

SECTION 249 LOCAL GOVERNMENT ACT 1999

**CERTIFICATE OF VALIDITY**

I, CIMON ANGELA BURKE of Level 6, 19 Gilles Street, Adelaide in the State of South Australia, being a legal practitioner within the meaning of the *Legal Practitioners Act 1981*, declare that I have examined the following by-law:

**Town of Walkerville**

***By-law No. 6 – By-law Amendment By-law 2023***

*A By-law to amend various By-laws of the Town of Walkerville to address matters raised by the Legislative Review Committee*

and do certify that in my opinion:

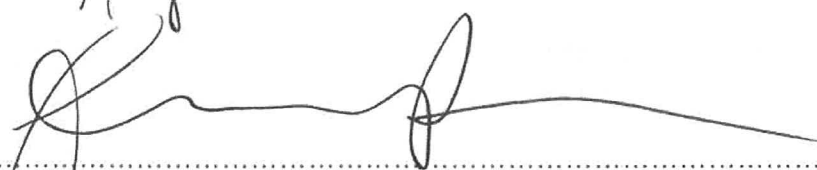
Town of Walkerville

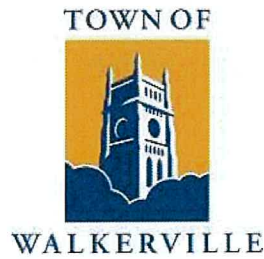
has the power to make the by-law by virtue of the following statutory provisions:

*Local Government Act 1999*: sections 246 and 249(6)(d);

and the by-law is not in conflict with the *Local Government Act 1999*.

**DATED** *May* 2023

  
.....  
Cimon Burke, Legal Practitioner



**TOWN OF WALKERVILLE  
BY-LAW AMENDMENT BY-LAW 2023  
By-law No. 6 of 2023**

*A By-law to amend various By-laws of the Town of Walkerville to  
address matters raised by the Legislative Review Committee*

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**PART 1 – PRELIMINARY****1. Title**

This By-law may be cited as the '*By-law Amendment By-law 2023*' and is By-law No. 6 of the Town of Walkerville.

**2. Authorising Law**

This By-law is made under sections 246 and 249 of the *Local Government Act 1999*.

**3. Purpose**

The objective of this By-law is to amend, consistent with feedback from the Legislative Review Committee and in the manner set out in Part 2, various provisions in Council By-laws. The By-laws amended by this By-law are the following By-laws made by the Council on 17 October 2022 and published in the *Government Gazette* on 27 October 2022:

3.1 By-law No. 2 - *Local Government Land By-law 2022*.

3.2 By-law No. 3 - *Roads By-law 2022*; and

3.3 By-law No. 5 - *Dogs By-law 2022*.

**4. Commencement, Revocation and Expiry**

4.1 Pursuant to section 249(6)(d) of the *Local Government Act 1999*, this By-law will take effect on the date that it is published in the *Government Gazette*.

4.2 This By-law will expire on 1 January 2031.

**5. Interpretation**

In this By-law, unless the contrary intention appears:

5.1 **Act** means the *Local Government Act 1999*;

5.2 **Council** means the Town of Walkerville;

5.3 **By-law 2** means the *Local Government Land By-law 2022* made by the Council on 17 October 2022 and published in the *Government Gazette* on 27 October 2022; and

5.4 **By-law 3** means the *Roads By-law 2022* made by the Council on 17 October 2022 and published in the *Government Gazette* on 27 October 2022; and

5.5 **By-law 5** means the *Dogs By-law 2022* made by the Council on 17 October 2022 and published in the *Government Gazette* on 27 October 2022.

**PART 2 – AMENDMENTS TO BY-LAWS****6. Amendments to the *Local Government Land By-law 2022***

As and from the date that this By-law takes effect:

- 6.1 subclause 9.14 of By-law 2 is deleted and substituted with the following:

**9.14 Donations**

*Ask for or receive or indicate that the person desires a donation of money or any other thing.*

- 6.2 subclause 9.25 of By-law 2 is deleted and substituted with the following:

**9.25 Overhanging Articles**

*Suspend or hang an article or object from a building, verandah, pergola, post or other structure on Local Government land where it might, in the reasonable opinion of an authorised person, present a nuisance or danger to a person using the land or be of an unsightly nature.*

- 6.3 subclause 11.2 of By-law 2 is deleted and substituted with the following:

*11.2 A person who, in the reasonable opinion of an authorised person, is likely to commit or has committed, a breach of this By-law must immediately comply with a reasonable direction of an authorised person to leave that part of Local Government land.*

- 6.4 the word 'reasonable' in subclause 13 of By-law 2 is deleted and substituted with the word 'reasonably'.

**7. Amendments to the *Roads By-law 2022***

- 7.1 As and from the date that this By-law takes effect, clause 8 of By-law 3 is deleted and substituted with the following:

*8 A person on a road who, in the reasonable opinion of an authorised person is committing or has committed a breach of this By-law, must immediately comply with a reasonable direction of the authorised person to leave that part of the road.*

**8. Amendments to the *Dogs By-law 2022***

As and from the date that this By-law takes effect:

- 8.1 subclause 7.6 of By-law 5 is deleted and substituted with the following:

*7.6 No dog is to be kept on any premises where, in the reasonable opinion of an authorised person, there is no secure or appropriate area where a dog may be effectively confined.*

- 8.2 clause 8 of By-law 5 is deleted and substituted with the following:

*8 Subject to clauses 9 and 10 of this By-law, a person may enter a park in the Council's area for the purpose of exercising a dog under the person's effective control.*

This By-law was duly made and passed at a meeting of the Town of Walkerville held on **15 May 2023** by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.



.....  
SCOTT REARDON  
Acting Chief Executive Officer

