This Bylaw is made under the Land Transport Act 1998, Local Government Act 2002 and Bylaws Act 1910. In addition, traffic and parking issues are also regulated by other Acts and Regulations which should be referred to in conjunction with this Bylaw. These include:

- the Land Transport (Driver Licensing) Rule 1999,
- the Land Transport (Vehicle Dimensions and Mass) Rule 2002
- the Land Transport (Road User) Rule 2004,
- the Traffic Control Devices Manual 2008 and
- the Utilities Access Act 2010
- the Land Transport (Vehicle Dimensions and Mass Amendment) Rule 2010

1. **Scope and Purpose**

1.1 The purpose of this Bylaw is to set the requirements for control of traffic and parking in respect of roads, parking places and transport stations owned or controlled by Council.

1.2 Except as herein expressly provided this Bylaw shall apply to the whole of the City other than roads which are not under the control of the Council.

1.3 Words which refer to the singular include the plural and the plural includes the singular.

1.4 Any resolution of Council may be amended, rescinded or reinstated by a further resolution of Council. The most recent resolution of Council shall be the operative resolution.

1.5 Reference to any Act or Rule or provision of any Act or Rule includes any amendment to that Act or Rule or any Act or Rule passed in substitution for it.

1.6 A power for the Council to make a resolution includes the power to amend or revoke the resolution or to revoke it and replace with another.

1.7 Notes in italics are for information only and are not part of this Bylaw.

2. **Interpretation**

In this Bylaw:

**Access Way and Service Lane** have the same meanings as in section 315 of the Local Government Act 1974.
Angle Parking means parking other than parallel with the roadway in the direction of travel, and with the front of the vehicle facing towards the kerb or footpath. "Angle parks" has a corresponding meaning.

Authorised Officer means any person appointed or authorised in writing by the Chief Executive or by the Council to act on its behalf and includes any Parking Warden appointed under the provisions of the Land Transport Act 1998 or any Enforcement Officer.

Bus has the same meaning as in the Land Transport (Road User) Rule 2004.

Bus lane has the same meaning as in the Land Transport (Road User) Rule 2004.

City means the district of the Tauranga City Council.

Corridor Manager has the same meaning as in the Utilities Access Act 2010.

Council means the Tauranga City Council or any Committee, Sub-committee or elected member of the Council or officer or other person authorised to exercise the authority of the Council.

Cycle has the same meaning as in the Land Transport (Road User) Rule 2004.

Cycle lane has the same meaning as in the Land Transport (Road User) Rule 2004.

Cycle path has the same meaning as in the Land Transport (Road User) Rule 2004.

Disabled Persons Motor Vehicle means a parked motor vehicle displaying a Mobility Parking Permit issued by CCS Disability Action Incorporated or Somerville Centre for Special Needs Wanganui Incorporated or approved by the Council.

Driver has the same meaning as in the Land Transport (Road User) Rule 2004.

Enforcement Officer has the same meaning as in the Land Transport Act 1998.

Footpath has the same meaning as in the Land Transport (Road User) Rule 2004.

Heavy Motor Vehicle has the same meaning as in the Land Transport (Road User) Rule 2004.

High-Productivity Motor Vehicle has the same meaning as in the Land Transport (Vehicle Dimensions and Mass) Rule 2002.

Leased Area means a parking space or group of parking spaces where a parking fee is payable by written agreement with the Council. Leased Space means a parking space within a leased area.

Loading Zone has the same meaning as in the Land Transport (Road User) Rule 2004.

Mobility Device has the same meaning as in the Land Transport Act 1998.

Moped has the same meaning as in the Land Transport Act 1998.

Motorcycle has the same meaning as in the Land Transport Act 1998.

Motor Vehicle has the same meaning as in the Land Transport Act 1998.

Owner in relation to a motor vehicle means the person lawfully entitled to possession of that vehicle, except where:

(a) The motor vehicle is subject to a bailment for a period not exceeding 28 days; or

(b) The motor vehicle is let on hire under 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 has the same meaning as in the Land Transport (Road User) Rule 2004.

Parking Area means a specific parking place or part of a parking place set aside by the Council for parking.
Parking Fee means the amount payable for parking:
(a) in a Pay Space, as calculated in accordance with the parking charges prescribed by the Council from time to time; or
(b) in a leased space, by the relevant written agreement with the Council.

Parking Machine means a parking meter or other device used to facilitate the payment of parking fees for parking a vehicle in a Pay Area for a limited time, for example through the collection of payment or the processing of an electronic payment.

Parking Place has the same meaning as in section 591(6) of the Local Government Act 1974.

