

(4) If the owner of the detained or removed vehicle, or the person who had lawful possession of the vehicle when it was detained or removed, does not claim the vehicle within 30 days after the date notice is given or displayed under paragraph (1)(a) or (b) or (2) of the detention or removal, as the case may be, the Town Council may sell the vehicle or otherwise dispose of it.

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

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Repairing, painting, etc., of vehicles

10.—(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.

Playing of games

11. 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 or in the common property or 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 or in any common property or open space elsewhere roller skate, ride a skateboard or play or take part in any game so specified.

Entertainment and sale of goods on common property and open spaces

12. No person shall, 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 or formal party on any common property or in any open space;
- (b) sell or offer or expose for sale any commodity or article on any common property or in any open space.

Display of signs

13. 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.

Unauthorised structures

14.—(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 and upon such conditions which the Town Council may impose.

(2) Any person who has 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 of that request being served on him, in default of which the Town Council may remove that 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 that person.

Diversion of water or electricity

15. No person shall draw, divert or take —

- (a) any water from any water service installation for the supply of water, tap or pipe situated on any common property; or
- (b) any electricity from any electrical installation for the supply of electricity, socket or electrical supply line situated on any common property, except with the prior written permission of the Town Council.

Obstruction of refuse chutes

16. 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 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.

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

17.—(1) No person shall endanger life or property or cause any nuisance, annoyance or inconvenience to any person within the Town by throwing, or allowing to fall, from his flat or any part of the building in any housing estate, any object, material, thing, article or substance.

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

Council, is likely to cause injury or cause damage to any 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 of the date 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 that owner or occupier.

(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 within the Town 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).

(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 of such removal and detention.

(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 30 days of such removal and detention 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

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- (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.

Misuse of lifts

18. No person shall jam, misuse or obstruct or cause or permit to be jammed, misused or obstructed any lift door in any building in the housing estate with any material, article, object or thing.

Trespassing onto lift motor rooms, etc.

19. No person shall, except with the prior written permission of the Town Council, enter any lift motor room or any 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.

Service of documents

20. Any document required by these By-laws to be served on any person may be served —

- (a) by delivering the document to that person or delivering the document at the usual or last known place of residence of that person to some adult member or servant of his family;
- (b) by sending the document by registered post to the usual or last known place of residence or business of the person;
- (c) by leaving the document at the usual or last known place of residence or business of the person in a cover addressed to that person; or
- (d) where the person is a body corporate —
 - (i) by delivering the document to the secretary or other like officer of the body corporate at its registered office or principal place of business; or
 - (ii) by sending the document by registered post to the registered office of the body corporate.

Composition of offences

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

Made this 1st day of February 2002.

TEO HO PIN
Chairman,
The Town Council for the Town of
Holland-Bukit Panjang,
Singapore.