

GOLD COAST CITY COUNCIL



LOCAL LAW NO 32
(SWIMMING BATHS)

REPEALED (GAZETTE 19/12/08)

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Citation

1. This local law may be cited as Gold Coast City Council Local Law No. 32 (Swimming Baths).

Objects

2. The objects of this local law are to ensure:-
 - (a) swimming baths generally comply with essential standards of health and safety; and
 - (b) the operation or use of swimming baths does not result in nuisance to adjoining occupiers or others; and
 - (c) public baths are properly managed and supervised.

Definitions

3. In this Local Law:

“Authorised person” means a person authorised by the Council to exercise the powers of an authorised person under this local law.

“Baths” - The public baths established by the Council and any other baths constructed or acquired by the Council or any baths or bathing enclosures in the care and control of the Council whether conducted directly by the officers or servants of the Council or by any lessee thereof.

“Dangerous Drug” – shall have the meaning given it under the Drugs Misuse Act 1986.

“Manager” - The person for the time being in charge or having control or management of the baths: The term includes any lessee of the baths.

“Pools” - The swimming pool and wading pool situated in the baths: The term includes the concrete concourse immediately surrounding such pools.

Hours open for use of public

4. The baths shall be open for use of the public during such periods as the Council may from time to time by resolution appoint. The Council reserves the right for it or an Authorised Person or Manager to refuse the admittance to such baths of any person at any time.

Separation of the sexes

5. (1) A male person above the age of five (5) years shall not trespass upon any part of the baths set apart by the Council for the exclusive use of female persons and so indicated by public notice, except for the purpose of rendering assistance in case of accident or sickness.
- (2) A female person shall not trespass upon any part of the baths set apart by the Council for the exclusive use of male persons and so indicated by public notice, except for the purpose of rendering assistance in case of accident or sickness.

Intoxicated persons excluded

6. A person shall not enter the baths whilst intoxicated or under the influence of a dangerous drug nor introduce into or take therein, any spirituous liquor or dangerous drug.

Smoking

7. A person shall not smoke tobacco or any like substance in or on the pools.

Rubbish

8. A person shall not deposit or cause to be deposited in or on the baths any litter, scraps, waste material, or rubbish of any kind, other than in the receptacles provided by the Council for that purpose.

Expectorating not allowed

9. A person shall not expectorate in the baths.

Prohibiting nuisance, etc.

10. A person shall not create or place filth, or commit a nuisance of any kind within the baths, nor in any way deface such baths by writing, drawing, or carving thereon, or in any other manner.

Water, premises or appurtenances not to be polluted

11. A person shall not foul or pollute the water in the pools, nor wilfully soil or defile any towel, or bathing costume supplied for his or her use, or any shower-room, dressing-room, sanitary convenience box or compartment, or any furniture or article connected with the baths.

Showers to be first used

12. A person shall not enter in or upon the pools until he shall have thoroughly washed himself in one of the showers, and the manager may prohibit any person entering in or upon the pools who in his opinion is dirty or unfit to do so.

Persons suffering from certain complaints excluded

13. A person suffering, or appearing to the manager to be suffering from any infectious, contagious, or offensive disease or skin complaint shall not enter in or upon the pools.

Means of access

14. A person shall not go on or into or depart from the baths and pools except by means of the respective entrances or exits provided.

Conduct in pools and baths

15. (1) A person shall not, within or on the pools or baths, behave in a riotous or disorderly manner, duck, or throw into the water, any other person, or create or take part in any disturbance, or obstruct the manager or person in charge of the pools or baths in the performance of his duties, or intrude himself into any of the dressing-rooms or compartments in use by another person, or interfere with the clothing, towels or property of any such persons, or do any act whereby injury, inconvenience or annoyance may be occasioned to any person.
- (2) A person shall not, at any time while in the pools, use any soap or other substance or preparation whereby the water therein may be rendered turbid or unfit for the proper use of bathers.
- (3) A person shall not throw any stones or other articles into the pools, nor take any articles into the pools, without the permission of the manager.

