

LOCAL GOVERNMENT ACT 1960

Municipality of the Shire of Wagin

**By-law relating to-Verandahs Removal of
Wagin Memorial Swimming Pool
To Regulate Hawkers and Stalls**

In pursuance of the powers confirmed upon it by the abovementioned Act and all other powers enabling it, the Council of the abovementioned municipality hereby records having resolved on the 17th day of October 1989 to make and submit by-laws for confirmation by His Excellency the Governor as follows-

"Verandahs (Removal of)" published in the *Government Gazette* on 21 February 1963;

"Wagin Memorial Swimming Pool" published in the *Government Gazette* on 1 June 1967 and amended on 25 October 1967, 24 February 1970, 21 February 1975 and 24 October 1980;

"To Regulate Hawkers and Stalls" published on 15 August 1958.

- (a) By-law No. 2 Verandahs (Removal of).
The By-law is repealed.
- (b) By-laws relating to the Wagin Memorial Swimming Centre.
By-law 31 is amended by deleting the word-
"premises" in line three and adding "premises, with the exception of a bona fide guide dog accompanying blind or partially blind persons or bona fide hearing dogs accompanying deaf or partially deaf persons".
- (c) By-law to Regulate Hawkers and Stalls.
The By-law is amended by-
 - (i) The title is amended by deleting "Wagin Road Board" and substituting "The Municipality of the Shire of Wagin".
 - (ii) Clause 1 is amended by deleting the definitions of "Board", "District" and "Secretary" and inserting the following-
"Council" means the Council of the Municipality of the Shire of Wagin.
"District" means the District of the Municipality of the Shire of Wagin.
"Shire Clerk" means the Shire Clerk of the Shire of Wagin.
Clause 3 is amended by deleting the word "Board" in line two and substituting the word "Council".
Clause 4 (1) and (2) are amended by deleting the word-
"Secretary" in lines two and seven and substituting the words "Shire Clerk".
Clause 5 is amended by deleting the word "Board" in line three and substituting the word "Council".
Clause 6 (1) is amended by deleting the word "Board" in lines one and two and substituting the word "Council" in both instances.
Clause 6 (2) is amended by deleting the word "Secretary" in line two and substituting the words "Shire Clerk".
Clause 7 (1) is amended by deleting the word "Board" and substituting the word "Council".

Clause 9 is amended by deleting the word "Board" in line three and substituting the word "Council".

Clause 11 is amended by deleting all words after the word "Liable" and substituting the following-

"upon conviction;

- (a) in respect to a hawking offence to a maximum penalty as prescribed in section 190 (7) (d) (i) of the Act, and
- (b) in respect to a stall offence to a maximum penalty or term of imprisonment as prescribed in section 242 (4) of the Act."

Schedule A of the By-laws is amended by-

- (i) deleting the words "Road Board" and "Road District" where they appear and substituting the words "Shire Council".
- (ii) deleting the words "Secretary" where they appear and substituting the words "Shire Clerk".

Schedule C of the By-laws is deleted and substituted with the following-

Schedule C

Fees for Hawkers Licence

The annual fee shall be forty dollars.

Fee for Stall Holders

Five dollars per week or two hundred dollars per year.

Dated this 8th day of February 1990.

H. L. PEDERICK, Shire President.
GARY P. BRENNAN, Shire Clerk.

Recommended-

G. HILL, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 27th day of March 1990.

G. PEARCE, Clerk of the Council.