



ANNO VICESIMO SECUNDO

# GEORGII V REGIS.

A.D. 1931.

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## No. 2045.

An Act to amend the Municipal Corporations Acts,  
1923 to 1930.

[*Assented to, December 2nd, 1931.*]

**B**E it Enacted by the Governor of the State of South Australia,  
with the advice and consent of the Parliament thereof, as  
follows :

1. (1) This Act may be cited as the "Municipal Corporations Act Amendment Act, 1931". Short titles

(2) The Municipal Corporations Acts, 1923 to 1930, and this Act may be cited together as the "Municipal Corporations Acts, 1923 to 1931".

(3) The Municipal Corporations Act, 1923, is hereinafter referred to as "the principal Act". No. 1558 of 1923.

2. (1) Section 34 of the principal Act is amended—

(a) by striking out the words "at the time of his election" in the second line thereof; and

(b) by adding at the end thereof the words "For the purpose of this section the term 'one year' means a period from the date for holding an annual election of councillors in any such Municipality or District Council District until the date for holding the next subsequent annual election of councillors in such Municipality or District Council District, as the case may be".

Amendment of  
principal Act, s. 34—  
Qualification of  
Mayor.

(2) The amendments made by this section shall be deemed to take effect as from the first day of December, nineteen hundred and thirty.

*Municipal Corporations Act Amendment Act.—1931.*

Amendment of  
principal Act,  
s. 156A—  
Vesting of certain  
private streets.

**3.** Section 156A of the principal Act (as enacted by section 18 of the Municipal Corporations Act Amendment Act, 1929) is amended—

- (a) by striking out the words “ of the City of Adelaide ” in the first line thereof ;
- (b) by striking out the word “ said ” occurring in the fourth line thereof, second occurring in the seventh line thereof, and occurring in the tenth line thereof ; and
- (c) by striking out the words “ said City ” in the second and seventh lines thereof and by inserting in lieu thereof in each case the word “ Municipality ”.

Amendment of  
principal Act—

**4.** The principal Act is amended by inserting therein after section 384 the following section :—

Power to declare  
differential rate.

384A. (1) The Council may declare a general rate in respect of the ratable property within any portion of the Municipality which may be greater or lesser than the general rate declared in respect of the remainder or any other portion of the Municipality.

(2) No such differential rate shall be declared unless at least three-quarters in number of the whole number of the members of the Council vote in favour of the declaring of such rate.

Amendment of  
principal Act—

**5.** The principal Act is amended by inserting therein after section 397 the following sections :—

*Special lighting works in streets.*

Ratepayers may  
memorialise  
for specific  
lighting works.

397A. Any number of ratepayers may address a memorial to the Council requesting the Council to construct or cause to be carried out any specific works for the purpose of providing lighting in any public street adjacent to the ratable property of such ratepayers.

Contents of  
memorial.

397B. Every such memorial shall—

- (a) set forth a description of the proposed works ;
- (b) define the ratable property (including the lineal frontage thereof) in respect of which it is proposed that the said works should be carried out ;
- (c) state the names of all the ratepayers joining in the memorial ;
- (d) name a certain amount per foot of lineal frontage which the signatories are willing to pay as a separate rate for the purpose of the proposed works and to meet the cost of maintenance, and the period for which the signatories are willing to pay as aforesaid.

Verification  
of memorial.

397C. The memorial and the signatures thereto shall be verified by the statutory declaration, or declarations of one or more of the signatories. 397D. If

*Municipal Corporations Act Amendment Act.—1931.*

397D. If it appears to the Council that it will be desirable to comply with the memorial, and that the proposed works will in no way be disadvantageous to the interests and requirements of any other portion of the Municipality, the Council may—

Power of Council to comply with memorial.

(a) for the purpose of such works declare for one year, or annually, or for several years a separate rate; and

(b) cause the works to be executed.

397E. (1) The separate rate shall not exceed in the whole for any one year the amount of the separate rate mentioned in the memorial desiring the work.

Payment for special works.

(2) The separate rate shall be payable in respect of the ratable property of ratepayers being signatories to the memorial, which said ratable property is specified in the memorial, and shall be payable according to the lineal frontage of such ratable property at the amount per foot fixed by the Council.

(3) The resolution declaring the rate shall specify the ratable property upon which the rate shall be payable.

(4) Sections 393, 394, and 395 shall apply to and in respect of every such rate.

6. Section 417 of the principal Act is amended by striking out the word "Ten" in the fourth line thereof and by inserting in lieu thereof the word "Five".

Amendment of principal Act, s. 417—

Fine on overdue rates.

7. Subsection (2) of section 417 of the principal Act (as enacted by section 2 of the Municipal Corporations Act Amendment Act, 1930) is amended by striking out—

Amendment of principal Act, s. 417—

Remission of fines.

(a) the word "undue" in the second line thereof;

(b) all the words in the said subsection after the word "fine" in the fourth line thereof.

8. (1) Section 435 of the principal Act is amended by adding at the end thereof the following paragraph:—

Amendment of principal Act, s. 435—

Power to construct weighbridges.

xix. the construction, purchase, or provision of weighbridges, and the provision of places for weighing vehicles and their loadings:

(2) All weighbridges constructed, purchased, or provided, and all places for weighing vehicles and their loadings provided by a Council before the passing of the Municipal Corporations Act Amendment Act, 1931, shall be deemed to have been lawfully constructed, purchased, or provided, as the case may be, as if the powers given to the Council by this section had been given before the said construction, purchase, or provision.

9. Section

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*Municipal Corporations Act Amendment Act.—1931.*

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Amendment of  
principal Act,  
s. 465—  
Retiring allowances  
to officers and  
employees.

**9.** Section 465 of the principal Act is amended—

- (a) by inserting after the word “its” in paragraph (c) thereof the words “officers or”; and
- (b) by inserting after the word “officers” in paragraph (e) thereof the words “or employees”.

Amendment of  
principal Act,  
s. 504—  
By-laws.

**10.** Paragraph xxxi. of subsection (1) of section 504 of the principal Act is amended—

- (a) by inserting after the word “Mayors” in the second line thereof the word “and”; and
- (b) by striking out the words “and Auditors” in the second line thereof.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

A. HORE-RUTHVEN, Governor.