

"LOCAL GOVERNMENT ACT, 1906," AND AMENDING ACTS.

PROCLAMATION.

(L.8.)

W. E. DAVIDSON,

Governor.

I Sir Walter Edward Davidson, the Governor of the State of New South Wales and its Dependencies, in the Commonwealth of Australia, with the advice of the Executive Council of the said State, in pursuance of the power and authority vested in me by the "Local Government Act, 1906" and the Acts amending the same, do hereby repeal Ordinance No. 52, applying to Municipalities, and Ordinance No. 02, applying to Shires, respecting public baths and bathing, proclaimed in the Government Gazette of 27th March. 1912, and subsequently amended, and do "hereby make and proclaim the Ordinances contained in the accompanying Schedules "A" and "B" respectively in lieu thereof :

Provided that the repeal of the said Ordinances No. 52 shall not—

(a) affect the previous operation of the said Ordinances so repealed, or anything duly suffered, done or commenced to be done thereunder;

or

(b) affect any right, privilege, obligation, or liability acquired, accrued, or incurred under the said Ordinance so repealed prior to such repeal; or

(c) affect any penalty, forfeiture, or punishment incurred in respect of any offence committed against the said Ordinances so repealed prior to such repeal;

or

(d) affect any investigation, legal proceeding, or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture, or punishment as aforesaid;

and any such investigation, legal proceeding, or remedy may be instituted, continued, or enforced, and any such penalty, forfeiture, or punishment may be imposed and enforced as if this Proclamation had not been made.

[1918-318-431-641]

Signed and sealed at Sydney, this twenty-second day of January, 1919.

By His Excellency's Command,

JOHN D. FITZGERALD. GOD SAVE THE KING!

Schedule "A."

ORDINANCE No. 52.

PUBLIC BATHS AND BATHING.

Application of Ordinance.

1. This Ordinance shall apply to Municipalities, the Councils of which have acquired the powers of section 109 (xvi) of the Act, viz. :—

The construction, maintenance, and management of public baths: the regulation of bathing, and the observance of decency in connection therewith ; the provision of life-saving appliances, danger notices', and life-saving attendants, and the construction, maintenance, and hiring by the Council or other persons to the public of bathing-houses and bathing-machines, and the regulation thereof.

Part A.—Beach on River Bathing.

Application of this Part.

2. The provisions of this Part shall not apply to persons bathing at places not exposed to the public view.

3. "Public bathing reserve" means any public park, sea beach, public reserve, river or lake shore, and the waters adjacent thereto, wherein public bathing is permitted by the Council, by law, or by custom.

Costume.

4. (a) All persons over 4 years of age bathing in any waters exposed to the public view other than baths as defined in Part B, shall be clad in a bathing costume covering the body from the neck to the knee, so as to secure the observance of decency; and any inspector may require any person contravening this provision to resume at once his ordinary dress.

(b) In any case where an inspector is of opinion that any person's bathing costume is indecent or inadequate, or that the material thereof is too thin, or is not in a proper state of repair, or is for any reason unsuitable, he may direct such person to resume at once his ordinary dress.

(c) If any person fails to resume immediately his ordinary dress when directed so to do by an inspector, he shall be guilty of an offence against this Ordinance, and may, with any necessary force, be removed to the dressing enclosure or shed by the inspector.

Dressing —In public view.

6. A person shall not dress or undress or remove or disarrange any part of his bathing costume in any place open to the public view ; provided that this shall not prevent any person already clad in proper bathing costume from doffing or donning at any public bathing reserve any dressing-gown or outer robe.

Separation of the sexes.

6. (a) A man above the age of eight years shall not trespass upon any part of the public bathing reserve or any dressing-shed, or any enclosure set apart by the Council for the exclusive use of women, and so indicated by public notice exhibited thereon, except for the purpose of rendering assistance in case of accident.

(b) A woman shall not trespass upon any part of the public bathing reserve, or any dressing-shed, or any enclosure set apart by the Council for the exclusive use of men, and so indicated by public notice exhibited thereon, except for the purpose of rendering assistance in case of accident.

(c) In cases where provision is made in the dressing accommodation for the separation of boys from men and girls from women, children under the age of 10 years shall not be admitted to the adults' dressing accommodation except in the case of children under the age of 6 years accompanied by their parents or other guardians, and adults other than employees of the Council on duty shall not enter or use any dressing enclosure set apart for children.

Sun basking.

7. (a) Where a special sun-basking enclosure is provided on the public bathing reserve by the Council, and such enclosure is approved of by the Minister, the

Minister may give written authorisation to the Council to erect notices on the public bathing reserve prohibiting sun-basking except within such enclosure.

(//) Where such notice has been lawfully exhibited by a Council, persons shall not loiter or lie about the public bathing reserve clad only in bathing costume except within such enclosure.

Behaviour.

8. In or upon any part of the public bathing reserve or dressing enclosure—

(a) A person shall not behave in an unseemly, improper, riotous, or noisy manner, to the annoyance of the public;

(b) A person shall not blaspheme, nor use profane or obscene language nor behave in an indecent manner.

Bathing in dangerous places.

