

**THE DISTRICT COUNCIL OF KAROONDA EAST MURRAY**  
*By-law made under the Local Government Act 1999*

**By-law No. 1 – Permits and Penalties**

*To create a permit system for Council By-laws, to fix maximum and continuing penalties for breaches of Council By-laws, to clarify the construction of such by-laws and to repeal by-laws.*

**1. Definition**

In this by-law “person” includes a natural person, a body corporate, an incorporated association and an unincorporated association.

**2. Permits**

2.1 In any by-law of the Council unless the contrary intention is clearly indicated, the word “permission” means the permission of the Council, or such other person as the Council may by resolution authorise for that purpose, granted in writing prior to the act, event or activity to which it relates.

2.2 Where a by-law requires that permission be obtained any person seeking the grant of permission must submit a written application to the Council in the form (if any) and accompanied by the fee (if any) prescribed by the Council.

2.3 The Council, or such other person as the Council may by resolution authorise for that purpose, may attach such conditions (including time limits, renewal and transfer requirements as it thinks fit) to a grant of permission and may vary or revoke such conditions or impose new conditions by notice in writing to the person granted permission.

2.4 Any person granted permission shall comply with every such condition.

2.5 The Council or such other person as the Council may by resolution authorise for that purpose, may suspend or revoke a grant of permission at any time by notice in writing to the person granted permission.

**3. Offences and Penalties**

3.1 Any person who commits a breach of any by-law of the Council shall be guilty of an offence and shall be liable to a maximum penalty being the maximum penalty referred to in the Local Government Act 1999 that may be fixed by by-law for any breach of a by-law.

3.2 Any person who commits a breach of any by-law of the Council of a continuing nature shall be guilty of an offence and in addition to any other penalty that may be imposed, shall be liable to a further penalty for every day on which the offence or breach of the by-law continues, such penalty being the maximum penalty referred to in the Local Government Act 1999 which may be fixed by by-law for a breach of any by-law of a continuing matter.

**4. Construction**

4.1 Every by-law of the Council shall be subject to any Act of Parliament and regulations made thereunder.

4.2 In any by-law of the Council, “the Council” means The District Council of Karoonda East Murray.

The foregoing by-law was duly made and passed at a meeting of The District Council of Karoonda East Murray held on 9 December 2008, by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

Peter Smithson, Chief Executive Officer