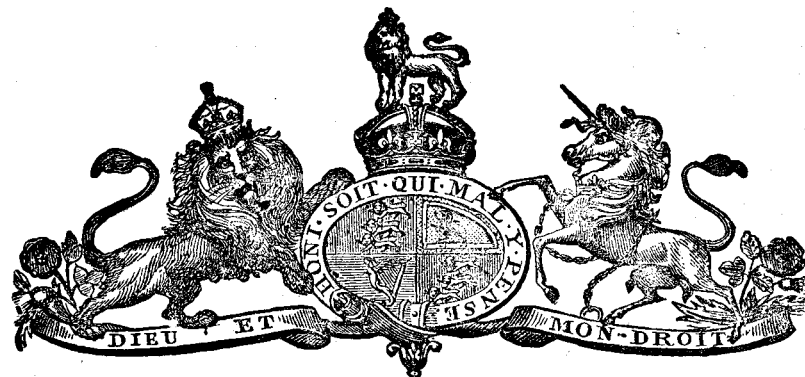


TASMANIA.



1907.

ANNO SEPTIMO

EDWARDI VII. REGIS,

No. 46.

ANALYSIS.

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| Preamble. | 9. Hawkers. |
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AN ACT to further amend "The *Launceston* Corporation Act, 1894." [5 December, 1907.]

A.D. 1907.

WHEREAS it is expedient to further amend "The *Launceston* Corporation Act, 1894:"

PREAMBLE.
58 Vict. No. 30.

Be it therefore enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

6d.]

Launceston Corporation Amendment.

A.D. 1907.

Short title.

Interpretation.

"The Corporation."

"The Council."

"The Principal Act."

"Owner" and "Property."

"Fish."

1 This Act may be cited as "The Second *Launceston* Corporation Act Amendment Act, 1907."

2 In this Act, unless the context otherwise indicates—

"The Corporation" means the corporation and body politic of the Mayor, Aldermen, and citizens of the City of *Launceston* :

"The Council" means the Municipal Council of the City of *Launceston* :

"The Principal Act" means "The *Launceston* Corporation Act, 1894" :

"Owner" and "Property" shall have the same meanings as in the Principal Act :

"Fish" includes shell-fish, crustaceans, and all other fish.

PART I.

ADVERTISEMENTS REGULATIONS.

Hoarding not to be erected without consent.

3 No person shall within the boundaries of the City of *Launceston* erect, put up, or place, or permit or suffer to be erected, put up, or placed, any hoarding or similar structure for advertising purposes without the consent of the Council.

Penalty : Not exceeding Five Pounds.

PART II.

FISH MARKETS AND FISH.

Fish markets.

4 In addition to the provisions contained in Part Fifteen of the Principal Act, the following provisions shall apply to any market in the City of *Launceston* holden for the sale of fish, or fish and other articles and things, and to all fish to be sold in the City of *Launceston*.

Fish to be brought to market.
See 5 Wm. IV. No. 9, and 58 Vict. No. 30, Part XV.

5 When and so soon as the Council shall have established and provided a market in the City of *Launceston*, and declared that such market shall be holden for the sale of fish, or fish and other articles and things, no person shall bring or cause to be brought into the City of *Launceston* any fish (other than salted, canned, or preserved fish) intended for sale for human food unless such person shall immediately take such fish, or cause such fish to be immediately taken, to such market ; and no person shall sell or offer or expose for sale as human food in the City of *Launceston* any fish (other than salted, canned, or preserved fish) unless such fish shall have been first passed in such market as hereinafter provided.

Penalty : Not exceeding Five Pounds.

Provided that nothing herein contained shall apply to fish consigned by railways to the keeper or occupier of any fish shop.

Launceston Corporation Amendment.

6 The Council may supply carts or vehicles for the cartage or carriage of fish or game to the market, and for the return of empty boxes, baskets, or utensils in which such fish or game shall have been brought to the market, and may make such charges for such cartage, carriage, and return as the Council shall consider expedient.

