

# City of Ballaarat

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## BY-LAW No. 120

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A BY-LAW of the CITY OF BALLAARAT made under the Local Government Acts and the Police Offences Acts and numbered 120 for the purpose of regulating traffic in the City of Ballaarat and for the purpose of repealing parts of Bylaws and regulations of the City of Ballaarat and the Town of Ballaarat East relating to the regulating of traffic.

IN pursuance of the powers conferred by the Local Government Acts and the Police Offences Acts THE MAYOR COUNCILLORS AND CITIZENS OF THE CITY OF BALLAARAT order as follows:—

1. IN this Bylaw unless inconsistent with the context or subject matter:—

“Council” means and includes the Council of the City of Ballaarat.

“Driver” means the person actually engaged in the driving of a vehicle or horse while the same is in motion and shall include the rider of a horse.

“Footway” includes every footpath lane or other place habitually used by pedestrians and not by vehicles.

“Horse” includes any draught animal or beast of burden.

“Intersection” means the area embraced within the prolongation of property lines of two or more streets which join at an angle whether or not such streets cross.

"Major street" means any street along which tram-cars travel.

"Minor street" means any street along which tram-cars do not travel.

"Motor Car" has the same meaning as in the Motor Car Act 1928.

"Safety Zone" means a place of refuge for pedestrians established by the Council in any street.

"Street" includes any highway road lane or thoroughfare other than a footway.

"Traffic-control signal" includes any device using coloured lights or words or any combination thereof, whether operated mechanically electrically manually or otherwise by which traffic is directed to stop and proceed.

"Tram-stop" means a place indicated by a sign as a place at which tramcars stop for the purpose of taking up or setting down passengers.

"Vehicle" includes any conveyance propelled or drawn by human animal mechanical electrical or other power and shall include a motor car but not a tram motor, a tramcar, a railway locomotive or a railway carriage.

2. THE driver of a vehicle or horse proceeding along a major street shall:—

(i) On approaching the intersection of another major street bring such vehicle or horse to a stop at or as near as practicable to such intersection and before entering such intersection.

(ii.) On approaching an intersection of a minor street cause such vehicle or horse to proceed at such rate of speed that he will be able to stop immediately such vehicle or horse in case of sudden danger.

Provided that this regulation shall not apply at an intersection where a member of the Police Force is controlling the traffic or a traffic control-signal is installed and is operating.

3. THE driver of a vehicle or horse proceeding along a minor street shall:—

(i.) On approaching the intersection of a major street bring such vehicle or horse to a stop at or as near as practicable to such intersection and before entering such intersection;

(ii.) On approaching the intersection of another minor street cause such vehicle or horse to proceed at such rate of speed that he will be able to stop immediately such vehicle or horse in case of sudden danger;

Provided that this regulation does not apply at an intersection where a member of the Police Force is controlling traffic or a traffic control signal is installed and is operating.

4. THE sections of roadways between the North and South roadways of Sturt Street and running at right angles thereto and lying between the centre gardens blocks in Sturt Street shall for the purposes of this By-law be minor streets in relation to such North and South roadways.

5. THE driver of a vehicle or horse reaching the intersection of two minor streets at approximately the same time as another vehicle or horse shall give the right-of-way to the vehicle or horse approaching from his right Provided that this regulation shall not apply at an intersection where a member of the Police Force is controlling traffic or a traffic-control signal is installed and is operating.

6. THE driver of a vehicle or horse passing any tramcar stationary at a tram-stop in any street of a greater width than one chain shall not pass so that any part of his vehicle or horse shall be within a distance of 5 feet of any part of such tramcar.

