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GEORGETOWN, SATURDAY 20TH AUGUST, 2016

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### A. ACTS — NIL

### B. SUBSIDIARY LEGISLATION —
By-Laws No 1 of 2016 – The Municipal and District Council Act . . . 1129

### C. BILLS — NIL

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SATURDAY 20TH AUGUST, 2016
BY-LAWS

Made Under

THE MUNICIPAL AND DISTRICT ACT

(Cap. 28:01)

IN EXERCISE OF THE POWERS CONFERRED BY SECTIONS 304 AND 305 OF THE MUNICIPAL AND DISTRICT COUNCIL ACT, ON THE LINDEN TOWN COUNCIL AND THE MINISTER, THE FOLLOWING BY-LAWS HAVE BEEN MADE BY THE LINDEN TOWN COUNCIL AND APPROVED BY THE MINISTER:

ARRANGEMENT OF BY-LAWS

BY-LAW

PART 1

1. Citation.
2. Interpretation.

PART II

3. Imposition of toll.
5. Contract with vehicle owners.
6. Exhibition of table of tolls.
7. Offences and penalties.
8. Power to amend Schedule.
10. Exemption from payment of toll.
11. Exemption of stamp duty.
12. Provision of amenities and control of toll area.
PART I

Citation
1. These By-Laws may be cited as the Linden Town Council (Toll) By-Laws 2016.

Interpretation
2. In these By-Laws-
   “container” includes receptacles of specified sizes and description that are used for transporting of goods, lumber and general merchandise;
   “Council” means the Linden Town Council;
   “log” means whole trees that are cut into size and are generally unprocessed and includes pilings and other unprocessed lumber;
   “lumber” means sawn and rough cut lumber;
   “Minister” means the Minister of Communities;
   “Permanent Secretary” means the Permanent Secretary of the Ministry of Communities;
   “Regional Executive Officer” means the administrative head of the Regional Democratic Council, Region No. 10;
   “Toll” mean the prescribed amount listed and directed by the Council each vehicle has to pay;
   “Toll Station” means the building erected and designated as such by the Council where its officers are located to collect tolls; and
   “vehicle” means wheeled machines or equipment deemed as liable to pay toll at the Linden toll point.

PART II

Imposition of toll
3. There is imposed a toll for the use of roads payable under these By-Laws.

Collection of tolls
4.(1) Every paying point in the toll station shall be conspicuously identified by a sign.

Schedule
(2) Every vehicle specified in the Schedule shall stop at a paying point at the toll station and the owner or person in charge of the vehicle shall pay in the full corresponding toll for the vehicle to the toll collector in local currency.
(3) Every person collecting a toll under these By-Laws shall immediately issue a receipt, ticket or bill in the form determined by the Council and each receipt, ticket or bill shall bear the approved stamp, seal, serial number or security feature of the Council.

(4) All tolls levied under these By-Laws shall be deemed revenues of the Council.

5. The Council shall have the power to enter into contractual arrangements with vehicle owners, entrepreneur companies or any other person for the collection of tolls on a daily, weekly, fortnightly or on a monthly basis.

6. The table of tolls in the Schedule shall be posted up in a conspicuous place at the designated toll station to display the categories of vehicle, current tolls and penalties for violations of any of these By-Laws.

7.(1) A person commits an offence who-

   (a) drives a vehicle through the toll station specified in the Schedule by a route not designated for the passage of that vehicle;

   (b) refuses to stop a vehicle specified in the Schedule at the toll station and pay the toll; or

   (c) having collected any toll, fails or refuses to pay the toll to the collector or to any authorised person and is liable, upon summary conviction to a fine not exceeding ten thousand dollars and imprisonment for one month.

(2) A person who-

   (a) drives a vehicle specified in the Schedule in a dangerous manner and cause damage to the barrier; or

   (b) obstructs, assaults, uses indecent language or threatening behavior or physically abuses the toll collector or any other designated person in the execution of their duties, commits an offence and is liable on summary conviction to a fine of ten thousand dollars and imprisonment for three months.
(3) In addition to the penalty imposed under paragraph (1) or (2) the Court may order the offender where the offence is one of failing to refusing to pay the toll.

