

**WAIKATO DISTRICT COUNCIL
PARKING, TRAFFIC CONTROL AND PUBLIC PLACES BYLAW 2007**

THE WAIKATO DISTRICT COUNCIL, in exercise of its powers under the Local Government Act 1974, the Local Government Act 2002, the Transport Act 1962 and the Land Transport Act 1998 and their respective amendments and regulations, and all other Acts authorising it to make bylaws, **HEREBY MAKES THE FOLLOWING BYLAW.**

PART I – INTRODUCTION

I SHORT TITLE, COMMENCEMENT AND APPLICATION

- I.1 This Bylaw shall be known as the “Waikato District Council Parking, Traffic Control and Public Places Bylaw 2007”
- I.2 This Bylaw shall come into force on 1 October 2007.
- I.3 This bylaw applies to all property owned by, or under the control and management of the Waikato District Council.

2 REVOCATIONS

- 2.1 The following bylaws in so far as they apply in the Council’s district, are hereby revoked from the date this new bylaw comes into force:
 - a) The Waikato District Council Parking and Traffic Control Bylaw 1999
 - b) The Waikato District Council Control of Skateboarding Bylaw 1999
 - c) The Waikato District Council (General) Bylaw No. 1 (1990), Chapter 2 : 1972 Public Places
- 2.2 Notwithstanding that the above bylaws have been repealed and replaced by the within bylaw, all resolutions of the Council which were in force in respect of the now revoked bylaws shall continue in force as if such resolutions had been passed immediately after the adoption of the within bylaw and any reference to clauses in such now revoked bylaws shall be deemed to be a reference to the appropriate clause under the within bylaw.
- 2.3 The revocation of the bylaws specified in 2.1 above shall not prevent any legal proceedings, criminal or civil, being taken to enforce those bylaws and such proceedings shall continue to be dealt with and completed as if the bylaws had not been revoked.

3 INTERPRETATION

- 3.1 In this bylaw, unless inconsistent with the context,

Authorised Officer means an employee or a contractor of the Waikato District Council appointed or authorised to carry out general or specific duties arising from any of the provisions of this bylaw, and includes a Police Officer, Parking Warden and any enforcement officers appointed and warranted by Council under the Local Government Act 2002.

Beach means that area of sand between high and low water level.

Bus means a passenger service vehicle with more than 9 seating positions (including the driver's seating position), that is being used solely for hire and reward.

Camping vehicle means any wheeled vehicle or device whether self propelled or not which is used for the purpose of sleeping in or remaining overnight and includes any vehicle commonly described as a campervan, caravan, motor home, house-bus or house-truck.

Chief Executive means the Chief Executive of the Waikato District Council.

Council means the Waikato District Council and includes any person authorised by the Council to act on its behalf.

Courtesy Vehicle means any vehicle provided at no charge for the transportation of patrons of licensed premises.

Cycle/Bicycle means a vehicle that has at least two wheels and that is designed primarily to be propelled by the muscular energy of the rider and includes a power-assisted cycle.

Emergency Vehicle means a vehicle used for attendance at emergencies and operated:

- a) by an enforcement officer;
- b) by an ambulance service;
- c) as a fire service vehicle;
- d) as a coastguard rescue service vehicle;
- e) as a civil defence emergency vehicle;
- f) as a defence force emergency vehicle.

Footpath means a path or way principally designed for and used by pedestrians and includes any footbridge or grass berm.

Goods Vehicle means a motor vehicle that is designed exclusively or principally for the carriage of goods, and used for the collection or delivery of goods in the course of trade.

Grass berm means any area of footpath or road which is laid out in grass.

Heavy Motor Vehicle means a motor vehicle (other than a motorcar that is not used, kept, or available for the carriage of passengers for hire or reward), having a gross laden weight exceeding 3,500 kilograms.

Item includes but is not limited to any vehicle, sign, merchandise, merchandise stand, household furnishings, appliances, fixtures or fittings, building materials, scaffolding, skip bins, and produce.

Lane (in relation to any road) means a longitudinal strip of the roadway intended for the passage of vehicles that is separated from other parts of the roadway by a longitudinal line or lines of paint or raised studs; and includes a lane for the use of vehicular traffic that is at least 2.5m wide and a lane of a two-way road divided by a centre line.

Livestock means all animals that are likely to be kept for commercial purposes.

Loading Zone means an area of marked roadway designated solely for the purpose of loading or unloading goods or passengers.

Mobility Card or Operation Mobility Concession Card means a card issued by the New Zealand Crippled Children's Society Inc. that is to be displayed in vehicles operated by disabled persons for which certain parking concessions are available.

Mobility Device means a vehicle that is designed and constructed, and not just adapted, for the use of persons suffering from a disability. It must also be powered solely by a motor with a

maximum power output not exceeding 1500 watts, or have been declared by the Director of Land Transport to have a maximum power output not exceeding 1500 watts.

Motor Cycle means a motor vehicle running on 2 wheels, or not more than 3 wheels when fitted with a sidecar; and includes any vehicle with motor cycle controls declared by the Director of Land Transport to be a motorcycle, but does not include a moped.

Motor Vehicle means a vehicle drawn or propelled by mechanical power, and includes a trailer, but does not include:

- a) a vehicle running on rails
- b) mobility device
- c) a trailer (other than a trailer designed solely for the carriage of goods) that is designed and used exclusively as part of the armament of the New Zealand Defence Force
- d) a trailer running on one wheel and designed exclusively as a speed measuring device or for testing the wear of vehicle tyres
- e) a vehicle designed for amusement purposes and used exclusively within a place of recreation, amusement, or entertainment to which the public does not have access with motor vehicles
- f) a pedestrian controlled machine.

Ornamental Verge or Plot includes every flowerbed, grass berm or plot, shrubbery or planted area which has been constructed as such and which is separated from the roadway by kerbing or other well-defined edging.

Owner (in relation to a motor vehicle) means the person lawfully entitled to possession thereof, except where:

- a) The motor vehicle is subject to a bailment that is for a period not exceeding 28 days; or
- b) The motor vehicle is let on hire pursuant to the terms of a rental-service licence – in which case “owner” means the person who, but for the bailment or letting on hire, would be lawfully entitled to possession of the motor vehicle; and “owned” and “ownership” have corresponding meanings.

