LOCAL GOVERNMENT ORDINANCE, 1961
(No. 11 of 1961)

KOTA KINABALU MUNICIPAL COUNCIL
(STREETS AND PUBLIC PLACES) BY-LAWS, 1966
(G.N.L. 31 of 1966)

In exercise of the powers conferred upon it by section 50 of the Local Government Ordinance, 1961, the Jesselton Town Board has made the following By-laws:

Title and commencement.

1. These by-laws may be cited as the Kota Kinabalu Municipal Council (Streets and Public Places) By-laws, 1966, and shall come into operation on the 1st day July, 1966.

Interpretation.

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

"Public Places" means any open court alley, park or any other places under the control of or vested in the Council to which members of the public have access;

"Street" includes any road or length of road, island and road dividers under the control of or vested in the Council.

Removal of barriers, etc.

3. No person not authorised by the Council shall take down, alter or remove any barrier, signs or lights placed by the Council across or in any street.

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Blind, etc. not to encroach street or public places.

4. No person shall hang any blind, awning or other structure from any building such as to encroach on to any street.

Trees not to be damaged or removed.

5. (1) No person shall damage or remove any tree or vegetation growing along any street or in any public place.

(2) Any person who damages or removes any tree or vegetation as aforesaid shall be liable to pay to the Council compensation in a sum not exceeding five hundred ringgit for every tree or vegetation so damaged or removed.

6. The owner or occupier of any premises shall keep his wall, fence, post or gate bordering on any street in a good state of repair.

Parking of vehicles.

7. No person shall, unless permitted by the Council, park his vehicle in any public place, and no person shall repair or mend any vehicle in any street or public place.

Penalty.

8. Any person who contravenes any provisions of these By-laws shall be guilty of an offence and shall, upon conviction, be liable to a fine not less than five thousand ringgit and not exceeding one hundred thousand ringgit or to imprisonment for a term not exceeding one year or to both, and in the case of a continuing offence, to a further fine not exceeding five thousand ringgit for every day or part thereof during which such offence is continued.

Compounding of offences

8A. (1) The Mayor may compound any offence committed by any person under these By-laws by making a written offer to the person to compound the offence upon payment by that person of a sum of money not exceeding five thousand ringgit.

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(2) An offer under paragraph (1) may be made at any time after the offence has been committed, but before any prosecution for it has been instituted.

(3) Where the amount specified in the offer is not paid within the time specified in the offer, or within such extended period as may be granted by the mayor, prosecution for the offence may be instituted at any time thereafter against the person to whom the offer was made.

(4) Where an offence has been compounded under paragraph (1), no prosecution shall thereafter be instituted in respect of such offence against the person to whom the offer to compound was made.

Repeal.

9. Part XVIII of the Jesselton Town Board (General) By-laws, 1958 is hereby repealed.

Dated at Jesselton, this 30th day of April, 1966.

LAI EN KONG,
Chairman,
Jesselton Town Board.

I approve the foregoing By-laws.

Dated at Jesselton, this 10th day of May, 1966.

PANG TET TSHUNG,
Minister for Local Government.

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