A.D. 1907.
Council may supply carts.

7 When and as often as any fish or game are brought into such market the same shall be forthwith submitted for examination to the clerk of the market, who, unless he considers it otherwise advisable, may on the prescribed fees being paid pass such fish or game, and thereupon such fish or game may be sold in the said market or taken away.

Fish and game to be passed.

8 If any fish or game shall appear to the clerk of the market to be unfit for human food, it shall be lawful for such clerk of the market and he is hereby empowered to seize and destroy the same, and no person shall resist or obstruct the clerk of the market in seizing or destroying any such fish or game.

Fish or game unfit for food may be destroyed.

Penalty: Not exceeding Five Pounds.

9 Notwithstanding anything contained in Section Two of the Act of Council of the 5th *William* IV. No. 9, fish or game which have been passed as aforesaid may be bought from, sold, or offered or exposed for sale by any duly licensed itinerant vendor within the city, and shall not be liable to be seized under Section Three of that Act, and Section One hundred and eighty-seven of the Principal Act shall not apply to fish or game.

Hawkers.

10 The clerk of the market may, without being licensed as an auctioneer, hold sales by auction in the market of any fish or game which the owner or other the person bringing the same or causing the same to be brought to the market may desire to be sold by auction; and a commission may be charged on all fish so sold, and such commission may be in addition to or in substitution for any stallages, rents, tolls, or dues as the Council shall appoint; and such commissions shall be paid to the Collector or other person authorised by the Council to receive the same, and shall be applied by the Council in the same way as moneys are directed to be applied by Section One hundred and seventy-three of the Principal Act.

Sales by auction.

11 In addition to the powers and authorities by any previous Act vested in the Council, the Council shall have power to provide any insulated, freezing, or cool storage room or rooms in connection with any fish market, and any other premises and appliances for the storing of fish and game, and to store fish or game, and shall have power to make by-laws regulating the amount and the time and payment of the charges for such storage; and such by-laws shall be subject to the provisions relating to general by-laws in the Principal Act contained.

Council may erect freezing rooms.

Launceston Corporation Amendment.

A.D. 1907.

Power for Marine Board to let land.

12 It shall be lawful for the Marine Board of *Launceston* from time to time to let to the Corporation for the purposes of a market, at such rent (nominal or otherwise), for such term, and on such conditions as the said Marine Board shall think fit, a piece of land of such area as may be agreed upon, forming either part of any part, or part of the land now or hereafter to be reclaimed under the provisions of "The Land Reclamation Act, 1904."

PART III.

BOUNDARY FENCES.

Repeal of Sect. 233 of 58 Vict. No. 30, and substitution of new section.

13 Section Two hundred and thirty-three of the Principal Act is hereby repealed, and in lieu thereof the following shall be and be deemed to be and may be cited as Section Two hundred and thirty-three of the Principal Act; that is to say:—

"**233** Where no fence or no sufficient fence exists, or where the existing fence is not in a good state of repair on the front boundary-line or lines of any land abutting on any street or public place within the City of *Launceston*, it shall be lawful for the Council from time to time, and at all times, to compel the owner of such land, at his own expense, to erect and maintain a substantial Five-foot paling fence along such front boundary line or lines, or where the Council approves to erect and maintain a post and Four-rail, picket, or other suitable fence, or to repair the existing fence along such front boundary line or lines; and if, after Fourteen days' notice in writing, signed by the Town Clerk, requiring him so to erect, maintain, or repair any fence as aforesaid has been given to the owner, such owner neglects or refuses to well and sufficiently erect, maintain, or repair, as the case may be, such fence within such time as the Council shall by such notice or in any other manner appoint, then, and in every such case, he shall be guilty of an offence against this Act.

Penalty : Not exceeding Five Pounds.