D. (a) A person shall not bathe at or in the near vicinity of any place which is indicated by a "Danger" signal or notice as a place where it is dangerous to bathe.

(b) A person shall not bathe at or in the near vicinity of any place after being warned by an inspector that it is dangerous for him or her to bathe at such place. ,

Surf shooting.

10. Where any inspector considers that the practice of surf-shooting (i.e., riding on the crest of the breaking wave), whether with or without a surfboard, is likely to endanger or inconvenience other bathers, such inspector may order bathers to refrain from such practice or to remove to a place where such practice will not cause danger or inconvenience. Bathers shall comply with such orders. Any inspector may take possession of any surf-board used in contravention of his or another inspector's orders and retain it until the bather from whom it was taken resumes his ordinary dress, or until such inspector considers that surf-boards may again be used without endangering or inconveniencing the public.

11. (1) The inspector may mark by any suitable means separate portions of the public bathing reserve as follows; —

- (a) A portion wherein surf-shooting shall be forbidden ;
 - (b) a portion wherein surf-shooting with surf boards shall be forbidden;**
 - (c) a portion wherein surf-shooting may be practised without restriction.
- (2) A person shall not practise surf-shooting with a surf-board in any place where that practice is forbidden.**
- (3) A person shall not practice surf-shooting in any place where that practice is forbidden.

Council may prohibit bathing in areas near sources of Water Supply.

12. (a) Where any stream is a source of public water supply, the Council may, by notice conspicuously exhibited on the banks thereof, prohibit bathing within a distance of 500 yards from the place at which water is drawn from such stream for public consumption; and bathers shall not bathe in such stream in contravention of such notice.

(b) Where any stream which is a source of public water supply ceases to flow, the Council may, by notice in like manner, prohibit bathing in any part or every part of such stream, and persons shall not bathe in such stream in contravention of such notice.

Fouling the water—Throwing bottles, &c.

13. (a) A person shall not deposit any filth or refuse upon any public bathing reserve, or suffer any filth or refuse to run upon or into any public bathing reserve.

(b) A person shall not place or cause to be placed upon any public bathing reserve any dead animal, paper, fruit-skins, bottles, tins, or rubbish of any kind.

(c) A person shall not break any bottle, or any article of glass or earthenware, upon any public, bathing reserve, or in, over, or under the water* adjacent thereto.

(d) If any person unintentionally break any bottle or any article of glass or earthenware upon any public bathing reserve, he shall collect and remove all portions of such bottle or article either to a receptacle (if any) provided by the Council therefor, or to some place beyond the public bathing reserve.

Dogs and horses.

14. (a) Any inspector may, when in his opinion inconvenience may be caused to the public by the bathing of dogs or horses, order any person in charge of any dog or horse not to send or drive such dog or horse into the water, or permit such dog or horse to enter the water, at any place where the public are bathing. Such person shall obey such order.

(b) Any inspector may order any person in charge of any dog or horse to remove such animal from a public bathing reserve, if such animal's presence on the public bathing reserve causes inconvenience or danger to the public. Such person shall obey such order.

Cleaning Fish.

15. A person shall not clean, gut, scale, or wash fish in or on any public bathing reserve, or water* adjacent thereto, or deposit fish, offal, or refuse in or on any such places.

Dressing-sheds, Enclosures, Life-saving Appliances,

Funds.

10. (a) The Council may apply the General Fund to the provision and maintenance of dressing-sheds, enclosures, life-saving appliances, boats, inspectors, attendants, costumes, or towels, or any other necessities for the use of bathers, the regulation of bathing, the saving of life, or the prevention of accidents.

(b) The Council may apply the General Fund to subsidise the formation and maintenance of a volunteer life-saving club, subject to such conditions as the Council may impose.

Use of dressing enclosures or sheds.

17. (a) A dressing enclosure or shed shall be used for dressing and undressing only. A person shall not play games or, without reasonable excuse, loiter therein, or in, or in the vicinity of, any entrance to, or exit from, any such dressing enclosure or shed.

(b) A person shall not bring or deposit any filth or rubbish in any such enclosure or shed.

(c) A person shall not damage, disfigure, or write in or upon any such enclosure or shed.

(d) The Council may mark off an area adjacent to any dressing enclosure or shed for the use of women, and may, by notice conspicuously exhibited thereon, forbid men above the age of 8 years to go upon any such area. Any person disregarding such notice shall be guilty of an offence against this Ordinance.

Erection of Temporary Screens, Awnings, &c.

18. (a) Where a dressing enclosure or shed has been provided on or near any public bathing reserve the Council may, by notice exhibited in some conspicuous position on any such public bathing reserve, prohibit the erection by the public on any such public bathing reserve of temporary screens, awnings, enclosures, or structures of a like kind for the purpose of dressing and undressing, or for any other purpose.

(b) A person shall not, after the exhibition of a notice as aforesaid, erect any temporary screen, awning, enclosure, or structure of a like kind on any such public bathing reserve without the written permission of the Council.

Fees.

19. The Council may by resolution fix, and from time to time alter, fees for the use of bathing and dressing accommodation and requisites, and for the safe custody of valuables.

