

IPSWICH CITY COUNCIL LOCAL LAW NO. 12 (ROADS)

Crossings to be approved

- 1.(a) A person must not construct a crossing over a water-table, drain or kerb and channelling or any other part of a road except as authorised by the Council, and only in a position as approved by the Council.

Maximum penalty - 50 penalty units.

- (b) A person who desires to have a crossing constructed must make application to the Council and shall accompany such application with a fee in accordance with the scale of fees as determined from time to time by the Council by resolution.
- (c) The cost of providing a crossing shall be the responsibility of the owner or occupier of the land served by the crossing unless otherwise exempted by the Council.
- (d) A crossing over kerb and channelling shall be by way of driveway crossover only, constructed in accordance with Council's standards in force from time to time, unless the Council approves of some other form of crossing.
- (e) A crossing over a water-table or drain (not being kerb and channelling) shall be by way of culvert constructed in accordance with Council's standards in force from time to time, unless the Council approves of some other form of crossing.
- (f) A crossing includes a driveway, path, invert and any warning devices or markers required in accordance with the Council's standard.

Nature of crossing

- 2.(a) If access to land is across a water-table, a drain or kerb and channelling, the Council may by notice in writing require the owner or occupier of such land to provide a crossing over such water-table, drain or kerb and channelling, and such crossing shall be constructed in accordance with this local law to the satisfaction of the Council.
- (b) If the owner or occupier fails within sixty (60) days to comply with the notice given under subsection (a) of this section, the Council may cause such works to be carried out and completed and any expenses incurred by the Council may be recovered from the owner or occupier of the land served by the crossing.
- (c) Where land is served by a crossing, access to that land shall be across the crossing and at no other point. One crossing only is permitted per allotment unless specifically approved to the contrary.

Repair of Crossing

3. The Council may at any time cause any crossing to be repaired or renewed so as to make or keep it safe, and the cost thereof shall be paid by the owner of the land served by such crossing upon notice of such cost being served upon the owner and

pending payment such cost shall be a debt due by such owner to the Council and recoverable as such by the Council.

Driving animals, vehicles, &c., on footway

- 4.(1) No person shall ride, drive, or lead any animal other than a dog, or permit or suffer any animal other than a dog, to be ridden, driven, or led, or drive or wheel, or permit or suffer to be driven or wheeled, any toy vehicle as defined in the Traffic Act 1949 or vehicle other than a child's perambulator or shopping trolley upon, along, or across any footway, or any water channel or gutter made or formed or partly made or formed of tar, asphalt, concrete, wood blocking, stone, or other material, except at some proper crossing made for the purpose of obtaining access to any land abutting on the road whereof such footway, channel, or gutter forms part.

Every person who acts in contravention of this provision shall be guilty of an offence and shall in addition to any penalty be liable to pay to the Council any expenses incurred in making good any damage occasioned by that person.

Maximum penalty - 5 penalty units.

- (2) Section (1) does not apply to a bicycle or a toy vehicle unless the riding or use of a bicycle or toy vehicle is prohibited by signs in a designated area.

Structures and building materials on roads

5. No person shall throw or lay any building material, timber, stone, brick, lime, or other material or thing whatsoever, or put up, construct, or erect any structure, stage, scaffolding, hoarding, fence or thing whatsoever, in, upon, or across or over any part of any road, unless authorised by Council.

Maximum Penalty - 50 penalty units.

Removal of structures etc.

6. Every person permitted to construct any structure, stage, scaffolding, hoarding, fence or thing, or to deposit any materials as aforesaid shall, within the time limited in the permit or in the last renewal thereof, remove the whole of such, structure, stage, scaffolding, hoarding, fence or thing and materials, and shall make good the footway and the carriageway and every channel disturbed or interfered with.

Maximum penalty - 50 penalty units.

Council may remove, &c.

7. If any person, who ought under the foregoing provisions of this local law to remove any matter or thing or to make good any footway, carriage-way, or channel fails to do whether or not such person has been convicted of any offence under the Local Laws, the Council may remove at his expense such matter or thing or make good such footway, carriage-way, and channel.

Materials, &c., must not remain unnecessary time

8. Notwithstanding that any permit may not have expired, in no case shall any such material or other thing or such hole be allowed to remain for an unnecessary time.

Maximum Penalty - 50 penalty units.

