

PITAS DISTRICT COUNCIL (ADVERTISEMENTS) BY-LAWS 2010

In exercise of the powers conferred upon him by section 50(1) of the Local Government Ordinance 1961, the Pitas District Council makes the following by-laws:

Citation

1. These by-laws may be cited as the Pitas District Council (Advertisements) By-laws 2010.

Interpretation

2. In these By-laws –

“advertisement” includes any advertisement or advertising devices, banners, notices or signs of any description;

“Council” means the Pitas District Council;

“licensee” means any person who holds a licence under these By-laws.

Licence for display of advertisement

3. No person shall display or cause to be displayed any advertisement within the area under the jurisdiction of the Council except in accordance with a licence from the Council.

Application for licence

4. An application for a licence shall be in writing and shall specify the advertisement or advertising device and the premises on which the applicant proposes to advertise.

Issuance of licence

5. The Council may, in its absolute discretion, issue or refuse a licence, or issue a licence subject to such conditions as it thinks fit.

Licence fee

6. The fees set out in the Schedule shall be payable in respect of advertisements licensed under these By-laws and displayed or caused to be displayed in any street, public thoroughfare or public place.

Cancellation of licence or removal of advertisements

7. The Council may at any time cancel a licence or require the advertisement to be removed, and the licensee or occupier of the premises, upon being required to do so shall forthwith remove the advertisement.

Exemption

8. Nothing in these By-laws shall apply to the following advertisements:
- (a) public notices issued by the State Government of Sabah, Government of Malaysia or the Council;
 - (b) signs including sunblinds on business premises or shops indicating the name of the proprietor firm or company and the nature of the business or trade carried on therein;
 - (c) advertisements or posters affixed to the external side of a shop advertising goods for sale within that shop or affixed to the external side of a cinema advertising cinema shows being or to be shown therein;
 - (d) notices not larger than 13" x 18" in size notifying sports meetings or functions in aid of or arranged by charitable institutions; and
 - (e) notices as permitted in writing by the Council:

Provided that the Council may at any time require that any such advertisement be removed, and the licensee and the owner or occupier of the premises on which the advertisement is displayed shall forthwith remove the advertisement.

Penalty

9. Any person who contravenes any of the provisions of these By-laws commits an offence and shall on conviction be liable to a fine not exceeding twenty thousand ringgit.

Compounding of offences

10. (1) Notwithstanding any provision of these By-laws, any officer authorized by the Council may in his discretion compound any offences under these By-laws by collecting from a person reasonably suspected of having committed the offence a sum not exceeding five hundred ringgit.

(2) On payment of such sum, an official receipt will be issued and no further proceedings shall be taken against the person in respect of such offence.

SCHEDULE

(By-law 6)

LICENCE FEE

The licence fee shall be as follows:

- (1) RM10.00 per square feet calculated to the nearest ringgit per year.
- (2) RM20.00 for every inspection by the Council's officer.

Made this 9th April 2010.

SAPDIN BIN IBRAHIM,
Chairman,
Pitas District Council.

I approve the foregoing By-laws.

Dated 9th April 2010.

DATUK HAJI HAJIJI HAJI NOOR,
Minister of Local Government and Housing.