Parking Space means a portion of a parking place marked out with painted lines for the specific purpose of accommodating a parked vehicle.


Passenger Service Vehicle has the same meaning as in the Land Transport Act 1998.

Pay Area means a parking space or group of parking spaces declared by the Council to be a Pay Area, and includes any area previously declared under this Bylaw to be a Pay and Display Area.

Pay Space means a parking space within a Pay Area where a parking fee is payable.

Public Holiday has the same meaning as section 44 of the Holidays Act 2003.

Residents' Parking Area means an area declared to be a residents’ parking area under Section 22 of this Bylaw.

Residents' Parking Scheme means a scheme for residents' only parking in a Residents’ Parking Area.

Road has the same meaning as in the Land Transport Act 1998.

Roadway has the same meaning as in the Land Transport (Road User) Rule 2004.

Sign and all components of a Sign (including but not limited to the face, legend, panel, plate or stand) have the same meanings as in the Traffic Control Devices Manual 2008.

Special Vehicle Lane has the same meaning as in the Land Transport (Road User) Rule 2004.

Street has the same meaning as “Road”.

Taxi has the same meaning as in the Land Transport Act 1998.

Trailer has the same meaning as in the Land Transport (Road User) Rule 2004.

Traffic Control Device means a device used on a road for the purpose of traffic control; and includes a: (a) sign, signal or notice;
(b) traffic calming device;
(c) marking or road surface treatment.

Traffic Sign has the same meaning as in the Traffic Control Devices Manual 2008.

Transport Station has the same meaning as in section 591(6) of the Local Government Act 1974.

Use has the same meaning as in the Land Transport (Road User) Rule 2004.

Utility Operator has the same meaning as in the Utility Access Act 2010.

Vehicle has the same meaning as in the Land Transport Act 1998.

Vehicle Class has the same meaning as the New Zealand Transport Agency Vehicle Equipment Standards Classification.
These definitions apply unless the context requires otherwise.

Part One: Traffic

3. Turning Restrictions

3.1 The Council may by resolution:

(a) prohibit vehicles on a specified roadway or any part of a specified roadway turning from facing or travelling in one direction to facing or travelling in the opposite direction (No 'U-turns');

(b) prohibit vehicles or specified classes of vehicles on a specified roadway turning to the right or to the left or from proceeding in any other specified direction;

(c) permit turning movements by specified classes of vehicles prohibited by all other vehicle types;

Note: See Attachment 1 for the resolutions made under this clause

3.2 No person shall drive a vehicle contrary to any turning restriction made under clause 3.1.

4. Direction of Travel

4.1 The Council may by resolution specify roads or portions of road where vehicles may travel in one specified direction only.

Note: See Attachment 2 for the resolutions made under this clause

4.2 No person being the driver or in charge of any vehicle shall:

(a) drive the vehicle other than in any direction specified under clause 4.1;

(b) drive the vehicle otherwise than on the left hand side of any central island or strip, unless otherwise indicated by appropriate signs, where any road or portion of road is divided longitudinally by a traffic island, central plot, enclosure or other dividing structure;

(c) travel over a road or parking place in any direction other than the direction indicated by the prescribed signs or markings.

5. Footpaths and Cycle Paths

5.1 Subject to clauses 5.2, 5.5 and 5.9, no person shall park or drive any vehicle on any footpath or any part thereof.

5.2 A vehicle may be driven over a footpath by means of a vehicle crossing constructed on the road for the purpose of gaining vehicular access to or from any property on that road.

5.3 No person may stop a vehicle so that any part of the vehicle or its load remains upon or over a footpath or any part of a footpath other than temporarily while in the process of gaining access to or leaving a property.

5.4 No person may load or unload a vehicle in such a manner as to cause, or be likely to cause, damage to the footpath or any part of it.

5.5 The Council may by resolution declare specified footpaths or portions of footpath to be cycle paths, for the use of pedestrians and cyclists, either permanently or for a set period of time.
5.6 The Council will establish signs and markings for cycle paths in accordance with the Traffic Control Devices Manual 2008 or subsequent amendments.

5.7 The Council may, by resolution, regulate control or prohibit the use of footpaths and cycle paths.

5.8 No person may use a footpath or cycle path contrary to any resolution under clause 5.7.

5.9 Nothing in this section prohibits on a footpath:
   (a) the use of a mobility device; or
   (b) the use of a bicycle, moped or motorcycle for the purpose of delivering newspapers, mail or printed material to letterboxes.