Restriction on interference with roads

- 9.(1) No person, without a permit, unless empowered by statute so to do, shall dig or make, or cause to be dug or made, any opening or cutting, or erect or place any post, pillar, bridge, or other fixture or erection of any description, in any part of any road.

Maximum penalty - 50 penalty units.

- (2) No person, without a permit, unless empowered by statute so to do, shall dig or remove, or cause to be dug or removed, any turf, sand, clay, soil, or other material from any part of any road.

Maximum penalty - 50 penalty units.

Permit to open road

10. The Council may grant a permit, with or without conditions, to any person to open up or break the surface of any part of any road, or to dig or remove any turf, sand, clay, soil, or material from any part of any road, for any lawful purpose

When any person has lawfully opened up or broken the surface of any road, the person shall immediately thereafter fill up, consolidate, and make good such road, and the surface thereof to the satisfaction of the Council, and shall, at the person's own expense, carry away and deposit or cause to be carried away and deposited, where directed by the Council, all surplus earth and rubbish occasioned by such opening up or breaking.

If any person makes default in the observance of any of these provisions, the person shall be guilty of an offence, and in addition the Council may cause the necessary work to be done at the person's expense.

Maximum penalty - 50 penalty units.

Breaking-in of Horses

11. No person shall break-in any horse either by leading, riding, or driving in or upon any road, or, except by the consent of the Council, in or upon any land under its control.

Maximum penalty - 50 penalty units.

Naming roads

12. The naming of the roads of the city shall be exclusively within the jurisdiction of the Council.

Damage

13. No person shall, without the authority of the Council, injure or misuse any road or any of the materials thereof, or any works, appliances, or things appurtenant thereto or being under the control of the Council.

Maximum penalty - 50 penalty units.

Lines not to be hung-across roads

14. No person shall place or cause to be placed any line, cord, or pole across any road, or hang or place flags, clothes, or fabrics thereon without the authority of the Council.

Maximum penalty - 50 penalty units.

The control of timber standing or lying upon any road or land under the control of the Council

15. No person shall, without the permission of the Council, cut or remove or carry away, or otherwise interfere with, any timbers standing or lying upon any road or land under the control of the Council.

Maximum penalty - 50 penalty units.

Overflow of Irrigation Water

16. A person shall not cause nor permit nor suffer water from an irrigator, pipe, channel or drain used for the purpose of irrigating land to overflow or fall onto a road under the control of the Council, without the authority of the Council.

Maximum Penalty - 50 penalty units.

Paving footpaths

17. Any owner of land abutting upon any road may, subject to the approval of the Council, have the footway in front of such land paved, such paving to be entirely at the expense of such owner and of materials and quality of work to the satisfaction of the Council: provided that the Council may enter into an agreement with such owner regarding the cost of such paving.

Prohibiting goods on road or footway

- 18.(1) No person shall, without the authority of Council, suffer or permit any goods or merchandise of any description to be placed in or upon any road or footway thereof except as may be necessary for, nor to remain for a longer period than may be necessary for, the housing or the removal of the same, and in any case not exceeding thirty (30) minutes.

Maximum Penalty - 50 penalty units.

- (2) No person shall pack or unpack any goods on any road or footway thereof.

Maximum Penalty - 50 penalty units.

Power to remove unlawful structures etc.

19. If a person has brought a structure or other thing onto a road that is a contravention of this local law, an authorised person may remove and dispose of the structure or other thing.

Temporary closure of roads

- 20.(1) No person shall, without a permit to do so, close any section of any road or any portion of any section of any road.

Maximum Penalty - 50 penalty units.

- (2) Any person who enters upon or who drives or rides any vehicle or rides any velocipede or horse or drives any cattle or other livestock on any section of any road or any portion of any section of any road so closed shall be guilty of an offence unless authorised by Council to do so.

Maximum Penalty - 50 penalty units.

Maximum loads on bridges

- 21.(1) The Council may from time to time determine the maximum weight of load to be carried over any bridge or culvert under the control of the council and cause the maximum so determined to be displayed by official traffic signs.

- (2) No person shall, unless by written permit of the Council, drive, draw, or carry, or cause to be drawn, driven, or carried, over such bridge or culvert any weight greater than that stated in such official traffic sign.

Maximum Penalty - 200 penalty units.