(4) The toll collector, in the event that a toll demanded is not honoured, may impound the vehicle and release the vehicle after the sum has been paid in full.

8. The Council may, subject to approval of the Minister, amend the Schedule.

9. The toll collector or the designated officer may release information to the Council or Town Constabulary on any vehicle in respect of number plate, colour, make, type or model or in respect of any person passing through the toll station and the information shall be confidential.

10.(1) Vehicles mentioned in the Schedule transporting essential supplies for the Government shall be exempted by the Council from the payment of each toll upon notification and certification by the Regional Democratic Council of the vehicle to the Council.

(2) Vehicles mentioned in the Schedule registered in the name of a person living in Linden shall pay a toll determined by the Council twice a year in January and July.

11. The payment of tolls shall be exempt from stamp duty.

12. The Council may provided for-

   (a) the order and safety and the prevention or abatement of nuisances in the toll area;

   (b) public health or safety in the toll area;

   (c) the control, restriction and safety of traffic in the toll area;

   (d) the regulation of the speed of traffic using the toll area;

   (e) the regulation of vehicle which may use the toll area including the types, dimensions, condition and loading of such vehicles and classes or description of vehicles that are prohibited from using the toll area;

   (f) the prohibition or regulation of the use by vehicle in the toll area of lights, horns, sirens and other equipment;

   (g) the prohibition or regulation of the carriage into or through the toll area of any offensive, noxious or dangerous goods;

   (h) the installation of any automatic toll collection system and associated equipment approved by the Council and the features, operation and control of any such system;
(i) the payment of tolls by electronic means or devices including electronic toll passes and the issue, withdrawal, cancellation, surrender or replacement of such passes or devices and the regulation of their use (including prohibition of interference with, damage to, defacement of or alteration of such passes or devices);

(j) the towing away or removal of any vehicle or thing causing obstruction in the toll area and the imposition of charges in respect of any towage or removal and of any storage, detention or services of the vehicle or thing;

(k) the protection of any property owned or controlled by the Council from damage or injury;

(l) the employment and organisation or personnel provided by the Council for the control, restriction and safety of traffic in the toll area;

(m) mechanisms for the issue of a permit for passing the toll point and may prescribe a fee to be paid in respect of such permit;

(n) any other matter relating to the control, operation and management of the toll area where necessary or expedient.
## SCHEDULE

<table>
<thead>
<tr>
<th>CATEGORY OF VEHICLE</th>
<th>TOLL CHARGE</th>
</tr>
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<tbody>
<tr>
<td>Car with Goods for Sale</td>
<td>$2,000.00</td>
</tr>
<tr>
<td>Mini Buses with Goods for Sale</td>
<td>$2,800.00</td>
</tr>
<tr>
<td>Small Canters with Goods for Sale</td>
<td>$3,000.00</td>
</tr>
<tr>
<td>Large Canters with Goods for Sale</td>
<td>$4,000.00</td>
</tr>
<tr>
<td>Lumber Trucks with Boards</td>
<td>$4,000.00</td>
</tr>
<tr>
<td>20’ Container</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>Pick Ups and 4x4s with Materials</td>
<td>$3,000.00</td>
</tr>
<tr>
<td>Trailers with Boards</td>
<td>$4,000.00</td>
</tr>
<tr>
<td>Trucks with Scrap Iron</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>Timber Trucks with Logs</td>
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<tr>
<td>Trailers with Logs</td>
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<tr>
<td>Bedford Trucks</td>
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<tr>
<td>40’ Container</td>
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<tr>
<td>Trucks with Road Building Materials</td>
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<tr>
<td>Trucks with Fuel</td>
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<tr>
<td>Fuel Tankers</td>
<td>$5,800.00</td>
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<tr>
<td>Haulers</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>Haulers with Machine</td>
<td>$7,000.00</td>
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</tbody>
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Made by the Linden Town Council  
this 22nd day of July, 2016

Approved this 18th day of August, 2016

TOWN CLERK  
MINISTER OF COMMUNITIES