Parking and Park means:

- a) In relation to any portion of a road where parking is for the time being governed by parking restriction signs, placed pursuant to a bylaw of a local authority, the stopping or standing of a vehicle on that portion of the road for any period exceeding 5 minutes;
- b) In relation to any other portion of a road, the stopping or standing of a vehicle (other than a vehicle picking up or setting down passengers in a loading zone or reserved parking area, and entitled to do so) on that portion of the road.
- c) In relation to a parking space within a time limited area, a vehicle including a motor vehicle first parked then manoeuvred within and parked within the same parking space shall be deemed to have continuously parked in that location until it has been entirely moved therefrom.

Parking Area or Parking Place means an area of road, land or building which the Council has declared to be a place which may be used by the public for the parking of vehicles including motor vehicles.

Parking Permit means a written authority issued by the Waikato District Council allowing a specified vehicle(s) to park in a designated Permit Only Parking Area.

Parking Space means a space or section indicated by and lying within markings made by the Council for the accommodation of a vehicle.

Parking Warden means a parking warden appointed under Section 7 of the Transport Act 1962.

Passenger Service Vehicle has the same meaning as in Section 2(1) of the Transport Services Licensing Act 1989.

Permit Holder means a person who has applied for and been issued with a permit to park a vehicle in a designated parking space or area.

Permit Only Parking Area means any parking space or parking area which has been designated by the Council for use by permit holders only, and which is clearly marked as such.

Person includes a corporation sole, and also a body of persons, whether incorporate or unincorporate.

Power Assisted Cycle means a cycle to which is attached one or more auxiliary propulsion motors with a maximum power output of 200W.

Prescribed Sign means regulatory traffic control signs and markings as prescribed in the Land Transport Rule 54002 : Traffic Control Devices 2004, pursuant to s71 (1)(k) of the Transport Act 1962.

Public Place means every road, footpath, court, land, accessway, mall, thoroughfare and walkway of a public nature open to or used by the public whether as of right or not and whether with or without payment of any fee, and every park, reserve, beach or place of public resort or place to which the public have access whether with or without the payment of fee.

Reserve includes every reserve under the Reserves Act 1977 and any open space, plantation, park, garden or grounds set apart for public recreation or enjoyment which is now or hereafter may be under the management of the Council.

Road includes

- a) a street, motorway, or service lane;
- b) a beach;
- c) Council parking areas;
- d) any place to which the public have access whether as of right or not;
- e) bridges and culverts
- f) ferries and fords forming part of any road or street or motorway, or a place referred to in d) above.

Roadway means that portion of the road devoted particularly to the use of travelling vehicles, including shoulders.

Road Reserve means any uncultivated margin of a road adjacent to but not forming part of either the roadway or the footpath (if any).

Scooter means a platform fitted with wheels, steering mechanisms and brakes used to support a person and propelled by a person.

Service Lane means any lane laid out or constructed either by the authority of the Council or the Minister of Lands for the purpose of providing the public with a side or rear access for vehicular traffic to any land.

Skateboard means a short narrow board fitted with wheels used for riding on while standing. In terms of the Land Transport Act 1998 a skateboard falls within the definition of a vehicle.

Special Parking Area means any parking space or parking area which has been designated by the Council for use as a bus stop, taxi stand, loading area, disabled park, or as a “permit only” park or parking area, and which is clearly marked for such use.

Taxi means a small passenger service vehicle that has 9 or fewer seating positions (including the driver’s seating position) and which otherwise accords with the definition of taxi in the Transport Services Licensing Act 1989.

Time Limited Parking Area means any parking space or parking area which has been designated by the Council for use as a parking area with time limit restrictions.

Trailer means a vehicle without motive power that is capable of being drawn or propelled by a vehicle from which it is readily detachable, but does not include a sidecar attached to a motorcycle, or a vehicle normally propelled by mechanical power while it is being temporarily towed without the use of its own power.

Urban Community means any part of the Waikato District with a speed limit of 70 km/h or less.

Vehicle means a contrivance equipped with wheels, tracks, or revolving runners on which it moves or is moved and includes a hovercraft, a skateboard, in-line skates and roller skates; but does not include:

- a) a perambulator or pushchair;
- b) shopping or sporting trundler not propelled by power;
- c) A wheelbarrow or hand trolley;
- d) a pedestrian controlled lawnmower;
- e) a pedestrian controlled agricultural machine not propelled by power;
- f) an article of furniture;
- g) a wheelchair not propelled by power;
- h) any other contrivance specified by the rules made under the Land Transport Act 1998 and those rules specified in Section 220 of that Act
- i) any rail vehicle.

3.2 Words implying the singular include the plural and vice versa.

PART 2 – PARKING

4. GENERAL

4.1 Provision of Parking Places

4.1.1 The Council may from time to time by resolution, publicly notified:

- a) Declare any piece of land, or any length of road, or any other place owned, controlled, or occupied by the Council to be a parking place.
- b) Define the times, manner and conditions for parking of vehicles in any such parking place;
- c) Define the vehicles or classes of vehicles that may be entitled to use any such parking place, and the conditions upon and subject to which such parking place may be used;
- d) Impose conditions and charges payable for the parking of vehicles, whether by permit fee or rental, and including penalty fees in any such parking place; and
- e) Fix the charge to be paid by the owner of a vehicle in return for the sole right to park such vehicle in the space allotted, and define the hours during which the owner of a vehicle or their agent shall be entitled to the sole use of the allotted space.
- f) Make provision for the efficient management and control of any such parking place.

4.1.2 Any such resolution may from time to time be amended or rescinded by a further resolution of Council.

4.1.3 Such declared parking places are identified and described in the Schedules and Maps attached hereto.

4.2 Parking Restrictions Prescribed In Schedule I And/Or Identified On Traffic Maps

No person shall stop, stand, or park, or cause to be stopped, stood, or parked, any vehicle, or specified class or description of vehicle, in contravention of the restrictions, limitations and prohibitions identified on the Traffic Maps and/or described in Schedule I appended to this bylaw.

4.3 Signs And Markings

4.3.1 The Council shall by prescribed signs, markings, notices or devices erected or placed in a conspicuous position in or on any road or other area controlled by it, indicate where on the road, other area or portion thereof, the stopping, standing or parking of any vehicle, or specified class or description of vehicle, whether attended or unattended, is prohibited, limited or restricted.