20. (a) Before entering or attempting to enter the Council's bathing or dressing accommodation (in cases where fees for the use of such accommodation have been fixed), every person so entering or attempting to enter shall pay such fees.

(b) Persons dressed in bathing costume who have paid the prescribed fees, and whose ordinary clothes are within the Council's bathing or dressing accommodation, shall enter such accommodation by an entrance marked as "Entrance for persons in bathing costume." or marked to the like effect.

(c) Persons wearing their ordinary clothes, persons whose ordinary clothes are not within the Council's bathing or dressing accommodation, and persons who have not paid the prescribed entrance fees, shall not enter such accommodation except by way of an entrance marked as "Main Entrance," or marked to the like effect.

Appliances-Danger notices.

21. A person shall not, unless authorised by the Council, use, displace, play with, injure, or destroy any appliances or signal bells provided by the Council or by any volunteer life-saving club, except such use or displacement be necessary for the purpose of saving life, or such injury or destruction be caused while being used for such purpose and incidental to such use.

22. The Council may, at its discretion, authorise any volunteer life-saving club (whether subsidised or not) (f) to provide and use life-saving appliances and boats; (g) to use any such appliances and boats provided by the Council: and (r) to erect, and, as may from time to time be necessary, remove from place to place danger signals or notices: Provided that, where a life-saving attendant or inspector employed by the Council is in attendance, danger signals or notices shall not be placed or removed except by him or with his approval.

Life-saving'.

23. Where any life-saving appliances are in use, either by members of the public or by any volunteer life-saving club, for the saving of life, any inspector may -

(a) if he considers that the work is hampered by too many persons assisting, or for any reason, direct any person to cease assisting:

(b) direct any person to stand back from the field of operations; and every person so directed shall obey.

Persons suffering from certain complaints excluded.

24. A person suffering, or appearing to the lessee, collector, inspector, or person in charge to be suffering, from any infectious, contagious, or offensive disease or skin complaint, shall not visit or use any dressing enclosure or shed.

No admission when sheds full.

25. A person shall not enter any dressing enclosure or shed or compartment thereof when such shall be occupied by the full number of persons authorised by the lessee, collector, inspector, or person in charge to use the same at one and the same time.

Intoxicated persons excluded.

26. A person shall not enter any dressing enclosure or shed whilst intoxicated, nor introduce into the said enclosure or shed, or drink therein, any spirituous or intoxicating liquor.

Smoking prohibited.

27. A person shall not smoke in any dressing enclosure or shed where smoking is prohibited by notice exhibited by direction of the Council, or of the lessee, collector, inspector, or person in charge.

Insulting language.

28. A person shall not blaspheme or use any insulting, profane, or indecent language or gestures within any dressing enclosure or shed.

Disorderly conduct.

29. A person shall not within any dressing enclosure or shed behave in a riotous or disorderly manner, nor create or take part in any disturbance, nor obstruct the lessee, collector, inspector, or person in charge of the said dressing enclosure or shed in the performance of his duties, nor intrude himself into any of the dressing rooms or compartments in use by other persons, nor interfere with the clothing or towels of any such person, nor do any act whatever whereby inconvenience or annoyance may be occasioned to any person.

Loitering in enclosure.

30. A person shall not, without reasonable excuse, after using any dressing enclosure or shed, loiter or remain therein, or in any passage leading to or from the same.

Fouling or polluting water.

31. A person shall not wilfully foul or pollute any water in any dressing enclosure or shed, nor wilfully soil or defile any towel or bathing costume supplied for his or her use or any dressing room, box, or compartment, or any furniture or article therein.

Towels and costumes.

32. (a) A person shall not injure or destroy any towel, bathing dress, or other article supplied for his use.

(b) Every person shall return the towel, bathing dress, or other article so supplied to the attendant or person in charge before leaving any dressing enclosure or shed.

Dogs not to be admitted.

33. A person shall not cause or allow any dog belonging to him or under his control to enter or remain in any dressing enclosure or shed, or in any passage leading to or from the same.

Interference with life-belt?, &c.

34. A person shall not interfere with any life-belts or life-buoys, unless in case of accident and danger occurring and rendering their use necessary for the saving of life.

Payment of dues.

35. The Council may charge every person entering a dressing enclosure or shed the proper fees or dues for the use of dressing accommodation and requisites, and for the safe custody of valuables, which shall from time to time be fixed by resolution of the Council: Provided, nevertheless, that children attending public schools in the Municipality, may, if in charge of a teacher who is a capable swimmer and an adopt at life saving, be admitted free of charge to dressing enclosure or sheds at such times and on such days as the Council may appoint.

Maintenance of order.

36. The lessee or person appointed by the Council shall have charge of any dressing enclosure or shed, and shall be responsible for the maintenance of good order and conduct therein: Provided, however, that where there is no lessee or person appointed by the Council to take charge of any such enclosure or shed, any inspector may at any time enter such enclosure or shed, and may exercise his functions therein.

Part B.—Public Baths.

Interpretation.

37. The word "bath" means any bath constructed or enclosed by the Council, or any bath or bathing enclosure under the care and control of the Council.

