

## PITAS DISTRICT COUNCIL INSTRUMENT 2009

INSTRUMENT issued by the Yang di-Pertua Negeri under section 3 of the Local Government Ordinance 1961.

1. This Instrument may be cited as the Pitas District Council Instrument 2009.
2. In this Instrument —  
  
"Council" means the Pitas District Council established under clause 3;  
  
"Member" means a member of the Council appointed under clause 6;  
  
"Ordinance" means the Local Government Ordinance 1961.
3. There is hereby established a council to be known as the Pitas District Council.
4. (1) The limits of the area under the jurisdiction of the Council are as prescribed in the First Schedule.  
  
(2) The area set out in the Second Schedule is declared to be a township to be known as Pitas Township.
5. The seal of the Council shall be the following device:  
  
A circle with the words "Majlis Daerah Pitas Sabah Malaysia" around the circumference:  
  
Provided that until such time that a seal capable of reproducing the said device can be procured, a rubber stamp bearing the inscription "Majlis Daerah Pitas Sabah Malaysia" may be used in lieu of such seal.
6. The Council shall be composed of the District Officer, Pitas and not more than eighteen members to be appointed by the Minister of Local Government and Housing.

7. All members of the Council shall be appointed for a period of not exceeding two years.
8. The Chairman of the Council shall be the District Officer, Pitas and the Vice-Chairman shall be elected by all the members of the Council.
9. (1) The Council's office shall be situated in the Secretariat Building Pitas District or at such other place as maybe determined by the Council.  
  
(2) Meetings of the Council shall be held in the office of the Council.
10. The Council shall hold not less than four ordinary meetings each year.
11. (1) The Chairman may at any time and shall, at the request in writing of not less than one third of the members stating the object of the meeting, call a special meeting of the Council, and the day fixed for such meeting shall be within fourteen days of the presentation of such request.  
  
(2) The notice of any special meeting shall specify the object of the meeting, and no other subject than those specified in such notice shall be discussed at such meeting.
12. The quorum at an ordinary or special meeting of the Council shall be two-thirds of the members.
13. Notice of meeting and place of every meeting of the Council shall be served on every member either personally or by leaving the same at his usual place of residence or his business address not less than 24 hours before such meeting:  
  
Provided that the accidental omission to serve such notice on any member shall not affect the validity of any meeting.
14. The Council may co-opt on any committee appointed under section 27(1) of the Ordinance any Government officer or any person with professional or special qualifications.
15. (1) In addition to those functions conferred upon the Council by the Ordinance or by any other law for the time being in force, the Council —

- (a) shall perform the functions specified in paragraph (49) of section 49(1) of the Ordinance;
- (b) shall provide for the burial of paupers in accordance with the religion or custom of the deceased as specified in paragraph (26) of section 49(1) of the Ordinance;
- (c) shall perform all the functions specified in paragraphs (23), (23B) and (46) of section 49(1) of the Ordinance;
- (d) shall keep clean all roads, streets and all other public places of which the Council has general control and care;
- (e) may perform all the functions specified in paragraphs (1), (2), (3), (4), (5), (6), (9), (10), (11), (12), (13), (19), (19A), (20), (21), (22), ((24), (25), (28), (29), (30), (34), (35), (36), (38), (40), (41), (42), (43), (44), (45), (47), (48), (50), (51), (52), (53), (54), (55), (57), (58), (59), (60), (61), (62), (64A), (67), (68), (69), (70), (71), (72) and (73) of section 49(1) of the Ordinance; and
- (f) may regulate and control stopping and parking of vehicles in a vehicle park established by the Council or under its control.

(2) The functions specified in paragraphs (c), (d), and (f) in subclause (1) shall not be exercisable in any part of the area which is not within the Pitas Township.

FIRST SCHEDULE

(subclause 4(1))

COUNCIL LIMITS

Pitas District

SECOND SCHEDULE  
(subclause 4(2))

PITAS TOWNSHIP

The area of approximately 893 hectares delineated as Survey Lot No. 23200020 and edged in red on Plan No. 05170004.

Dated at Kota Kinabalu this 23rd day of December, 2009.

By His Excellency's Command,

DATUK SUKARTI WAKIMAN,  
*Clerk to the Cabinet.*