4.3.2 Any of the signs, markings, notices or devices referred to may from time to time be supplemented, altered or removed, but while maintained, shall apply to all vehicles other than those specifically excluded on the sign, marking, notice or device.

4.3.3 The Council may erect portable parking restriction signs to temporarily prohibit parking in any particular location.

4.4 Effect Of This Bylaw On Other Laws

Nothing in this Bylaw creating, constituting or appointing parking areas shall relieve any person from any obligation to observe or comply with any law, bylaw or regulation prohibiting or regulating the stopping, standing or parking of vehicles close to, or within any fixed distance of, a pedestrian crossing, vehicle entrance, fire hydrant, corner, bend, safety zone or intersection.

5. TIME LIMITED PARKING AREAS

5.1 The Council may from time to time by resolution:

- a) Declare a designated parking space, parking place or parking area to be a Time Limited Parking Area;
- b) Specify that the designation shall only apply during certain hours of the day and/or certain days of the week.

5.2 Any such resolution shall:

- a) specify the maximum duration of time a motor vehicle may be parked within the Time Limited Parking Area;
- b) specify the Time Limited Parking Area by reference to the name of the road or land, the length of the Time Limited Parking Area, and other such details as may be necessary to enable a reasonable person to identify the approximate location of the Time Limited Parking Area.

5.3 No driver of any vehicle shall park such vehicle in a Time Limited Parking Area for a period exceeding that specified in the relevant resolution as the maximum duration of time a vehicle may be parked within the Time Limited Parking Area.

5.4 No driver of any vehicle shall park such vehicle in a Time Limited Parking Area for a period exceeding that specified on any traffic sign alongside or near or at each end of the Time Limited Parking Area.

5.5 For the purposes of this clause a motor vehicle shall be deemed to have been continuously parked in a Time Limited Parking Area notwithstanding that it may have been moved or driven from the original place the vehicle was parked, if the vehicle remains within the boundaries of the same Time Limited Parking Area throughout such movement.

6. SPECIAL AND PERMIT ONLY PARKING AREAS

6.1 Special Parking Areas - including Bus Stops, Taxi Stands, Loading Zones and Disabled Parking Areas

6.1.1 The Council may from time to time by resolution:

- a) Declare a designated parking space, parking place or parking area to be for the sole use as a bus stop, taxi stand or loading zone, or reserved for disabled persons displaying a mobility card, or other specified persons, type of use, or type of vehicle;

6.1.2 Any such resolution shall specify each special parking area or space, by reference to the name of the road or land, and such other details as may be necessary to enable a reasonable person to identify the approximate location of the special parking area.

6.1.3 Any person stopped or parked in a designated disabled persons parking space, must clearly display a relevant Mobility Card or Operation Mobility Concession Card inside the vehicle.

6.2 Permit Only Parking Areas

6.2.1 The Council may from time to time by resolution:

- a) Declare a designated parking space, parking place or parking area to be for the sole use of a permit holder or permit holders;
- b) Define the person(s) or vehicles that may be entitled to use any such parking place or area and the conditions upon and subject to which such parking place may be used;
- c) Set the terms and conditions, including whether a permit fee or rental is applicable, for the sole right to park in the designated space or area.

6.2.2 The Council may grant a parking permit on the terms and conditions set for the use of the parking space, parking area or any specified lot or lots, and in return may require the payment of a permit fee or rental. Such permit fee or rental will be specified on the Council's Schedule of Fees and Charges.

6.2.3 Where the Council has granted such a permit to use a parking place or area:

- a) The parking permit must be displayed inside the vehicle parked, stopped or standing in the permit holder's exclusive parking area. The parking permit must be displayed so as to be readable by an Authorised Officer standing outside the vehicle;
- b) The Parking permit shall identify the person or vehicle in respect of which it has been issued. The permit shall apply only to the person or vehicle described in the permit;
- c) The parking permit must be returned to the Council immediately the permit holder ceases to be entitled to the privilege;
- d) The parking permit shall be valid and effective only during the times specified on the permit and in the park, street or area specified on the permit.
- e) The Council may revoke or cancel the permit at any time.

7. METHOD OF PARKING IN DESIGNATED PARKING SPACES

7.1 No Driver of a motor vehicle shall park such a vehicle in a parking space across any line marking and parking space, or in such a position that the said vehicle is not entirely within the parking space.

7.2 No driver of a motor vehicle shall park such a vehicle in a parking space which is already occupied by another vehicle except as provided in Clause 7.5 hereof.

7.3 If a parking space is parallel to the kerb or footpath of any road the driver of any motor vehicle occupying such parking space shall park the vehicle with the left side of the vehicle as close as practicable to the left side of the roadway, except in a one-way roadway where the road has

been marked indicating vehicle parking, when the vehicle shall face in the same direction as the vehicles proceeding along the road and as close as practicable to either side of the roadway.

- 7.4** If a parking space is at any angle to the kerb or footpath of any road the driver or person in charge of any motor vehicle occupying such parking space shall park the vehicle so that it is entirely within the parking space and parallel to the lines or other indicators marking the limits thereof with the front of the vehicle facing towards and as near as practicable to such kerb or footpath.
- 7.5** Any number of motor cycles may occupy any parking space at the same time provided that no motor cycle is parked closer than a distance of 0.5 metres from any line marking the extremity of such parking space.

8. TEMPORARY DISCONTINUANCE OF PARKING SPACES

- 8.1** Where the Chief Executive is of the opinion that any parking space or spaces should be temporarily discontinued, the Chief Executive may authorise any officer of the Council to place or erect or cause to be placed or erected a sign or signs including “No Parking” at such parking space or spaces or at each end of any number of such spaces and it shall be unlawful for any person to park a vehicle at such parking space or spaces while any such sign is so placed or erected or at any parking space between any such signs so placed or erected.

9. UNLAWFUL PARKING IN PARKING SPACES

- 9.1** No person shall:
- a) cause, allow, permit or to cause any vehicle to be stopped or parked in any parking space or parking area except in accordance with or pursuant to the provisions of this Bylaw and of any resolutions, schedules, or traffic maps made thereunder;
 - b) place, stand, stop, park, leave or keep any cycle on any parking space so as to prevent or interfere with the use of that space for the parking of a motor vehicle;
 - c) park any trailer not attached to its towing vehicle in any parking space on any road or land under the control of the Council except in accordance with the provisions of this bylaw and after payment of the prescribed fee if any.