Hours when bath open.

38. The Council may from time to time fix or alter the days and hours on and during which the bath shall be open to public use; and may allot certain days and hours for each sex

Shower-baths to be first used in certain cases.

39. (a) A person in a dirty state or condition shall not enter the swimming basin until after he shall have thoroughly washed and cleansed himself in one of the shower-baths.

(b) The lessee or person in charge shall not permit any person to enter the swimming basin who, in his or her opinion, shall be dirty or unfit so to enter.

Persons suffering from certain complaints excluded.

40. A person suffering, or appearing to the lessee, collector, or person in charge to be suffering, from any infectious, contagious, or offensive disease or skin complaint, shall not visit or use the said bath.

Bathing costumes to be worn.

41. A person above the age of eight years shall not bathe in a bath unless wearing proper bathing costume ; and where such bath is open to the public view, such costume shall cover the body from the neck to the knee, so as to secure the observance of decency.

Admission to bath in certain cases.

42. A person shall not enter premises used in connection with a bath, or any dressing-room or compartment attached thereto, when such premises, or dressing-room or compartment shall be occupied by the full number of persons authorised by the caretaker or person in charge to use the same at one and the same time, or during such hours as the said bath or premises are reserved for the exclusive use of the opposite sex.

Intoxicated persons excluded

43. A person shall not enter any such bath or any place used in connection therewith while intoxicated, nor introduce into the said bath or place, or drink therein, any spirituous or intoxicating liquor.

Smoking prohibited.

44. A person shall not smoke in any place used in connection with any bath where smoking is prohibited by notice exhibited by direction of the Council or of the person in charge of such bath.

Insulting language.

45. A person shall not use any insulting, profane, or indecent language or gestures within the said bath premises.

Defacing bath.

46. A person shall not cut, write upon, mark, injure, disfigure, or deface any part of the bath, fittings, or premises.

Disorderly conduct.

47. A person shall not within the bath behave in a riotous or disorderly manner, nor create nor take part in any disturbance, nor obstruct the lessee, collector, or person in charge of the said bath in the performance of his duties, nor intrude himself into any of the dressing-rooms or compartments in use by other persons, nor interfere with the clothing or towels of any such person, nor do any act whatever whereby inconvenience or annoyance may be occasioned to any person

Loitering on bath premises.

48. A person shall not, without reasonable excuse, after using the bath or quitting any dressing-room or compartment therein, loiter or remain within such bath, or in any passage leading to or from the same.

Fouling or polluting water, &c.

49. (a) A person shall not wilfully foul or pollute the water in the bath, or wilfully soil or defile any towel or bathing costume supplied for his or her use, or any dressing-room, box, or compartment, or any furniture or article in the bath.

No soap to be used in swimming basin.

(b) A person shall not, whilst in the swimming basin, use any soap or other substance or preparation whereby the water may be rendered turbid or unfit for the use of bathers.

Bathing towels.

50. (a) A person shall not injure or destroy any towel, bathing-dress, or other article supplied for his use.

(b) Every such person shall return the towel, bathing-dress, or other article so supplied to the collector, attendant, or person in charge before leaving the bath.

Dogs not to be admitted.

51. A person shall not cause or allow any dog belonging to him or under his control to enter or remain in the bath, or in any dressing-room, box, or compartment, or in any passage leading to or from the same.

Interference with life-belt or life-buoys.

52. A person shall not use or interfere with the life-belts or life-buoys unless in case of accident and danger occurring to a bather, rendering their use necessary for the saving of life.

Payment of dues.

53. The Council may charge every person entering the bath premises the proper fees or dues for the use of the baths, or for bathing or dressing accommodation and requisites, and for the safe custody of valuables, as shall from time to time be fixed by resolution of the Council : Provided, nevertheless, that children attending public schools in the Municipality may, if in charge of a teacher who is a capable swimmer and an adept at life-saving, be admitted free at such times and on such days as the Council may appoint.

Maintenance of order,

54. The lessee for the time being of the fees or dues of the bath, or his authorised agent or collector, or if there be no lessee, then the collector or person appointed by the Council shall be in charge of the said bath, and shall be responsible for the maintenance of good order and conduct therein : Provided, nevertheless, that any inspector or any persons appointed by the Council, in writing, shall have free access thereto at all times.

Part C.—General.

Inspectors

55. (a) The Council may appoint any servant of the Council an inspector under this Ordinance.

(b) The Council may appoint any member of a volunteer life-saving club (whether subsidised or not) an inspector under this Ordinance: Provided that a member so appointed shall not prosecute any person for a breach of any provision of this Ordinance, but shall report such breach to the Council for action by it.

(c) Every constable or officer of police shall have the powers of an inspector under this Ordinance.

(d) Every inspector may demand the name and address of any person guilty of a breach of any of the provisions of this Ordinance, and such person shall comply with such demand.

(e) A person shall not obstruct or hinder any inspector or life-saving attendant, in the performance of his duties, or in the exercise of his powers.