Bathers to wear costumes

16. All bathers shall wear suitable and appropriate bathing costumes, so covering the body as to prevent indecent exposure of the person.

Damage to baths

17. A person shall not damage the baths or any fittings or fixtures provided by the Council therein.

Animals not allowed

18. A person shall not bring any animal into or upon any part of the baths.

If any animal is found within the precincts thereof, the owner or person in charge of such animal shall immediately remove it upon being requested by the Manager so to do.

Manager to expel disorderly or objectionable persons

19. The Manager may remove or cause to be removed from the baths any person who is in his opinion guilty of a breach of any of the provisions of this local law.

Every such person shall, immediately upon being requested by the manager so to do, quietly and peaceably withdraw from the baths and shall not re-enter the baths for such period as the Manager may stipulate.

Right of appeal

20. Any person who has been refused admission to the baths or pools, or who feels aggrieved by any action of the manager, may appeal in writing to the Council, which, after due inquiry, may give such directions in the matter as it deems fit.

Payment of charges

21. The admission charges for the use of the baths shall be as fixed by the Council in each year by resolution.

Dressing in public view

22. A person shall not dress or undress or remove or disarrange any part of his bathing costume in any place open to public view.

Coaching

23. A person shall not within the pools in consideration of any fee or reward teach, train, or coach any other person or persons in any aquatic sports without first obtaining the permission of the Council.

Use of Season Ticket

24. (1) A person shall not wrongly or falsely declare his age or the age of another person or of a child for the purpose of purchasing a season ticket.
- (2) Any person having purchased or having had purchased for him a season ticket issued in his name shall not wilfully and knowingly permit, suffer or allow the use of such ticket by any other person for the purpose of gaining admission to the baths.
- (3) A person shall not use any season ticket issued in the name of another person for the purpose of gaining or attempting to gain admission to the baths.

Patrons and Hirers to Leave Pools or Baths

25. (1) At the conclusion of every session for which the baths have been made open for admission of the general public or at any other times that the manager may deem necessary for the care, consideration, safety and well-being of the patrons or for the protection of the baths, all persons shall depart from the pools or baths when so ordered by the Manager.
- (2) At the conclusion of every hiring made in accordance with Section 26 of this local law, or any other times that the Manager may deem necessary for the care, consideration, safety or well-being of the hirer or any other person upon the premises or for the protection of the baths, all persons shall depart from the pools or baths when ordered so to do by the Manager.

Provision for Swimming Carnivals

26. Notwithstanding anything hereinbefore contained, the manager may, with the approval of the Council, allow the baths to be used by any person or persons or swimming club for the purpose of holding swimming races or a swimming carnival or for any other approved purpose and such person, persons or club may either charge the general public for admission thereto or exclude the general public therefrom, subject to the payment of such charges appropriate to the particular hiring and in force at the time for the use of the baths or if no charge has previously been fixed for a particular hiring then proposed, at a charge agreed upon between the hirer and the Council.

Further Offences

27. (1) Every person who, in or upon the baths:-
- (a) exposes to view any obscene books, print, picture, drawing, painting or other indecent exhibition or representation;
 - (b) wilfully exposes his or her person;
 - (c) plays or bets at any unlawful game;
 - (d) behaves in a riotous, disorderly, indecent, offensive, threatening or insulting manner;
 - (e) sings any obscene song or ballad or writes or draws any indecent or obscene word, figure or representation;
 - (f) uses any profane, indecent or obscene language; or
 - (g) uses any threatening, abusive or insulting words to any person;
- shall be guilty of an offence.

Penalty

27. (2) A person who in any respect contravenes or fails to comply with the provisions of this Local Law shall be guilty of an offence.

Maximum Penalty Units: 20 Penalty Units

Removal of Offenders

28. (1) Any officer of the Council or member of the Police Force may using reasonably necessary force remove a person committing an offence under this local law.
- (2) However, the force an Authorised Person may use under this section does not include force likely to cause bodily harm to a person.