10. NO STOPPING OR PARKING AREAS

10.1 Provision of No Stopping or No Parking Areas

- 10.1.1** The Council may from time to time by resolution prohibit absolutely or for a specified time the kerbside stopping of vehicles on any land or road or part thereof under the control of the Council. Any such prohibition shall be added to the Schedules and/or Maps.
- 10.1.2** Where the Council prohibits the kerbside stopping of vehicles at all times on any land or road it shall indicate the existence of the prohibition by a broken yellow line and/or the prescribed signs or markings.
- 10.1.3** Where the Council prohibits the kerbside stopping of vehicles on any land or road only for a designated time it may indicate the existence of the prohibition by a broken yellow line and shall erect the appropriate prescribed signs necessary to reasonably indicate the existence and duration of the restriction.

10.2 Offences in Respect of No Stopping Areas

- 10.2.1 Where the Council has prohibited all kerbside stopping of vehicles at all times on any such road or land, no driver of a vehicle shall stop a vehicle at any time on such road or land.
- 10.2.2 Where the Council has prohibited the kerbside stopping of vehicles for a designated time on any road or land no driver of a vehicle shall stop a vehicle at any time during the designated time on such road or land.
- 10.2.3 No driver of a vehicle shall stop a vehicle on any road or land or part thereof where such road or land or part thereof has a broken yellow line marked thereon; provided that if no kerb exists parallel to such broken yellow line then no offence shall be deemed to have been committed if the vehicle is stopped or parked so that no part of the vehicle is closer to the centre of the roadway than the broken yellow line, and provided that such stopping or parking shall not result in the vehicle parking on a footpath or berm, lawn or garden.

11.0 PARKING RESTRICTIONS AND PROHIBITIONS ON ROADS AND PUBLIC PLACES

11.2 Displaying Vehicles and Advertising

- 11.2.1 No person shall keep, place or park any vehicle on any road or public place in circumstances where it is used or may reasonably be assumed to be used for the principal purpose of selling that vehicle or storing that vehicle pending its sale.
- 11.2.2 No person shall park or leave any vehicle on a road or public place in circumstances where it is used or may reasonably be assumed to be used for the purpose of drawing attention to any advertising sign, notice or placard carried upon or affixed to the same, without the written permission of the Council.
- 11.2.3 Provided that clauses 11.2.1 and 11.2.2 above shall not apply to the parking of any trade vehicle on any road in the normal course of business.
- 11.2.4 No person operating any business shall, without the consent of the Council and in compliance with any conditions subject to which that consent is given, use any road or part of any road for the purpose of storing any vehicle or any goods which are used in the production of any article for sale, or which are sold, traded or otherwise dealt with as part of the business.
- 11.2.5 No person operating any business, or otherwise undertaking any work for reward on land having frontage to any road, shall carry out on such road, or make use of any part of such road for the carrying out of, any process or activity associated with or being part of the business or work.

11.3 Immobilised / Immobile Vehicles

- 11.3.1 No person shall leave standing on any road or public place for any continuous period exceeding seven days any motor vehicle, with or without wheels, which is mechanically immobilised, without the written consent from the Council.
- 11.3.2 Any vehicle left standing in breach of this clause may be removed by the Council to such place as is nominated by the Chief Executive Officer or Authorised Officer.
- 11.3.3 The Council shall not be liable for any loss or damage resulting from the removal or sale of any such vehicle.

11.4 Working on Vehicles

No person shall park any vehicle on any road or public place to carry out any repairs unless:

- a) Those repairs are of an urgent or minor nature; or
- b) It is impracticable to carry out those repairs elsewhere;

and in either case the owner or person in charge of the vehicle shall take all reasonable care to prevent the occurrence of any accident, mishap, collision or damage or any injury to or interference with any person, animal or property arising from the placement of the vehicle.

11.5 Cranes, Concrete Trucks, Excavators or Drill Rigs

No person shall operate any crane, mobile crane, concrete truck, excavator or drill rig, parked on a road, without the prior consent of the Chief Executive Officer or Authorised Officer. Conditions may be imposed in granting such consent.

11.6 Waste Bins or Skips

11.6.1 Waste bins, skips and similar receptacles may be placed on the road provided that the bin or receptacle is :

- a) contained within a parking space, or within an unmarked parking area that has been temporarily fenced off;
- b) positioned as far as practicable to the left of the road to ensure the safe passage of vehicles and pedestrians; and
- c) flagged at its ends with a clearly visibly free standing clean white, or fluorescent red, orange or yellow marker.
- d) not left on the road overnight unless it has been hurdled off and prominently reflectorised so that it is easily visible to oncoming traffic.

11.6.2 Upon the removal of any waste bin or skip from the road, the road should be left clean and free of debris. Any damage to the road may be charged to the bin or skip owner or the property owner for whom the skip has been provided.

11.6.3 Where any waste bin or similar receptacle is placed on the road and the above conditions have not been complied with, such bin or receptacle may be removed by the Council and the cost of removal and damage shall be charged to the owner of the bin or receptacle.

11.7 Shipping Containers

11.7.1 No person shall place, or allow to be placed, a shipping container on any road or public place without the prior written consent of the Council.

11.7.2 The Council may from time to time give written permission, whether unconditionally or subject to such conditions as it thinks fit, for a shipping container to be left on any road.

11.8 Camping Vehicles / Tents

- 11.8.1 No person, or persons, shall use any camping vehicle or tent for the purposes of overnight accommodation when that camping vehicle or tent is parked or erected on any road, public place, or any other land under the control of the Council, other than in a camping ground licensed under the Camping Ground Regulations 1985.
- 11.8.2 Provided that this clause shall not apply in respect of any land or road or part thereof which the Council has, pursuant to Clause 5.1 or 6.1 declared to be set aside or available for overnight parking by self-contained camping vehicles meeting the provisions of NZ Standard 5465:2001 : Self Containment for Motor Caravans and Caravans.
- 11.8.3 All such camping vehicles that park overnight in the designated parking areas listed in Schedule 1 are to vacate the area no later than 9.00am on the following day.