(f) The Council shall supply each inspector with a written appointment under the seal of the Council, and with a badge in the shape of a shield bearing the representation of a Crown over the word "Inspector," as represented hereunder. Every inspector when on duty shall wear such badge on the front of his dress or bathing costume, or, if not wearing the badge, shall produce his written appointment if demanded of him when exercising authority under this Ordinance. The production of such badge or writing by any person shall be prima facie evidence of the appointment of the person producing same, and of his authority to discharge any function conferred upon inspectors under this Ordinance.

Penalties.

56. Any person offending against any of the provisions of this Ordinance shall be liable on conviction to a penalty for every such offence of not exceeding

£10.

Prosecutions.

57. Any member of the police force, or officer or servant of the Council, may institute proceedings and recover penalties for breaches of the provisions of this Ordinance.

SCHEDULE "B."

ORDINANCE No. 52.

PUBLIC BATHS AND BATHING.

Application of Ordinance.

1. This Ordinance shall apply to Shires, the Councils of which have acquired the powers of section 101) (xvi) of the Act, viz. : —

The construction, maintenance, and management of public baths the regulation of bathing, and the observance of decency in connection therewith ; the provision of life-saving appliances, danger notices, and life-saving attendants, and the construction, maintenance, and hiring by the Council or other persons to the public of bathing-houses and bathing-machines, and the regulation thereof.

Part A.—Beach or River Bathing.

Application of this Part.

2. The provisions of this Part shall not apply to persons bathing at places not exposed to the public view.

3. "Public bathing reserve" meant ant public park, sea beach, public reserve, river or lake shore, and the waters adjacent thereto, wherein public bathing is permitted by the Council, by law, or by custom.

Costume.

4. (a) All persons over 4 years of ago bathing in the waters exposed to the public view other than baths as defined in Part B. shall be clad in a bathing costume covering the body from the neck to the knee, so as to secure the observance of decency; and any inspector may require any person contravening this provision to resume at once his ordinary dress.

(b) In any case where an inspector is of opinion that any person's bathing costume is indecent or inadequate. or that the material thereof is too thin, or is

not in a proper state of repair, or is for any reason unsuitable, he may direct such person to resume at once his ordinary dress,

(c) If any person fails to resume immediately his ordinary dress when directed so to do by an inspector, he shall be guilty of an offence against this Ordinance, and may, with any necessary force, be removed to the dressing enclosure or shed by the inspector.

Dressing.—In public view.

5. A person shall not dress or undress or remove or disarrange any part of his bathing costume in any place open to the public* view ; provided that this shall not prevent any person already clad in proper bathing costume from doffing or donning at any public bathing reserve any dressing-gown or outer robe.

Separation of the sexes.

5. (a) A man above the age of eight years shall not trespass upon any part of the public bathing reserve or any dressing-shed, or any enclosure set apart by the Council for the exclusive use of women, and so indicated by public notice exhibited thereon, except for the purpose of rendering assistance in case of accident.

(b) A woman shall not trespass upon any part of the public bathing reserve, or any dressing-shed, or any enclosure set apart by the Council for the exclusive use of men, and so indicated by public notice exhibited thereon, except for the purpose of rendering assistance in case of accident.

(c) In cases where provision is made in the dressing accommodation for the separation of boys from men and girls from women, children under the age of 11 years shall not be admitted to the adults' dressing accommodation except in the case of children under the age of 8 years accompanied by their parents or other guardians, and adults other than employees of the Council on duty shall not enter or use any dressing enclosure set apart for children.

Sun-basking.

7. (a) Where a special sun-basking enclosure is provided on the public bathing reserve by the Council, and such enclosure is approved of by the Minister, the Minister may give written authorisation to the Council to erect notices on the public bathing reserve prohibiting sun-basking except within such enclosure.

(b) Where such notice has been lawfully exhibited by a Council, persons shall not loiter or lie about the public bathing reserve clad only in bathing costume, except within such enclosure.

Behaviour.

8. In or upon any part of the public bathing reserve or dressing enclosure -

(a) A person shall not behave in an unseemly, improper, riotous, or noisy manner, to the annoyance of the public;

(b) A person shall not blaspheme, nor use profane or obscene language, nor behave in an indecent manner.

Bathing in dangerous places.

(a) A person shall not bathe at or in the near vicinity of any place which is indicated by a "Danger" signal or notice as a place where it is dangerous to bathe.

(b) A person shall not bathe at or in the near vicinity of any place after being warned by an inspector that it is dangerous for him or her to bathe at such place.

Surf-shooting.

10. Where any inspector considers that the practice of surf-shooting (i.e., riding on the crest of the breaking wave), whether with or without a surfboard, is likely to endanger or inconvenience other bathers, such inspector may order bathers to refrain from such practice or to remove to a place where such practice will not cause danger or inconvenience. Bathers shall comply with such orders. Any inspector may take possession of any surf-board used in contravention of his or another inspector's orders and retain it until the bather from whom it was taken resumes his ordinary dress, or until such inspector considers that surf-boards may again be used without endangering or inconveniencing the public.

11. (1) The inspector may mark by any suitable means separate portions of the public bathing reserve as follows:—■

(a) A portion wherein surf-shooting shall be forbidden :

(b) a portion wherein surf-shooting with surf boards shall be forbidden;

(c) a portion wherein surf-shooting may be practised without restriction.

