



Brisbane City Council

CHAPTER 1 - ARRANGEMENT, REPEAL AND SAVINGS LOCAL LAW

Consolidated as at 19 February 2013



BRISBANE CITY COUNCIL

CHAPTER 1 ARRANGEMENT, REPEAL AND SAVINGS

1. The ordinances, other than planning ordinances contained in the Town Plan for the City in force for the time being under the City of Brisbane Town Planning Act 1964-1986, are arranged into Chapters, Parts and Divisions as follows:-

CHAPTER 1 ARRANGEMENT, REPEAL AND SAVINGS

CHAPTER 2 CITY SERVICE AND ADMINISTRATION

Part 1 - Business of the Council Part 2 - Committees and Boards of the Council

Division 1 - Preliminary

Division 2 - Standing Committees

Division 3 - Special Committees

Division 4 - Provisions applicable to Council Committees

Division 5 - Boards of the Council

Part 4 - Long Service Leave and Payments on Retirement or Death

Part 5 - Books, Papers, and Records

Part 6 - Execution of Documents

Part 7 - Dealings with Certain Lands and Goods

Part 8 - Power to let Wharves, Jetties, etc.

Part 9 - Purchase of Goods and Services

Part 10 - Municipal Libraries and Reading-Rooms

CHAPTER 3 FINANCE, LOANS, INSCRIBED STOCK, RATING ETC.

Part 1 - Financial Administration

Part 2 - Loans

Part 3 - Inscribed Stock and Debentures

Part 4 - Rating

CHAPTER 4 LEGAL PROCEEDINGS

Part 1 - General Penalty

Part 2 - Proceedings by the Council

Part 3 - Remedy for Breach of Conditions

Part 4 - Remedies Generally

Part 5 - Arrest of Offenders

Part 6 - Power of Entry

Part 7 - Proof of Ordinances

Part 8 - Evidence

Part 9 - Non-Compliance with Orders of the Council and Violation of Ordinances

Part 10 - Protection of Council Property

- Part 11 - Service of Notices, etc., by or upon the Council**
- Part 12 - Offences Relating To and Against Council Officers**
- Part 13 - Vehicles on Council Land**
- Part 14 – Infringement Notices for Prescribed Offences**

CHAPTER 5 PERMITS AND LICENSES

- Part 1 - Registration of Multiple Dwellings**
- Part 2 - Theatres and Places of Amusement**
- Local Law No. 1 - Control of Advertisements**
- Part 4 - Riding Schools**
- Part 5 - Pipe Lines for Dangerous Liquids**
- Part 6 - Blasting**
- Part 7 - Permit for Tramway**
- Part 8 - Distribution of Handbills Part 9 - Licensing and Keeping of Hostels**
 - Division 1 - Preliminary*
 - Division 2 - Licensing of hostels*
 - Division 3 - Provisions relating to keeping of hostels*
 - Division 4 - Fees and forms*
 - Division 5 - General*
 - Division 6 - Evidentiary*
- Part 10 - Caravan Parks**
 - Division 1 - Preliminary*
 - Division 2 - Licensing of caravan parks*
 - Division 3 - Provision relating to caravan parks*
 - Division 4 - Fees and application forms*
 - Division 5 - Evidentiary*

CHAPTER 6 STREETS, BRIDGES, CULVERTS, ETC.

- Part 1 - Streets**
- Part 2 - Bridges and Culverts**
- Part 3 - Allotment Identification**
- Part 4 - Receptacles for Refuse in Roads**

CHAPTER 7 FERRIES, JETTIES AND PONTOONS

- Part 1 - Ferries**
- Part 2 - Jetties, Pontoons and Landings**

CHAPTER 9 PARKS

- Part 1 - Parks**
- Part 2 - Municipal Golf Links and Golf Practice Areas**

CHAPTER 10 TRANSPORT

- Part 1 - Fares**
- Part 2 - Passengers Etc.**
- Part 3 - Electric Wires for Trolley Buses**

CHAPTER 11 SUNDRY MATTERS RELATING TO STRUCTURES

CHAPTER 12 PUBLIC HEALTH, SAFETY AND CONVENIENCE

- Part 1 - Health**
 - Division 1 -Immunisation*
 - Division 2 -Fly Nuisance*

Division 3 -Sanitary Conveniences

Division 4 -Furnaces

Division 5 -Drainage of lands and premises other than under "The Metropolitan Water Supply and Sewerage Acts, 1909 to 1962"

Division 6 -Premises to have water supply

Division 7 -Keeping of Pigs

Division 8 -Stables and keeping of horses

Division 9 -Keeping of Goats

Division 10 -Offences

Part 2 - Public Safety and Convenience

Division 1 -Noxious Weeds, Dangerous Plant-Growths, etc.

Division 2 -Dangerous Goods, Flammable and Combustible Liquids

Division 3 -Miscellaneous

Division 4 -Noise Nuisances

Division 5 -Fire and Smoke Nuisances

Division 6 -Discharge of trade wastes into watercourses etc.

Division 7 -Unsightly Goods and Materials

Division 8 -Barbed Wire Fencing

Part 3 - Storage and Disposal of Refuse

Division 1 -Interpretation

Division 2 -Contracts for removal of refuse

Division 3 -Storage, collection and removal of refuse

Division 4 -Refuse Dumps

Division 5 -Offences

Part 4 - Municipal Swimming Pools and Bathing

Division 1 -Application of Part and Short Title

Division 2 -Beach or river bathing

Division 3 -Municipal Swimming Pools

Division 4 -General

Division 5 -Offences

Part 5 - Private swimming pools, ponds etc.