12. REMOVAL OF ILLEGALLY PARKED VEHICLES

- 12.1 Any vehicle which is parked on a road or in any area in any manner not in conformity with, or in circumstances which contravene this bylaw or any resolutions passed hereunder, may be removed by or at the request of any Authorised Officer to such place for vehicle parking, including any yard occupied by a company engaged by the Council to remove such vehicle, as they shall think fit. Such vehicle may be detained by the Council or the company until the reasonable costs of such removal and of any subsequent daily storage are paid by the person requesting the release of that vehicle.
- 12.2 If the vehicle is not claimed within 14 days of its removal, the Council may deal with that vehicle in accordance with Section 356 of the Local Government Act 1974 as if it were an abandoned vehicle.

PART 3 – FURTHER RESTRICTIONS ON PUBLIC PLACES

13. VEHICLES

13.1 No person shall stop, stand, or park a motor vehicle on any footpath, grass berm, flowerbed, shrubbery, median strip, traffic island or any ornamental verge or plot laid out on any street, road or public place, except :

- a) On a specified parking berm or public place as may be identified in Schedule 1; or
- b) on a verge that is not separated from the roadway by kerb and channel, if such vehicle is parked so as to ensure that the driver's side wheels remain on the roadway and a clear pedestrian passage no less than 1.2m wide is retained between the vehicle and any fence, shrub or other obstruction and the vehicle is not parked on any footpath or contrary to the provision of Clause 10 of this bylaw.
- c) with the prior written consent of Council; or
- d) in compliance with a public notification by Council.

14. HORSES

14.1 No person shall ride, drive, lead, or take any horse across or along any footpath or berm within the Huntly, Ngaruawahia or Raglan urban areas, except:

- a) at an authorised vehicle crossing; or
- b) with the prior written consent of Council

15. OTHER ITEMS OR ARTICLES

15.1 No person shall stand, park, place or leave any item or allow any such item in or upon any footpath, grass berm or public place in a manner that may affect the safe and/or efficient operation of that footpath, berm or public place; or create a nuisance or health hazard, or detract from the amenity or character of the neighbourhood, except:

- a) with the prior written consent of Council; or
- b) in compliance with a public notification by Council; or
- c) in compliance with Clause 15.2.

15.2 Approved use of footpaths, berms, etc

15.2.1 *Merchandise, Merchandise Stands or Advertising Signs*

Notwithstanding the provisions of Clause 15.1, items in the form of merchandise (with or without a stand), or advertising signs may be displayed on footpaths or public places fronting the merchandise or sign owner's retail or service establishment, provided that:

- a) No less than 2/3 or 1.5m, whichever is the greater, of the footpath width remains clear of obstruction for pedestrians and mobility devices at all times; and
- b) Merchandise stands and/or advertising signs are not permanently fixed to the footpath space; and
- c) The merchandise, stands and/or footpath signs are removed from the footpath whenever the retail or service establishment is closed for business; and

- d) The advertising signs are presented and maintained to a professional standard at all times.
- e) Kerb and channel crossings for pedestrians or other access to footpaths remain unobstructed; and
- f) No person is prevented or restricted from exiting their vehicle from any identified parking space.
- g) Special extra conditions for advertising signs on Huntly Main Street are detailed in Clause 15.2.2.

15.2.2 Advertising Signs - Provisions for Huntly

In addition to the provisions of Clauses 15.1 and 15.2.1 above, the following special provisions shall apply to Main Street, Huntly:

- a) Only two advertising signs per operating business entranceway are permitted; and
- b) The maximum size of any advertising sign shall be 600mm wide x 750mm high; and
- c) The signs are to be placed against the building and not placed on the kerb side of the footpath.

15.2.3 Dining Tables on Footpaths

Notwithstanding the provisions of Clause 15.1, small dining tables may be set up on footpaths fronting the food outlet's establishment provided that:

- a) No less than 2/3 or 1.5m, whichever is the greater, of the footpath width remains clear of obstruction for pedestrians at all times; and
- b) Kerb and channel crossings for pedestrians or other access to footpaths remain unobstructed; and
- c) The tables are not permanently fixed to the footpath space; and
- d) The tables are removed from the footpath whenever the retail or service establishment is closed for business; and
- e) The tables and the footpath area frontage are presented and maintained to a clean and tidy standard at all times; and
- f) No person is prevented or restricted from exiting their vehicle from any identified parking space.

16. SKATEBOARDS, ROLLER SKATES, INLINE SKATES AND WHEELED RECREATIONAL DEVICES

- 16.1 No person shall ride or use any skateboard, roller skates, inline skates or wheeled recreational device on any road or footpath, on any footbridge, or in any public place within the prohibited areas specified in Schedule 4 attached.
- 16.2 The Council may, from time to time, by resolution publicly notified, add to or amend the extent of the prohibited areas.
- 16.3 Nothing in this clause shall serve to restrict or prevent the use of any wheelchair, pushchair, pram, trolley, cart or invalid carriage or other similar device constructed for and used for the purpose of the transportation of disabled persons, young persons or personal effects, on any such footpath.

16.4 Impounding Of Skateboards

- 16.4.1 A Police Officer, or an Authorised Officer may impound at the offices of the Council or at any Police Station, any skateboard used in breach of this bylaw by a person who has been personally requested to refrain from using the skateboard in breach of the bylaw, and has been advised of this power to impound the skateboard.
- 16.4.2 A skateboard impounded in accordance with Clause 16.4.1 may be recovered after the expiry of five days after the day of impounding upon payment of any costs associated with the impounding, but not exceeding \$50.00.

17. RESERVES

No person shall park, ride or drive any motor vehicle, cart or cycle, or skateboard or scooter, or drive, ride or lead any horse or other livestock on any part of any reserve which is not for the time being set aside specially for or to allow such purpose, except with the prior written consent of the Council.

18. LIVESTOCK IN PUBLIC PLACES

- 18.1 Any person being the owner or having the care, custody or control of any livestock, shall keep and prevent the same from wandering, or being at large in any public place without proper guidance and control.
- 18.2 No person shall tether livestock in any public place other than on the grass area directly adjacent to their property without first obtaining written permission from the Council. Permission shall be granted subject to such conditions as are considered necessary by the Council.
- 18.3 A person is allowed to tether any livestock on the grass directly adjacent to their property provided they do not tether any livestock in a position where the livestock are able to stray within 2.0 metres of the roadway.
- 18.4 Untethered livestock shall only be allowed on a road reserve for grazing purposes provided the livestock are contained within a temporary fence that complies with the Council's "Rules for Temporary Fences".