7. IF the driver of any vehicle or horse is desirous of turning his vehicle or horse to the right and no traffic is approaching from the opposite direction and no vehicle or horse is on the right of a driver desiring to turn such driver may turn his vehicle or horse to the right from the line of traffic provided that a distance of not less than 25 yards from the place at which he proposes so to turn he indicates his intention of so doing by extending his right arm beyond the vehicle with hand and fingers pointing horizontally in the direction



in which he intends to turn and keeping his arm so extended until such vehicle or horse reaches the point at which he proposes to turn. If traffic is approaching from the opposite direction and it is not practicable to turn to the right in the above manner the driver shall give the slow down signal drive his vehicle or horse to the left side of the road give the stop signal and cause his vehicle or horse to remain stationary until it is practicable to cross to the right.

8. THE driver of a vehicle on any street (not being a one way street) shall when driving such vehicle from one side of such street to the other side cause such vehicle to make the complete turn so that when stationary at the kerb his vehicle shall be headed in the same direction as the traffic is proceeding.

9. THE driver of a vehicle or a horse shall:—

(i.) When meeting a vehicle horse or pedestrian proceeding or headed in the opposite direction keep his vehicle or horse on the left or near side of the street;

(ii.) When passing a vehicle horse or pedestrian proceeding or headed in the same direction cause his vehicle or horse to pass on the right or off side of such vehicle horse or pedestrian.

10. Repealed 11/9/51 by By-law No. 133.

11. NO person shall drive any vehicle upon any street or permit any vehicle to be driven upon any street unless such vehicle is so constructed as to enable the driver thereof to have a full and uninterrupted view of the traffic in front of him and abreast of him on each side of such vehicle and no person while driving any vehicle upon any street shall occupy such a position as will interrupt or interfere with his having such full and uninterrupted view as aforesaid.

12. NO person shall in any street at one and the same time act as driver or have sole charge of more than one vehicle drawn by animal power or of more than two vehicles fastened together in which case the length of the tow shall not exceed twelve feet Provided that this regulation shall not apply in the case of a motor

car drawing a trailer registered in accordance with the provisions of the Motor Car Acts.

13. THE driver of a vehicle upon any street shall when stopping his vehicle for the purpose of taking up or setting down any passenger or goods do so as near as practicable to the footway on his left or near side.

14. THE driver of a vehicle or horse shall on the sounding of a warning bell or other signal by a fire brigade vehicle ambulance or police patrol car give the right of way to such fire brigade vehicle ambulance or police patrol car and shall draw his vehicle or horse as near as practicable to the footway on the left or near side of the street and parallel thereto in order to allow such fire brigade vehicle ambulance or police patrol car to pass.

15. No person shall drive any vehicle or drive ride or lead any horse upon any street in such manner or in such order that more than two vehicles or horses are travelling side by side in the same direction Provided that this regulation shall not prevent three horses abreast being attached to one vehicle or any vehicle from passing two bicycles travelling side by side in the same direction.

16. (1) Every person alighting from a vehicle or tramcar shall as soon after alighting therefrom as the exigencies of traffic permit pass by the shortest and most direct route to the nearest footway;

(2) No person while waiting to board a vehicle or tramcar shall stand on any portion of the carriage way of a street or pass to such vehicle or tramcar until the same has stopped to take up such person or for the purpose of taking up and setting down passengers;

(3) This regulation shall not apply to any person upon a safety zone.

17. EVERY pedestrian upon a footway shall keep unless for justifiable cause to the left or near side of such footway and shall when overtaking any person pass on the right or off side of such person.



18. NO pedestrian shall cross any street or any part thereof except at right angles to the footway. Every pedestrian shall on leaving the footway proceed by the shortest line from the point on such footway from which he left such footway to a point on the other footway of the street immediately opposite the first-mentioned point.

19. EVERY driver shall at all times observe and comply with traffic control signals.

20. NO person shall place maintain or display upon any street or in view of any person passing along any street any sign signal or design which purports to be or is an imitation of or resembles a traffic control signal or which obscures from view any traffic control signal.

21. NO person shall wilfully deface injure move obstruct or interfere with any traffic control signal or traffic sign or notice.

22. NO person shall drive a vehicle or drive ride or lead a horse in front of and across the course of a tramcar which has commenced to cross an intersection.