6. Special Vehicle Lanes

6.1 The Council may by resolution declare specified roads or parts of specified roads to be Special Vehicle Lanes, use of which is restricted either permanently or for a set period of time, to specified:
   (i) passenger service vehicles (including buses) and/or
   (ii) motorcycles and/or
   (iii) mopeds and/or
   (iv) cycles and/or
   (v) motor vehicles carrying not less than a specified number of persons (including the driver).

   Note: See Attachment 4 for the resolutions made under this clause

6.2 No person being the driver or in charge of a vehicle shall use a Special Vehicle Lane contrary to a restriction made under clause 6.1.

6.3 These restrictions shall not apply to the use of a Special Vehicle Lane for a distance of not more than 50 metres for the purpose of turning into or out of a side street or property.

6.4 Any restrictions on the use of the road made under clause 6.1 shall be marked out with the appropriate traffic signs or markings.

7. Prohibited Street Racing in Industrial Areas

7.1 The Council may by resolution specify roads on which a person may not use, or permit to be used, a motor vehicle under 3,500kg between 9pm and 5am.

   Note: See Attachment 5 for the resolutions made under this clause

7.2 Nothing in a resolution made under clause 7.1 shall apply to:
   (a) The owner or occupier of any land having a frontage to the road described in the resolution, or to his or her bona fide visitors;
   (b) Any fire appliance, ambulance, police or medical motor vehicle being used for genuine business purposes;
(c) Any trade or service vehicle for the provision or maintenance of a utility on the road or on the land having a frontage to the road being used for genuine business purposes;

(d) Any vehicle owned by the Council being used for genuine business purposes;

(e) Any vehicle operated by a security service being used for genuine business purposes.

7.3 The Council shall erect signs on the roads described in resolutions made under clause 7.1 advising the times of the prohibition and that the prohibition applies to motor vehicles weighing less than 3,500 kilograms.

8. **Heavy Motor Vehicles**

8.1 The Council may by resolution specify roads or parts of roads on which the operation of an engine brake or similar is prohibited.

*Note: See Attachment 6.1 for the resolutions made under this clause*

8.2 The Council may by resolution:

(a) specify roads on which heavy motor vehicles are prohibited at specified times;

(b) specify the maximum weight of vehicles or loads that may pass over bridges or culverts.

*Note: See Attachment 6.2 for the resolutions made under this clause*

8.3 No person shall drive or permit to be driven any heavy motor vehicle on or along those roads or parts of roads specified in a resolution made under clause 8.2(a) at the times set out in the resolution, except for the purpose of picking up or delivering goods to an address in those roads when alternative access is not available for this purpose.

8.4 No person shall drive or permit to be driven a High-Productivity Motor Vehicle on any road which is not authorised in terms of the permit for that vehicle issued under the Land Transport (Vehicle Dimensions and Mass) Rule 2002.

8.5 A prohibition under clause 8.1, or 8.2, shall not apply to:

(a) any fire appliance, ambulance, police or medical motor vehicle;

(b) any passenger service vehicle;

(c) a utility operator or its authorised agent or contractor engaged in the provision of, or maintenance of a utility operation.

(d) any Council vehicle undertaking emergency works;

(e) refuse collections carried out by either the local authority or a contractor engaged by the local authority

(f) construction, horticultural or agricultural vehicles which the Council has given permission to use the road.

8.6 The Council shall erect signs on the roads or parts of road described in a resolution made under clause 8.1 advising that the use of an engine brake or similar is prohibited.

8.7 The Council shall erect signs on the roads described in a resolution made under clause 8.2(a) advising the times of the prohibition and that the prohibition applies to heavy motor vehicles.
8.8 The Council shall erect signs in the vicinity of a bridge or culvert described in a resolution made under clause 8.2(b) advising the maximum weight of vehicles or loads that may pass over the bridge or culvert.

9. **Temporary Restrictions on the Use of Roads**

9.1 The Council may temporarily restrict the use of, or speed of, or class of vehicles which may use any part of a road when Council's Corridor Manager considers that:

   (a) There is, or is likely to arise at any place on that road a risk of danger to the public or to a person working on or near a road or a risk of damage to the road; or

   (b) It is necessary for the safety of a special event.

9.2 Any temporary speed limit will be set in accordance with the Land Transport Rule: Setting of Speed Limits 2003.

9.3 No person being the driver or in charge of a vehicle shall drive or use the vehicle contrary to any restriction made under clause 9.1.

9.4 Any restriction under clause 9.1 above must be defined by the display of temporary warning signs in conformity with any rules.

9.5 Any vehicle being used for the purpose of maintenance or construction of roading, or a vehicle of a utility operator, may, with permission of an authorised officer, be driven or parked in a manner contrary to any restriction in force under clause 9.1, provided it is driven or parked with due consideration of other road users.