(2) A person shall not practise surf-shooting with a surf-board in any place where that practice is forbidden.

(3) A person shall not practise surf-shooting in any place where that practice is forbidden.

Council may prohibit bathing in streams near sources of Water Supply.

12. (a) Where any stream is a source of public water supply, the Council may, by notice conspicuously exhibited on the banks thereof, prohibit bathing within a distance of 500 yards from the place at which water is drawn from such stream for public consumption; and bathers shall not bathe in such stream in contravention of such notice.

(b) Where any stream which is a source of public water supply ceases to flow, the Council may, by notice in like manner, prohibit bathing in any part or every part of such stream, and persons shall not bathe in such stream in contravention of such notice.

Fouling the water—Throwing bottles, etc.

13. (a) A person shall not deposit any filth or refuse upon any public bathing reserve, or suffer any filth or refuse to run upon or into any public bathing reserve.

(b) A person shall not place or cause to be placed upon any public bathing reserve any dead animal, paper, fruit-skins, bottles, tins, or rubbish of any kind.

(c) A person shall not break any bottle, or any article of glass or earthenware, upon any public bathing reserve, or in, over, or under the waters adjacent thereto.

(d) If any person unintentionally break any bottle or any article of glass or earthenware upon any public bathing reserve, he shall collect and remove all portions of such bottle or article either to a receptacle (if any) provided by the Council therefor, or to some place beyond the public bathing reserve.

Dogs and horses.

14. (a) Any inspector may, when in his opinion inconvenience may be caused to the public by the bathing of dogs or horses, order any person in charge of any dog or horse not to send or drive such dog or horse into the water, or permit such dog or horse to enter the water, at any place where the public are bathing. Such person shall obey such order.

(h) Any inspector may order any person in charge of any dog or horse to remove such animal from a public bathing reserve if such animal's presence on the public bathing reserve causes inconvenience or danger to the public. Such person shall obey such order.

Cleaning Fish.

15. A person shall not clean, gut, scale, or wash fish in or on any public bathing reserve, or waters adjacent thereto, or deposit fish, offal, or refuse in or on any such places.

Dressing-sheds, Enclosures, Life-saving Appliances,

Notice Boards, doc.

Funds.

16. (a) The Council may apply the General Fund to the provision and maintenance of dressing-sheds, enclosures, life-saving appliances, boats, inspectors, attendants, costumes, or towels, or any other necessaries for the use of bathers, the regulation of bathing, the saving of life, or the prevention of accidents.

(b) The Council may apply the General Fund to subsidise the formation and maintenance of a volunteer life-saving club, subject to such conditions as the Council may impose.

Use of dressing enclosures or sheds.

17. (a) A dressing enclosure or shed shall be used for dressing and undressing only. A person shall not play games or, without reasonable excuse, loiter therein, or in, or in the vicinity of, any entrance to, or exit from, any such dressing enclosure or shed.

(b) A person shall not bring or deposit any filth or rubbish in any such enclosure or shed.

(r) A person shall not damage, disfigure, or write in or upon any such enclosure or shed.

(d) The Council may mark off an area adjacent to any dressing enclosure or shed for the use of women, and may, by notice conspicuously exhibited thereon, forbid men above the age of eight years to go upon any such area. Any person disregarding such notice shall be guilty of an offence against this Ordinance.

Erection of Temporary Screens, Awnings, &c.

18. (a) Where a dressing enclosure or shed has been provided on or near any public bathing reserve the Council may, by notice exhibited in some conspicuous position on any such public bathing reserve, prohibit the erection by the public on any such public bathing reserve of temporary screens, awnings, enclosures, or Structures of a like kind for the purpose of dressing and undressing, or for any other purpose.

(b) A person shall not, after the exhibition of a notice as aforesaid, erect any temporary screen, awning, enclosure, or structure of a like kind on any such public bathing reserve without the written permission of the Council.

Fees.

19. The Council may by resolution fix, and from time to time alter, fees for the use of bathing and dressing accommodation and requisites, and for the safe custody of valuables.

20. (a) Before entering or attempting to enter the Council's bathing or dressing accommodation (in cases where fees for the use of such accommodation have been fixed), every person so entering or attempting to enter shall pay such fees.

(b) Persons dressed in bathing costume who have paid the prescribed fees, and whose ordinary clothes are within the Council's bathing or dressing accommodation, shall enter such accommodation by an entrance marked as "Entrance for persons in bathing costume," or marked to the like effect.

(r) Persons wearing their ordinary clothes, persons whose ordinary clothes are not within the Council's bathing or dressing accommodation, and persons who have not paid the prescribed entrance fees, shall not enter such accommodation except by way of an entrance marked as "Main Entrance," or marked to the like effect.

Appliances—Danger notices.

21. A person shall not, unless authorised by the Council, use, displace, play with, injure, or destroy any appliances or signal bells provided by the Council or by any volunteer life-saving club, except such use or displacement be necessary for the purpose of saving life, or such injury or destruction be caused while being used for such purpose and incidental to such use.