And whether proceedings shall be taken on account of such offence or not, it shall be lawful for the Council, and the Council is hereby authorised, to erect, maintain, or repair such fence, or complete erecting, maintaining, or repairing the same as occasion shall require; and all cost and expense incurred by the Council in erecting, maintaining, or repairing such fence shall be recoverable in a summary manner before any justice of the peace in accordance with the provisions of *The Magistrates Summary Procedure Act.*"

19 Vict. No. 8.

Launceston Corporation Amendment.

A.D. 1907.

PART IV.

OMNIBUSES.

14 Whenever any vehicle which shall be deemed an omnibus within the meaning of "The Police Act, 1905," has been licensed in any municipality or district other than the City of *Launceston*, and the proprietor thereof desires to use or let the same for the purpose of carrying passengers for hire in the City of *Launceston*, he must, before he is permitted to do so, produce the omnibus licence to the Mayor of the city, and pay a fee equal to One-half of the fee payable in respect of an omnibus licensed in the city, and thereupon the Mayor shall cause an endorsement to be made on such licence of the payment of the said half-fee, and that the omnibus mentioned in the original licence is permitted to be used or let for the purpose of carrying passengers for hire in the city until the Thirty-first day of *December* next ensuing, if the original licence shall so long remain in force; and every proprietor who uses or lets any omnibus, or permits the same to be used or let, contrary to the provisions of this section shall be guilty of an offence against this Act.

Omnibus licence.
See Sect. 50 of
5 Ed. VII. No.
30.

Penalty: Not exceeding Five Pounds.

It shall not be necessary in such case for the driver to be again licensed so long as his original licence is in force.

15 The Council may from time to time make by-laws to regulate and control the running of all vehicles which shall be deemed omnibuses or cabs running as omnibuses within the meaning of "The Police Act, 1905," and the fares to be charged for each passenger carried therein. And such by-laws shall be subject to the provisions relating to general by-laws in the Principal Act contained.

Control of
omnibuses and
cabs.

PART V.

HAIRDRESSERS.

16 The Council may from time to time make by-laws in regard to the cleansing, disinfecting, and sterilising of the saloons, rooms, and buildings used by barbers or hairdressers, and the towels and other cloths, instruments, brushes, articles, and things used therein; and such by-laws shall be subject to the provisions relating to general by-laws in the Principal Act contained.

By-laws.

Launceston Corporation Amendment.

A.D. 1907.

PART VI.

RESERVES.

Corporation may purchase land outside the city.

17 The Corporation may from time to time purchase, when occasion offers, land for the purpose of recreation grounds at any place outside the City of *Launceston*, and may improve and maintain the same as and for public recreation grounds, and may make and repair and fence roads to the same as the Council may think advisable; and any land so purchased shall, from the time of the purchase thereof, for all purposes be deemed to be within the boundaries of the City of *Launceston*.

May make sports ground.

18 The Council may from time to time by notice allow any part or parts of any recreation reserve belonging to or under the control of the Corporation to be used for the purpose of a cricket ground, tennis court, bowling green, croquet green, lacrosse ground, football ground, or ground for any other sport, and may expend such money and make such arrangements with respect to the formation, maintenance, and improvement of any court, green, or ground as shall from time to time seem desirable.

Control and management.

19 It shall be lawful for the Council to control and manage all such courts, greens, or grounds, and the admission thereto, or from time to time to permit any other person to have such control and management.

By-laws.

20 The Council may from time to time make by-laws in regard to—

- I. The control and management of such courts, greens, or grounds, and the admission thereto;
- II. The terms and conditions of permitting any other person to have any control and management.

And such by-laws shall be subject to the provisions relating to general by-laws in the Principal Act contained.

Definition of public place.

21 The words "The Police Act, 1869," in Section Two hundred and seventy-three of the Principal Act, are hereby expunged, and the words "Parts II., III., and X. of 'The Police Act, 1905,'" are hereby inserted in lieu thereof.