Part 5A - Fencing and Registration of Swimming Pools

Part 6 - Animals

Part 7 - Cemeteries

Part 8 - Entry of petrol, etc., into sewers

CHAPTER 13 FORESHORE AND RETAINING WALLS

CHAPTER 14 PARKING AND CONTROL OF TRAFFIC

Part 1 - Council Parking Stations

Part 2 - Regulated Parking Patrol Officers

Part 3 - Control of Traffic and Obstructions on Roads

Part 4 - Approval of Motor Vehicles as Commercial Vehicles

Part 5 - Brisbane Central Traffic Area

Part 6 - Penalties prescribed pursuant to Section 44F(5) of the Traffic Act 1949-1990

CHAPTER 15 PROVISION OF SEWERAGE OR SEPTIC TANK INSTALLATIONS AT KINDERGARTENS

CHAPTER 16 UNAUTHORISED STRUCTURES AND ALTERATIONS

CHAPTER 17 WATER SUPPLY AND SEWERAGE

CHAPTER 19 QUEEN STREET MALL

Part 1 - Preliminary

Part 2 - Use, etc. of the Mall

Part 3 - External appearance of buildings and other structures in or abutting the Mall

Part 4 - Special provision relating to driving of vehicles in designated road areas

Part 5 - Fixing of fees, etc.

Part 6 - Evidentiary

Part 7 - Savings

CHAPTER 20 DOG REGISTRATION AND CONTROL

Part 1 - Preliminary

Part 2 - Administration

Part 3 - Registration, etc. Part 4 -Control of Dogs

Division 1 -General

Division 2 -Prescribed Dogs

Division 3 -Dangerous Dogs

Part 5 - Seizure of Dogs

Part 6 - General

Part 7 - Evidentiary

Part 8 - Prescribed Infringements

Part 9 - Repeal, Savings and Transitional

CHAPTER 21 CHINATOWN MALL

Part 1 - Preliminary

Part 2 - Use, etc. of the Mall

Part 3 - External appearance and character of buildings and other structures in or abutting the Mall

Part 4 - Fixing of fees, etc.

Part 5 - Evidentiary

Part 6 - Savings

CHAPTER 22 VEGETATION PROTECTION

CITY SERVICE ORDINANCE

LOCAL LAW NO. 2 REGULATED PARKING PERMIT 1996

LOCAL LAW NO. 3 ROBERTSON MACGREGOR REGULATED PARKING 1996

6.(1) Where pursuant to any Act or instrument thereunder any matter or thing may be determined by resolution of the Council, unless the contrary intention appears, expressions used in any such resolution shall have the same meanings they would have if that resolution were a section of that Act or a provision of that instrument.

(2) In this ordinance the term "instrument" means any regulation, rule, by-law or ordinance.

7.(4) For the purposes of paragraph (1) -

(b) "the proper officer" means -

(i) in any case, the Chief Executive Officer;

(ii) in any case where the resolution of the Council is in relation to some matter arising out of the business of the Council conducted by a particular unit of administration, the permanent head of that unit of administration;

(iii) in any case where the resolution of the Council is in relation to some matter within a class of matters specified in a determination made under paragraph (2), the officer of the Council who by that determination is a proper officer for the carrying into effect of that resolution.

8. Without prejudice to the express provisions of any other ordinance, where-

(a) provision is made in an ordinance for a determination, direction, requisition, certificate, notice, license, permit, registration, authority or approval to be made, given, granted or issued by a particular Council authority; and

(b) that ordinance is thereafter amended in such manner that thereby such a determination, direction, requisition, certificate, notice, license, permit, registration, authority or approval is to be made, given, granted or issued by another Council authority or by the Council, any such a determination, direction, requisition, certificate, notice, license, permit, registration, authority or approval in force immediately before the commencement of that amendment shall on and from such commencement have effect as if it were made, given, granted or issued by that other Council authority or by the Council, as the case may be.

9. Without prejudice to the express provisions of any other ordinance, where-

(a) provision is made in an ordinance for a determination, direction, requisition, certificate, notice, license, permit, registration, authority or approval to be made, given, granted or issued by the Council;

(b) that ordinance is thereafter amended in such manner that thereby such a determination, direction, requisition, certificate, notice, license, permit, registration, authority or approval is to be made, given, granted or issued by a particular Council authority, any such a determination, direction, requisition, certificate, notice, license, permit, registration, authority or approval in force immediately before the commencement of that amendment shall on and from such commencement have effect as if it were made, given, granted or issued by that particular Council authority.

12. Where -

(a) provision is made in an ordinance for a particular power, function or duty to be exercised, discharged or performed by a particular Council authority; and

(b) that ordinance is thereafter amended in such manner that thereby such power, function or duty ceases to be vested in or imposed upon that Council authority and is vested in or imposed upon the Council, that power, function or duty may be exercised, discharged or performed by that Council authority at any time after the commencement of that amendment and prior to -

(i) the expiration of 28 days after that commencement;

(ii) a determination by the Council by resolution after that commencement that the provisions of this ordinance shall, with respect to that power, function or duty, cease to have effect; or

(iii) the delegation by the Council after that commencement under section 39B of the City of Brisbane Act 1924-1987 of that power, function or duty,

whichever shall first occur, as if that Council authority were the Council and for the purposes of giving effect to this ordinance the Council shall be taken to have, by resolution made at that commencement under section 39B, duly delegated that power, function or duty to that Council authority for its exercise, discharge or performance at any time prior to whichever of those events specified in subparagraphs (i), (ii) and (iii) shall first occur.

13. For the purposes of ordinances 8, 9, 10, 11 and 12, any of -

(a) the Mayor;

(b) any committee appointed from among the aldermen;

(c) any board consisting of officers of the Council; and

(d) any officer of the Council,

shall be a Council authority.

Endnotes

List of amendments

s 7(4)(b)(i) amd *Administrative Arrangements Amending Local Law 2013 s 4*