PART 4 – TRAFFIC CONTROL

20. ONE-WAY STREETS

- 20.1 The Council may from time to time by resolution publicly notified designate any road or part of any road under the control of the Council, to be a road on which vehicles shall travel in one specified direction only. Such roads shall be recorded on Schedule 2.
- 20.2 Any such resolution shall specify the road or part thereof to be subject to such restriction and shall specify the direction of travel.
- 20.3 The Council shall on making such a resolution erect or have erected the prescribed signs to indicate the existence of such restriction.
- 20.4 No person shall drive a vehicle on any road or part thereof designated by the Council for one way travel, in a direction other than the specified direction.

21 ROADS RESTRICTED TO SPECIFIC CLASSES OF VEHICLES

The Council may from time to time designate any road belonging to or under the control of the Council as a road on which any specified class of traffic (including heavy vehicles) shall be prohibited or restricted by reasons of its size or the nature of the goods carried, and in like manner may remove such designation. Any such restrictions will be detailed in Schedule 3.

22. ENGINE BRAKING RESTRICTIONS

No person shall, within any urban community of the Waikato District, use engine braking as a method of slowing down.

PART 5 – EXEMPTIONS, OFFENCES AND PENALTIES

23. EXEMPTIONS TO THIS BYLAW

- 23.1** The driver or person in charge of an “emergency vehicle” attending an emergency or other call-out, or of a vehicle being used in the emergency repair of any public or network utility, shall be exempt from the provisions of this bylaw.
- 23.2** The Chief Executive may on application from any person or organisation grant that person or organisation an exemption from such of the provisions of the bylaw as the Chief Executive deems fit. Any such exemption shall be in writing, signed by the Chief Executive and shall specify the:
- a) provisions of the Bylaw from which exemption has been granted; and
 - b) name of the person or organisation in whose favour the exemption has been granted; and
 - c) road or land or portion thereof which is covered by the exemption; and
 - d) dates between which the exemption will apply.

24. NOTICES

- 24.1** Any notice, order, or document which is required by this bylaw to be served or given or sent to any person shall be deemed to have been duly served, given, or sent if delivered to such a person or left at his or her residence or workplace or posted to such a person at his or her last known address.

25. OFFENCES

- 25.1** Every person who does or omits, or causes to be done or omitted any act, matter, or thing, or who causes or knowingly permits or suffers any condition or thing to exist contrary to any provision contained in this Bylaw shall be deemed to have committed a breach of such provision, and shall be liable accordingly.

26. OBSTRUCTION OF AUTHORISED OFFICER

- 26.1** No person shall obstruct any Authorised Officer in the course of his or her duties required to implement the provisions of this bylaw.

27. PENALTIES

- 27.1** Every person who commits a breach of any of the provisions of this Bylaw shall be liable to a penalty not exceeding Twenty Thousand Dollars (\$20,000).
- 27.2** Where damage occurs to any road, footpath, berm, reserve or public place as a result of a breach of the provisions of this Bylaw, the cost of repairing the road, footpath, berm, reserve or public place may be recovered from the owner or person in charge of the vehicle, horse or item causing the damage.

28. POWER TO AMEND SCHEDULES BY RESOLUTION

- 28.1** Council may from time to time by resolution substitute, or make additions, or alterations to any Schedule or Traffic Map of this bylaw.

29. FEES OR CHARGES

The Council may from time to time by resolution add to or amend the fees or charges set out in Council's Schedule of Fees and Charges, or prescribe new fees or charges payable in respect of any matter or purpose provided for by this Bylaw.

Schedule I

Waikato District Parking Restrictions

Pursuant to s72(1) k of the Transport Act 1962 **Council Hereby Declares** the following parking, standing, and stopping restrictions, limitations, and prohibitions apply to any vehicle or specified class or description of vehicle on any road, or portion of a road, or other area, controlled by the Council, and specified as follows:

Unless otherwise stated, time limits specified in this schedule shall apply between the hours of 8:00am and 6:00pm – daily except public holidays.

TIME LIMITED PARKING AREAS

Type of Restriction	Applicable to (Specified Type of Vehicle)	Applicable to (Specified Area/Road)
MAXIMUM PARKING TIME LIMIT 120 MINUTES		
No person shall allow any vehicle to stop, stand or park for a longer period than one hundred and twenty minutes, on any of the following roads or portions of road	All vehicles.	Huntly Community (as identified on Map 1) i) Any part of Shand Lane ii) Any part of Venna Fry Lane
		Ngaruawahia Community (as identified on Map 2) i) Any part of Galileo Street ii) Any part of Newcastle Street
		Raglan Community The specified time limits for the following roads shall apply between the hours of 8.00am and 6.00pm daily, including public holidays: i) Any part of Bow Street (as identified on Map 3) ii) Any part of Walls Street (as identified on Map 3) iii) Any part of Wallis Street - Raglan Wharf (as identified on Map 4)
MAXIMUM PARKING TIME LIMIT 60 MINUTES		
No person shall allow any vehicle to stop, stand or park for a longer period than sixty minutes, on any of the following roads or portions of road	All vehicles	Huntly Community (as identified on Map 1) i) Any part of Venna Fry Lane ii) Any part of Station Place iii) Any part of Shand Lane iv) Any part of Mine Square (BNZ Carpark) v) Any part of Main Street
		Ngaruawahia Community (as identified on Map 2) i) Any part of Jesmond Street