22. The Council may, at its discretion, authorise any volunteer life-saving club (whether subsidised or not) (a) to provide and use life-saving appliances and boats; (b) to use any such appliances and boats provided by the Council: and (<•) to erect, and, as may from time to time be necessary, remove from place to place, dinger signals or notices : Provided that, where a life-saving attendant or inspector employer! by the Council is in attendance, danger signals or notices shall not be placed or removed except by him or with his approval.

Life-saving.

23. Where any life-saving appliances are in use, either by members of the public or by any volunteer life-saving club, for the saving of life, any inspector may—

((/) if he considers that the work is hampered by too many persons assisting, or for any reason, direct any person to cease assisting:

(b) direct any person to stand back from the field of operations; and every person so directed shall obey.

Persons suffering from certain complaints excluded.

24. A person suffering, or appearing to the lessee, collector, inspector, or person in charge to be suffering, from any infectious, contagious, or offensive disease or skin complaint, shall not visit or use any dressing enclosure or shed.

No admission when sheds full.

25. A person shall not enter any dressing enclosure or shed or compartment thereof when such shall he occupied by the full number of persons authorised by the lessee, collector, inspector, or person in charge to use the same at one and the same time.

Intoxicated persons excluded.

26. A person shall not enter any dressing enclosure or shed whilst intoxicated, nor introduce into the said enclosure or shed, or drink therein, any spirituous or intoxicating liquor.

Smoking prohibited.

27. A person shall not smoke in any dressing enclosure or shed where smoking is prohibited by notice exhibited by direction of the Council, or of the lessee, collector, inspector, or person in charge.

Insulting language.

28. A person shall not blaspheme or use any insulting, profane, or indecent language or gestures within any dressing enclosure or shed.

Disorderly conduct.

20. A person shall not within any dressing enclosure or shed, behave in a riotous or disorderly manner, nor create or take part in any disturbance, nor obstruct the lessee, collector, inspector, or person in charge of the said dressing enclosure or shed in the performance of his duties, nor intrude himself into any of the dressing rooms or compartments in use by other persons, nor interfere with the clothing or towels of any such person, nor do any act whatever whereby inconvenience or annoyance may be occasioned to any person.

Loitering in enclosure.

MO. A person shall not, without reasonable excuse, after using any dressing enclosure or shed, loiter or remain therein, or in any passage leading to or from the same.

Fouling or polluting water.

31. A person shall not wilfully foul or pollute any water in any dressing enclosure or shed, nor wilfully soil or defile any towel or bathing costume supplied for his or her use, or any dressing room, box, or compartment, or any furniture or article therein.

Towels and costumes.

32. (") A person shall not injure or destroy any towel, bathing dress, or other article supplied for his

use.

(b) Every person shall return the towel, bathing dress, <or other article so supplied to the attendant or person in charge before leaving any dressing enclosure or shed.

Dogs not to be admitted.

33. A person shall not cause or allow any dog belonging to him or under his control to enter or remain in any dressing enclosure or shed, or in any passage leading to or from the same.

Interference with life-belts, &c.

34. A person shall not interfere with any life-belts or life-buoys, unless in case of accident and danger occurring and rendering their use necessary for the saving of life.

Payment of dues.

35. The Council may charge every person entering a dressing enclosure or shed the proper fees or dues for the use of dressing accommodation and requisites, and for the safe custody of valuables, which shall from time to time be fixed by resolution of the Council: Provided, nevertheless, that children attending public schools in the Shire may, if in charge of a teacher who is a capable swimmer and an adept at life saving, be admitted free of charge to dressing enclosures or sheds at such times and on such days as the Council may appoint.

Maintenance of order.

36. The lessee or person appointed by the Council shall have charge of any dressing enclosure or shed, and shall be responsible for the maintenance of good order and conduct therein: Provided, however, that where there is no lessee or person appointed by the Council to take charge of any such enclosure or shed, any inspector may at any time enter such enclosure or shed, and may exercise his functions therein.

Part B.—Public Baths.

Interpretation.

37. The word "bath" means any bath constructed or enclosed by the Council, or any bath or bathing enclosure under the care and control of the Council.

Hours when bath open.

38. The Council may from time to time fix or alter the days and hours on and during which the bath shall be open to public use; and may allot certain days and hours for each sex.

Shower-baths to be first used in certain cases.

39. (a) A person in a dirty state or condition shall not enter the swimming basin until after he shall have thoroughly washed and cleansed himself in one of the shower baths.

(b) The lessee or person in charge shall not permit any person to enter the swimming basin who, in his or her opinion, shall be dirty or unfit so to enter.

Persons suffering from certain complaints excluded.

40. A person suffering, or appearing to the lessee, Collector, or person in charge to be suffering, from any infectious, contagious, or offensive disease or skin complaint, shall not visit or use the said bath.

Bathing costume to be worn.

41. A person above the age of eight years shall not bathe in a bath unless wearing proper bathing costume ; and where such bath is open to the public view, such costume shall cover the body from the neck to the knee, so as to secure the observance of decency.

Admission to bath in certain cases.