23. NO person shall alight from or board or join a vehicle which is in motion.

24. NO person shall stop stand or leave a vehicle in any street in such manner or under such conditions as to leave less than ten feet of the width of such street available for the free movement of traffic.

25. NO person shall stop stand or leave a vehicle on any street for the primary purpose of displaying an advertisement or broadcasting by means of wireless or loud speaker.

26. NO person riding a bicycle motor cycle coaster or any toy vehicle shall cling to or attach his vehicle or himself to any other vehicle or tramcar upon any street.

27. THE driver of a vehicle shall not reverse or drive backwards his vehicle unless such movement can be made with safety having regard to the movement of traffic at the time.

28. IN the event of an accident collision commotion congestion of or obstruction to traffic in a street the driver of any vehicle or horse shall at all times obey the reasonable direction or instruction of a member of the Police Force or an Officer of the Council.

29. THE driver of a vehicle or horse:—

(i.) before stopping such vehicle or horse shall at a distance of not less than twenty-five yards from the place at which he proposes so to stop indicate his intention of so doing either by extending his arm beyond the vehicle and raising his hand with fingers extended and pointing upwards or by means of a mechanical signal or device approved by the Chief Commissioner of Police so that such hand signal or device shall be clearly visible to the driver of any following vehicle and shall keep such hand signal or mechanical device so displayed until he brings such horse or vehicle to a stop.

(ii.) before turning such vehicle or horse to the right shall at a distance of not less than twenty-five yards from the place at which he proposes so to turn indicate his intention of so doing either by extending his right arm beyond the vehicle with hand and fingers pointing horizontally in the direction in which he intends to turn or by means of a mechanical signal or device approved by the Chief Commissioner of Police so that such hand signal or device shall be clearly visible to the driver of any following vehicle and shall keep his arm or mechanical signal or device so extended until such vehicle or horse reaches the point at which the driver proposes to turn.

#### SAFETY ZONES.

30. THE following places are hereby appointed and established as places of refuge or Safety Zones:—

(a) STURT STREET.—The gardens areas from North kerb to South kerb thereof in the centre of Sturt Street between the West building line of Grenville Street and the East building line of Pleasant Street.

(b) ALL tram-stops or places appointed or established in the City by the State Electricity Commission of Victoria where tramcars stop for the purpose of taking up or setting down passengers, each Safety Zone to be the length of a tram by a distance of 5 feet outwards from each rail of tram line at normal stopping places.

31. IF any person by wilful act or default contravenes any of the provisions of this Bylaw he shall be guilty of an offence against the Bylaw and liable on conviction for a first offence to a penalty not exceeding Ten pounds (£10) and for any second or subsequent offence to a penalty not exceeding Twenty pounds (£20).

32. THIS Bylaw shall apply to and have operation throughout the whole of the Municipal District of the City of Ballaarat.

33. (a) The following Bylaws or parts of Bylaws of the City of Ballaarat are hereby repealed: Clause 103 of Bylaw 90, the whole of Bylaws 99 and 110, Clause 2 of Bylaw 112, Clause 5 of Bylaw 114 and the whole of Bylaw 117.

(b) The following Bylaws of the Town of Ballaarat East are hereby repealed:—Bylaw No. 47 Clauses 1, 3 and 4—Bylaw 48 and Regulation No. 20.

RESOLUTION for passing this Bylaw agreed to by the Council of the City of Ballaarat on 22nd day of May 1939, and CONFIRMED on the 19th day of June 1939.

The COMMON SEAL of the CORPORATION styled THE MAYOR COUNCILLORS AND CITIZENS OF THE CITY OF BALLAARAT was affixed hereto in the presence of—



ALEX. M. KING, Mayor.

J. PRYOR, Councillor.

GEO. F. MORTON, Town Clerk.

Gazetted on the 28th day of June, 1939. Page 2371.

(Reprint)