Type of Restriction	Applicable to (Specified Type of Vehicle)	Applicable to (Specified Area/Road)
<u>MAXIMUM PARKING TIME LIMIT 60 MINUTES</u> (contd)		<i>Raglan Community</i> (as identified on Map 3) The specified time limits for the following roads shall apply between the hours of 8.00am and 6.00pm daily, including public holidays: <ul style="list-style-type: none"> i) Any part of Bow Street ii) Any part of Wainui Road iii) Any part of Wi Neera Street iv) Any part of Wallace Street
MAXIMUM PARKING TIME LIMIT 30 MINUTES	All vehicles	<i>Huntly Community</i> (as identified on Map 1) i) Any part of Main Street
No person shall allow any vehicle to stop, stand or park for a longer period than thirty minutes, on any of the following roads or portions of road		<i>Raglan Community</i> (as identified on Map 3) The specified time limits for the following roads shall apply between the hours of 8.00am and 6.00pm daily, including public holidays: <ul style="list-style-type: none"> i) Any part of Bow Street ii) Any part of Wainui Road
MAXIMUM PARKING TIME LIMIT 15 MINUTES	All Vehicles	<i>Huntly Community</i> (as identified on Map 1) i) Any part of Main Street
No person shall allow any vehicle to stop, stand or park for a longer period than fifteen minutes, on any of the following roads or portions of roads.		<i>Ngaruawahia Community</i> i) Any part of Great South Road
		<i>Raglan Community</i> The specified time limits for the following roads shall apply between the hours of 8.00am and 6.00pm daily, including public holidays: <ul style="list-style-type: none"> i) Any part of Bow Street (as identified on Map 3) ii) Any part of Raglan Wharf (as identified on Map 4)
MAXIMUM PARKING TIME LIMIT 5 MINUTES	All vehicles	<i>Ngaruawahia Community</i> (as identified on Map 2) i) Any part of Great South Road
No person shall allow any vehicle to stop, stand or park for a longer period than five minutes, on any of the following roads or portions of road		

SPECIAL PARKING AREAS

Type of Restriction	Applicable to (Specified Type of Vehicle)	Applicable to (Specified Area/Road)
PERMIT ONLY PARKING AREAS		
The following portions of roads are hereby constituted as reserved or permit-only parking areas and no person except those who have been issued with a relevant permit shall allow any vehicle to stop, stand or park in these parking spaces or areas.	All Vehicles except those displaying relevant parking permits.	Huntly Community (as identified on Map 1) <ul style="list-style-type: none"> i) Any part of Venna Fry Lane and the carpark between the railway overbridge and No. 178 Main Street ii) Any part of Shand Lane iii) Any part of Mine Square (BNZ Carpark) iv) Any part of Station Place
		Raglan Community (as identified on Map 3) <ul style="list-style-type: none"> i) Bow Street - any part of the carpark located on the eastern side of the Town Hall
DISABLED PARKING AREAS		
The following portion of roads are hereby constituted as disabled parking areas for the exclusive use of any disabled person. No person, except those holding and displaying an Operation Mobility Concession Card on the inside of their vehicle, shall stop, stand or park any vehicle in these parking spaces or areas.	All Vehicles except those clearly displaying Operation Mobility Concession Card.	Huntly Community (as identified on Map 1) <ul style="list-style-type: none"> i) Any part of Main Street ii) Any part of Venna Fry Lane or the carparks accessed from Venna Fry Lane iii) Any part of Shand Lane iv) Any part of Mine Square (BNZ Carpark)
		Ngaruawahia Community (as identified on Map 2) <ul style="list-style-type: none"> i) Any part of Jesmond Street ii) Any part of Galileo Street iii) Any part of Newcastle Street
		Raglan Community (as identified on Map 3) <ul style="list-style-type: none"> i) Any part of Bow Street ii) Any part of Wainui Road iii) Any part of Wallis Street iv) Any part of Wi Neera Street

Type of Restriction	Applicable to (Specified Type of Vehicle)	Applicable to (Specified Area/Road)
EMERGENCY VEHICLE PARKING AREAS		
The following portions of roads are hereby constituted as reserved for emergency service vehicles only and no person shall allow any vehicle other than an emergency service vehicle to stop, stand or park on any of the following roads or portions of roads 24 hours a day.	All Vehicles except emergency vehicles.	Raglan Community i) Any part of Raglan Wharf as indicated on Map 4
TAXI STANDS		
The following portions of roads are hereby constituted as a taxi stand and no person shall allow any vehicle other than a clearly identified taxi to stop, stand or park, on any of the following roads or portions of roads	All Vehicles except taxis	Huntly Community (as identified on Map 1) i) Any part of Main Street
		Ngaruawahia Community (as identified on Map 2) i) Any part of Jesmond Street
BUS STOPS		
The following portions of roads are hereby constituted bus stops and restricted to use for stopping, standing or parking by Large Passenger Vehicles and no person shall allow any other vehicle to stop, stand or park, on any of the following roads or portions of roads	All Vehicles except Buses	Huntly Community (as identified on Map 1) i) Any part of Main Street
		Ngaruawahia Community (as identified on Map 2) i) Any part of Great South Rd (SH1)
		Raglan Community (as identified on Map 3) i) Any part of Bow Street

Type of Restriction	Applicable to (Specified Type of Vehicle)	Applicable to (Specified Area/Road)
LOADING ZONES		
The following portion of road is hereby constituted as a loading zone and no person shall allow any vehicle, except a Goods Vehicle, to stop, stand or park on any of the following roads or portions of roads.	All Vehicles – Except Goods Vehicles	Huntly Community (as identified on Map 1) i) Any part of Main Street ii) Any part of Venna Fry Lane
		Ngaruawahia Community (as identified on Map 2) i) Any part of Jesmond Street
		Raglan Community (as identified on Map 3) i) Any part of Bow Street
DESIGNATED PARKING AREAS FOR CAMPING VEHICLES		
<p>The following designated parking area may be used for the overnight parking of self-contained camping vehicles, between the hours of 10.00pm and 9.00am daily.</p> <p>No other district road, land or public place may be used for the purpose of overnight parking of camping vehicles.</p>	Self-contained camping vehicles that meet the provisions of NZ Standard 5465:2001 : Self Containment for Motor Caravans and Caravans.	Ngaruawahia Community i) Part of the public carpark at the Ngaruawahia Domain (The Point), from the Squash Club northwards for 80 metres.
CAR AND TRAILER PARKING AREAS		
The following portions of roads are hereby constituted as reserved for the parking of cars with boat trailers only and no person shall allow any vehicle other than a car and boat trailer to stand or park, on any of the following roads or portions of roads.		Raglan Community i) Raglan Wharf (as identified on Map 4)

PARKING PLACES

Type of Restriction	Applicable to: (Specified Type of Vehicle)	Applicable to (Specified Area/Road)
PARKING PLACES OR PARKING AREAS		
The following portions of road or land are hereby constituted as parking places or parking areas.	All Vehicles	Huntly Community (as identified on Map 1) i) Main Street ii) Shand Lane iii) Station Place iv) Mine Square (BNZ Carpark) v) Venna Fry Lane
		Ngaruawahia Community (as identified on Map 2) i) Jesmond Street ii) Galileo Street iii) Market Street iv) Newcastle Street v) Newcastle Street Carpark vi) Martin Street vii) Great South Road
		Raglan Community (as identified on Map 3) i) Bow Street ii) Wainui Road iii) Wi Neera Street iv) Bankart Street v) Wallis Street (western end) vi) Wallis Street (eastern end) vii) Raglan Wharf