10. **Vehicle Crossings**

10.1 Any vehicle crossing must be constructed in accordance with the standards set out in the Tauranga City Council Infrastructure Development Code applicable at the time the crossing is constructed.

**Part Two: Parking**

11. **Parking Wardens**

11.1 The Council may appoint Parking Wardens to undertake parking enforcement activity on behalf of Council under the Land Transport Act 1998.

12. **Stopping, Standing and Parking, and Parking Areas**

12.1 The Council may by resolution:

   (a) prohibit or restrict the stopping, standing or parking of vehicles on any roads; or

   (b) limit the stopping, standing or parking of vehicles on any road to vehicles of any specified class or description.

12.2 The Council may by resolution:

   (a) Declare areas of road, land or building under its control to be parking areas.

   (b) Declare the number and situation of parking spaces.
(c) Prohibit a specified class or classes of vehicles from using a parking area or specified parking spaces.

(d) Restrict the use of a parking area or specified parking spaces to a specified class or classes of vehicles.

(e) Set the maximum time allowed for parking in any parking area or parking space and restrict the hours of availability of any parking area or specified parking spaces.

(f) Regulate entry to, and exit from, parking areas and prescribe direction of travel within a parking area.

(g) Declare a parking area or part of a parking area or group of parking spaces to be a Pay Area.

(h) Declare a parking area or part of a parking area or group of parking spaces to be a leased area.

(i) Fix the charges payable for the parking of vehicles or a specified class or classes of vehicles in a Pay Area, leased area or Residents' Parking Area, including how such charges will be measured;

(j) Prescribe the method of payment of the parking fee, by the use of parking machines or in any other specified manner, and any requirements as to proof of that payment and/or the period of time paid for, for example through the display of a parking voucher or receipt.

(k) Declare days and times for which parking fees are payable and declare days on which no parking fees are payable.

(l) Declare a parking area or part of a parking area or group of parking spaces to be for a specified class or classes of vehicle (e.g. tour coach) or class of road user (e.g. disabled parking) or for a designated activity (for example a loading zone) and the charges payable, if any, for that area or space.

(m) Declare that parking in a specified parking space or parking spaces is free of charge.

(n) Specify any other conditions which apply to parking in a specified parking area.

Note: See Attachment 7 (parts 7.1 – 7.27) for the resolutions made under this clause

12.3 The Council may temporarily prohibit, restrict or control parking in a parking area or parking space by placement of a sign. The sign must clearly state the nature of the parking prohibition, restriction or control.

12.4 No person being the driver or in charge of any vehicle shall stop, stand or park the vehicle, or leave it parked, contrary to any prohibition, condition or restriction made under clause 12.1, 12.2 or 12.3.

12.5 No driver or person in charge of a vehicle shall allow that vehicle to remain in or occupy a parking space for longer than the period allowed for parking in that parking space.

12.6 No driver or other person in charge of any vehicle shall without the written approval of the Council park that vehicle (whether attended or unattended) on any parking place for the primary purpose of displaying or promoting any trade, business or event. In granting approval, the Council may impose conditions.

12.7 Any prohibition, condition or restriction under clause 12.1 or 12.2 shall be marked out with the appropriate traffic signs or markings.
13. Pay Areas

13.1 Without limiting Part 12 of this bylaw, the Council may by resolution:

(a) Declare any parking place or transport station, including a road or part of a road or a parking area, to be a Pay Area.

(b) Declare the number and situation of Pay Spaces within a Pay Area.

(c) Declare the time allowed for parking in a Pay Area beyond which it shall be unlawful to remain parked.

(d) Fix the charges payable for the parking of vehicles within the Pay Area, and how such charges will be measured.

(e) Prescribe the method of payment of the parking fee, by the use of parking machines or in any other specified manner;

(f) Prescribe any requirements as to proof of that payment and/or the period of time paid for, for example through the display of a parking voucher or receipt.

Note: See Attachments 7.12 to 7.14 for the resolutions made under this clause

13.2 Pay Area parking requirements apply between 8am and 6pm every day of the week except Sundays and public holidays, except where signs relating to those Pay Areas indicate otherwise.

13.3 Parking machines shall be located within or reasonably adjacent to the Pay Area they control.

13.4 Parking spaces within Pay Areas shall be indicated by white lines painted on the road in accordance with the Land Transport Rule: Traffic Control Devices 2004.

14. Payment for Parking

14.1 Where the Council has fixed a charge for parking in a parking place, the driver or person in charge of the vehicle parking in that area must pay the applicable parking fee without delay and in the manner prescribed in or under this Bylaw.

