

PITAS DISTRICT COUNCIL (TAMU) BY-LAWS 2010

In exercise of the powers conferred upon him by section 50(1) of the Local Government Ordinance 1961, the Pitas District Council makes the following by-laws:

Citation

1. These by-laws may be cited as the Pitas District Council (Tamu) By-laws 2010.

Interpretation

2. In these By-laws –

“Council” means the Pitas District Council;

“tamu” means an open air market established and declared by the Council to be a tamu by notice posted on the Notice Board of the Council, and at the tamu ground.

Licence

3. No person shall sell any commodity not being manufactured within the Council area in any tamu except with a licence issued by the Council at its discretion and subject to such conditions as may be imposed.

Licence fee

4. (1) The licence fees shall be as follows:

	RM per month
(a) cooked foods (noodle soup or fried, cooked rice, etc.)	5
(b) Local products (vegetables, fruits, tobacco, etc.) not being imported	5

(c)	fish, meat, mutton, fowls, etc.	5
(d)	manufactured products (such as clothings, straw hats, basketries, etc.)	5

(2) For temporary sale of various commodities in any open space without stall being provided by the Council in any tamu ground within the Council's area, a fixed daily licence fee of two ringgit per day.

Rental of stalls

5. The rental charge for each stall provided by the Council shall be five ringgit per month.

Tamu days

6. The tamu days for the following areas shall be as follows:

Pekan Pitas	-	every Saturday
Pinggane-Pinggane	-	every Wednesday
Rosob	-	every Sunday
Kusilad	-	every Sunday
Kanibongan	-	every Thursday

Commencement time

7. All tamu shall commence from 5.00 a.m..

Tamu Master

8. The Council may in writing appoint any person to be a Tamu Master for a tamu who shall be charged with the keeping of order in and the general management of the tamu.

Cancellation or suspension of licence

9. The Council may cancel or suspend a licence if the licensee or any assistants or any workers of the licensee –

- (a) is convicted of any offence under these By-laws; or
- (b) if, on the certificate of a Government Medical Officer or a registered medical practitioner, the licensee is suffering from an infectious disease.

Penalty

10. Any person who –

- (a) sells any commodity specified in by-law 4 in any tamu without a valid licence or contravenes the conditions of a licence issued under these By-laws;
- (b) takes or attempts to take into any tamu any intoxicating liquor;
- (c) constructs or extends any tamu stall without the prior written approval of the Council;
- (d) has in his unlawful possession in any tamu any fireworks, firearms, or any offensive weapons; or
- (e) fails to comply with any lawful direction given by the Tamu Master,

shall commit an offence and shall on conviction be liable to a fine not exceeding twenty thousand ringgit.

Compounding of offences

11. (1) Notwithstanding any provision of these By-laws, any officer of the Council may in his discretion compound any offences under these By-laws by collecting from a person reasonably suspected of having committed the offence a sum not exceeding five hundred ringgit.

(2) On payment of such sum, an official receipt will be issued and no further proceedings shall be taken against the person in respect of such offence.

Made this 9th April 2010.

SAPDIN BIN IBRAHIM,
Chairman,

Pitas District Council.

I approve the foregoing By-laws.

Dated 9th April 2010.

DATUK HAJI HAJIJI HAJI NOOR,
Minister of Local Government and Housing.

Sabah LawNet