NO STOPPING RESTRICTIONS

Type of Restriction	Applicable to (Specified Type of Vehicle)	Applicable to (Specified Area/Road)
NO STOPPING OR PARKING AT ALL TIMES		
<p>The following portions of roads are hereby constituted as no stopping areas and no person shall allow any vehicle to stop, stand or be parked whether attended or unattended in any of the following 'No Parking' areas where a traffic sign is erected or marked on the road (in accordance with the provisions of the Land Transport Rule "Traffic Control Devices 2004"), except in conformity with the terms of any prohibition, limitation or restriction applying to that zone. This restriction shall apply 24 hours a day unless otherwise stated.</p>	All Vehicles	<p>Huntly Community (as identified on Map 1)</p> <ul style="list-style-type: none"> i) Any part of Venna Fry Lane ii) Any part of Civic Place iii) Any part of Main Street iv) Any part of Station Place v) Any part of Shand Lane vi) Any part of Mine Square (BNZ Plaza)
		<p>Ngaruawahia Community (as identified on Map 2)</p> <ul style="list-style-type: none"> i) Any part of Jesmond Street ii) Any part of Market Street iii) Any part of Lower Waikato Esplanade iv) Any part of Galileo Street v) Any part of Great South Road vi) Any part of Martin Street
		<p>Raglan Community (as identified on Map 3)</p> <ul style="list-style-type: none"> i) Any part of Bow Street ii) Any part of Wi Neera Street iii) Any part of Cliff Street iv) Any part of Wallis Street v) Any part of Wainui Road vi) Any part of Wallis Street/Raglan Wharf (as identified on Map 4)

Schedule 2

One-Way Street Restrictions

Pursuant to s72(1)(i)(a) of the Transport Act 1962 and s682 and s684 of the Local Government Act 1974 **Council Hereby Declares** the following streets to be one-way streets, in that any vehicle may only travel in the specified direction for that street.

Type of Restriction

The following portions of roads are hereby constituted one-way streets and no person may travel upon them in a direction other than that indicated by traffic signs and Maps.

Applicable to

All vehicles

Specified Area/Road

Huntly	Shand Lane, in a northerly direction from Station Place to the northern end of the Permit Only parking area shown on Map I.
	Shand Lane in a northerly direction from the northern side of Mine Square (BNZ Plaza) its intersection with Main Street.
	Venna Fry Lane in a northerly direction from Garden Place to Main Street.

Schedule 3

Roads Restricted to Specific Classes of Vehicles

Pursuant to s682 and s684 of the Local Government Act 1974 and Heavy Motor Vehicles Regulation 1974 **Council Hereby Declares** the following roads, or portion of a road, or other area controlled by the Council, to be restricted to specified types of vehicles :

Type of Restriction

The following portions of roads are hereby constituted restricted and no person may drive a prohibited type of vehicle on them except with the written consent of the Council.

Applicable to (specified type of prohibited vehicle)

Nil.

Specified Area/Road

Nil.

Schedule 4

Areas where skateboards are prohibited

Pursuant to s682 and s684 of the Local Government Act 1974 **Council Hereby Declares** the following areas to be no riding areas at all times.

The following portions of roads are hereby constituted restricted and no person may ride or use any Skateboard, Scooter or Roller Blades in the following areas except with the written consent of the Council:

Te Kauwhata Main Road on both sides from its intersection with Baird Avenue to its intersection with Saleyards Road.

Huntly Main Street on both sides including Garden Place and carpark or open spaces connected to Main Street from its intersection with State Highway One in the North to the Railway Overbridge in the South.

 The access to Venna Fry Lane from Main Street between the Civic Centre and the Waikato District Library.

 The Riverside carpark.

 On the Railway footbridge across the Waikato River connecting Main Street with Bridge Street, Huntly West.

 Bridge Street, Huntly West on both sides from its intersection with Harris Street to the Railway footbridge.

Ngaruawahia State Highway One on the eastern side from its intersection with Martin Street to its intersection with Market Street.

 Jesmond Street on its northern side from its intersection with Market Street to its intersection with State Highway One.

 Jesmond Street on its southern side from its intersection with Waikato Esplanade to its intersection with State Highway One.

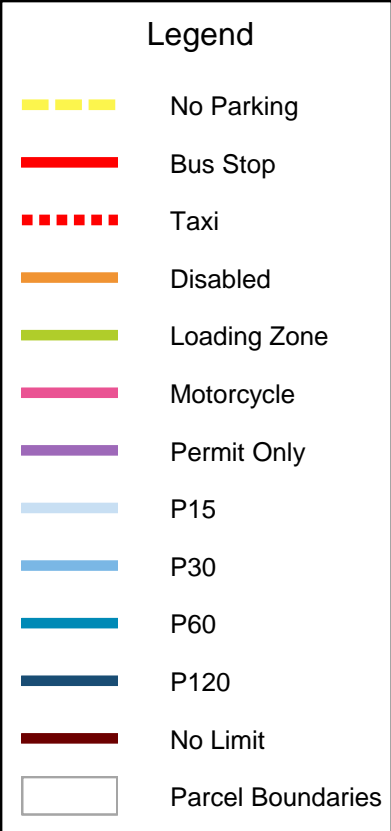
 Galileo Street on both sides from its intersection with Martin Street to its intersection with Jesmond Street.

Raglan Bow Street on its northern side from its intersection with James Street to its intersection with Wallis Street.

 Bow Street on its southern side from its intersection with Bankart Street to its intersection with Wi Neera Street.

 Wainui Road on both sides from its intersection with Bow Street to its intersection with Stewart Street.

 The Footpath connecting Bow Street with the footbridge over the Oporu Inlet and on the footbridge over the Oporu Inlet.







Legend

- No Parking
- Bus Stop
- Taxi
- Disabled
- Loading Zone
- Motorcycle
- Permit Only
- P15
- P30
- P60
- P120
- No Limit
- Parcel Boundaries