

**EXTRAORDINARY
GOVERNMENT OF FIJI GAZETTE SUPPLEMENT**

No. 3

TUESDAY, 19th JANUARY

2021

[LEGAL NOTICE NO. 3]

LOCAL GOVERNMENT ACT 1972

Savusavu (Car Park) By-laws 2021

IN exercise of the powers conferred on it by section 122 of the Local Government Act 1972, the Savusavu Town Council, with the approval of the Minister, hereby makes these By-laws—

Short title and commencement

- 1.—(1) These By-laws may be cited as the Savusavu (Car Park) By-laws 2021.
- (2) These By-laws come into force on the date of publication in the Gazette.

Interpretation

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

“attendant” means a person appointed under by-law 5 to collect parking fees and issue receipts of the parking fees to the drivers;

“car park” means an area, building or part of a building, designated under by-law 3 as a car park;

“chief executive officer” means the person appointed as the Council’s chief executive officer under section 35 of the Act and includes the acting chief executive officer; and

“Council” means the Savusavu Town Council.

Designation of car parks

3. An area listed in Schedule 1 is designated as a car park.

Management of car parks

4. Every car park comes under the immediate management and control of an attendant.

Appointment of attendants

5. The chief executive officer may appoint attendants for the purposes of these By-laws.

Directions

6. A person using the precincts of a car park must comply with any reasonable directions given by an attendant for the purposes of observing good order and cleanliness in the car park.

Maximum weight

- 7.—(1) The Council may determine the maximum weight for a vehicle permitted to enter a car park.

(2) If the Council determines the maximum weight under paragraph (1), the attendant must not allow a vehicle which exceeds or appears to exceed the maximum weight to enter a car park.

Opening hours

8. The Council may specify the opening and closing hours of a car park.

Parking charges

9.—(1) The parking charges for the purposes of these By-laws are set out in Schedule 2.

(2) The driver or owner of a vehicle is liable to pay the parking charges set out in Schedule 2 and must pay the parking charges before leaving the car park.

Collection of parking charges

10.—(1) A driver of a vehicle driving into a car park must obtain a parking ticket from the attendant before proceeding to park the vehicle.

(2) If the driver drives out of the car park, the driver must present the parking ticket to the attendant for the purposes of calculating the charges and must pay the charges.

(3) If the driver cannot produce the parking ticket, the driver is assumed to have driven into the car park at the beginning of the opening hours for the purpose of calculating the parking charges.

(4) A person must not remove a vehicle from a car park unless the attendant is present and the parking charges have been paid.

Parking permits

11.—(1) The Council may issue monthly or yearly permits on payment of charges in advance, allowing a vehicle to be parked in a specified parking space in a car park for a specified period.

(2) A permit is not transferable and no refund is allowed if the permit is not used.

Inspection of parking tickets

12. A driver of a vehicle in a car park must produce his or her parking ticket or permit for inspection if required by an attendant.

Parking spaces

13.—(1) A driver of a vehicle must not park or stop the vehicle in a car park unless directed by an attendant or within an unoccupied space marked for parking.

(2) The driver must not stop or park the vehicle in a way that obstructs or hinders the passage ways within a car park.

Towing of vehicles

14.—(1) If a vehicle is stationary or parked contrary to by-law 13(2), the attendant may have the vehicle towed away from the car park to a pound by any method and route as is appropriate having regard to the circumstances of the case.

(2) If a vehicle is towed away, any parking charges and expenses incurred must be paid by the owner of the vehicle.

(3) The vehicle must not be released from the pound unless the parking charge and expenses incurred have been paid to the attendant.

Other offences

15. A person who—

- (a) obstructs or hinders an attendant in the performance of his or her duties under these By-laws;
- (b) makes any alteration to the alignment of a car park or causes an obstruction into a car park;
- (c) sells or offers for sale any produce or goods in a car park; or
- (d) solicits or distributes pamphlets in a car park without the approval of the Council,

commits an offence.

Exemption of liability

16.—(1) Nothing in these By-laws or in any ticket or permit makes the Council liable to any person for any loss or damage to any vehicle or its contents or for personal injury to any person in a car park.

(2) The Council must cause a conspicuous notice to be posted at the entrance to every car park disclaiming liability under paragraph (1).

Penalty

17. A person who contravenes a provision of these By-laws commits an offence and is liable on conviction to a fine of \$400 or imprisonment for a term not exceeding 6 months or both.

Approved this 24th day of December 2020.

P. D. KUMAR
Minister for Local Government

Made this 24th day of December 2020.

J. HUNTER
Chairperson of Special Administrators
Savusavu Town

SCHEDULE 1
(By-law 3)

DESIGNATION OF CAR PARK

1. Foreshore Car Park contained in Lot 2 State Lease 2440
2. Ganilau Park Car Park contained in Lot 1 DP 9496

SCHEDULE 2
(By-law 9)

PARKING CHARGES (VEP)

Type of vehicle	Charge per hour or part of an hour
(a) Private Car	\$1