42. A person shall not enter premises used in connection with a bath, or any dressing-room or compartment attached thereto, when such premises, or dressing-room or compartment shall be occupied by the full number of persons authorised by the caretaker or person in charge to use the same at one and the same time, or during such hours as the said bath or premises are reserved for the exclusive use of the opposite sex.

Intoxicated persons excluded.

43. A person shall not enter any such bath or any place used in connection therewith while intoxicated, nor introduce into the said bath or place, or drink therein, any spirituous or intoxicating liquor.

Smoking prohibited.

14. A person shall not smoke in any place used in connection with any bath where smoking is prohibited by notice exhibited by direction of the Council or of the person in charge of such bath.

Insulting language.

13. A person shall not use any insulting, profane, or indecent language or gestures within the said bath premises.

Defacing bath.

40. A person shall not cut, write upon, mark, injure, disfigure, or deface any part of the bath, fittings, or premises.

Disorderly conduct.

17. A person shall not within the bath behave in a riotous or disorderly manner, nor create or take part in any disturbance, nor obstruct the lessee, collector, or person in charge of the said bath in the performance of his duties, nor intrude himself into any of the dressing-rooms or compartments in use by other persons, or interfere with the clothing or towels of any such person, nor do any act whatever whereby inconvenience or annoyance may be occasioned to any person.

Loitering on bath premises.

18. A person shall not, without reasonable excuse, after using the bath or quitting any dressing-room or compartment therein, loiter or remain within such bath, or in any passage leading to or from the same.

Fouling or polluting water, &c.

40. (a) A person shall not wilfully foul or pollute the water in the bath, or wilfully soil or defile any towel or bathing costume supplied for his or her use, or any dressing-room, box, or compartment, or any furniture or article in the bath.

No soap to be used in swimming basin.

(b) A person shall not, whilst in the swimming basin, use any soap or other substance or preparation whereby the water may be rendered turbid or unfit for the use of bathers.

Bathing towels.

50. (a) A person shall not injure or destroy any towel, bathing-dress, or other article supplied for his use.

(b) Every such person shall return the towel, bathing-dress, or other article so supplied to the collector, attendant, or person in charge before leaving the bath.

Dogs not to be admitted.

51. A person shall not cause or allow any dog belonging to him or under his control to enter or remain in the bath, or in any dressing-room, box, or compartment, or in any passage leading to or from the same.

Interference with life-belts or life-buoys.

52. A person shall not use or interfere with the life-belts or life-buoys unless in case of accident and danger occurring to a bather, rendering their use necessary for the saving of life.

Payment of dues.

63. The Council may charge every person entering the bath premises the proper fees or dues for the use of the baths, or for bathing or dressing accommodation and requisites, and for the safe custody of valuables, as shall from time to time be fixed by resolution of the Council: Provided, nevertheless, that children attending public schools in the Shire may, if in charge of a teacher, who is a, capable swimmer and an adept at life-saving, be admitted free at such times' and on such days as the Council may appoint.

Maintenance of order.

54. The lessee for the time being of the fees or dues of the bath, or his authorised agent or collector, or if there be no lessee, then the collector or person appointed by the Council, shall be in charge of the said bath shed shall be responsible for the maintenance of good order and conduct therein:

Provided, nevertheless, that any inspector or any persons appointed by the Council, in writing, shall have free access thereto at all times.

Part C.—General.

Inspectors.

55. (a) The Council may appoint any servant of the Council an inspector under this Ordinance.

(b) The Council may appoint any member of a volunteer life-saving club (whether subsidised or not) an inspector under this Ordinance: Provided that a member so appointed shall not prosecute any person for a breach of any provision of this Ordinance, but shall report such breach to the Council for action by it.

(c) Every constable or officer of police shall have the powers of an inspector under this Ordinance.

(d) Every inspector may demand the name and address of any person guilty of a breach of any of the provisions of this Ordinance, and such person shall comply with such demand.

(c) A person shall not obstruct or hinder any inspector or life-saving attendant in the performance of his duties, or in the exercise of his powers.

(d) The Council shall supply each inspector with a written appointment under the seal of the Council, and with a badge in the shape of a shield bearing the representation of a Crown over the word "Inspector," as represented hereunder. Every inspector when on duty shall wear such badge on the front of his dress or bathing costume, or, if not wearing the badge, shall produce his written appointment if demanded of him when exercising authority under this Ordinance. The production of such badge or writing by any person shall be prima facie evidence of the appointment of the person producing same, and of his authority to discharge any function conferred upon inspectors under this Ordinance.

Penalties.

£10. Any person offending against any of the provisions of this Ordinance shall be liable on conviction to a penalty for every such offence of not exceeding £10.

Prosecutions.

.57. Any member of the police force, or officer or servant of the Council, may institute proceedings and recover penalties for breaches of the provisions of this Ordinance. [4439]

"LOCAL GOVERNMENT ACT, 1906," AND AMENDING ACTS. (1919, January 31). *Government Gazette of the State of New South Wales (Sydney, NSW : 1901 - 2001)*, p. 596. Retrieved from <http://nla.gov.au/nla.news-article229604553>