14.2 The driver or person in charge of a vehicle shall also comply with any prescribed requirements as to proof of payment of the parking fee and/or the period of time paid for, for example through the display of a parking voucher or receipt.

14.3 No driver or person in charge of a vehicle shall allow that vehicle to remain in or occupy a parking space for which a parking fee is payable:

(a) without paying the appropriate parking fee; and

(b) in excess of the time authorised by the payment of the parking fee.

14.4 This Part does not apply to any parking paid for by a prepaid parking voucher authorised by and used in accordance with clause 23 of this bylaw.

15. Exempt Vehicles

15.1 The driver or person in charge of any of the following vehicles may park free of charge in any parking space within a Pay Area:

(a) A vehicle used as an ambulance and which is at the time being used on urgent ambulance service.

(b) A vehicle used by the fire service for attendance at fires, and which is at the time attending a fire or responding to a fire alarm.

(c) A vehicle used by the police service and which is at the time being used for police service.
(d) A vehicle used by a medical practitioner and at the time being used on urgent medical service.

(e) A branded Tauranga City Council vehicle, but only when being used by an officer of the Council on specific Council business away from the premises where that officer customarily works.

16. **Interference with Parking Machines**

16.1 No person shall:

(a) Misuse or wilfully damage any Parking Machine or barrier arm;

(b) Interfere or tamper with the working operation of any Parking Machine or barrier arm;

(c) Unless authorised by the Council, affix any placard, advertisement, notice, list, document, board or thing on any Parking Machine or barrier arm;

(d) Unless authorised by the Council, paint or write on any Parking Machine or barrier arm;

(e) Place, park or leave a motorcycle or cycle on or against a Parking Machine or barrier arm or its supporting post;

(f) Operate any Parking Machine except in accordance with the instructions printed on the Parking Machine, or on any nearby notice or sign, or;

(g) Deposit in any Parking Machine which accepts payment by cash anything other than payment in New Zealand currency.

17. **Parking in Leased Areas**

17.1 No driver or person in charge of any vehicle may park a vehicle in a leased area or leased space other than in accordance with a current valid written agreement with the Council for the lease of that area or space.

18. **Loading Zones**

18.1 The Council may by resolution:

(a) Declare any road, land or building under the control of Council or portion of such road, land or building to be a loading zone.

(b) Prescribe any conditions prohibiting, limiting, controlling or restricting the use of any loading zone.

(c) Declare the types of vehicles which may use a loading zone.

*Note: See Attachments 7.15 to 7.18 for the resolutions made under this clause*

18.2 Land vested in the Council as service lane is deemed to be a loading zone unless any stopping restrictions are on, or in, the near vicinity of the service lane.

18.3 No person being the driver or in charge of a vehicle shall park in or use a Loading Zone contrary to a requirement or restriction in or made under clause 18.1 or 18.2.

18.4 The restrictions made under clause 18.1 shall be marked out with the appropriate traffic signs or markings.
19. Angle Parking

19.1 The Council may by resolution:
   (a) Declare that a parking space or group of parking spaces is to be used for angle parking only,
   (b) Regulate the use of angle parks.

*Note: See Attachment 7.19 for the resolutions made under this clause*

19.2 Vehicles must be parked in an angle park on the angle indicated and front first.

19.3 No person being the driver or in charge of a vehicle shall park in or use a parking space contrary to a requirement or restriction in or made under clause 19.1 or 19.2.

20. Passenger Service and Other Vehicle Stands

20.1 The Council may by resolution declare an area of road, land or building under the control of Council to be a vehicle stand for a specified vehicle or class, or classes, of vehicles and may prescribe the following in respect of that vehicle stand:
   (a) The location and size of any vehicle stand;
   (b) The fee for using any vehicle stand;
   (c) The hours of operation of any vehicle stand;
   (d) The place and size of any temporary vehicle stand;
   (e) Any conditions of use of any vehicle stand.

*Note: See Attachments 7.20 to 7.27 for the resolutions made under this clause*

20.2 No driver or person in charge of any taxi, bus, or other passenger service vehicle shall park that vehicle, other than within a vehicle stand, while soliciting for passengers or dropping off passengers.

20.3 No driver or person in charge of a vehicle may park a vehicle on a vehicle stand unless the vehicle is of the class authorised to park in that vehicle stand and all conditions made under clause 20.1 are complied with.

20.4 The restrictions in clause 20.1 shall be marked out with the appropriate traffic signs or markings.

21. Parking of Heavy Motor Vehicles in Residential Areas

21.1 No person shall stop, stand or park a heavy motor vehicle for a period of more than one hour in any part of a road where there is adjacent residential zoned land on either side of the road except for sites that have been designated for motor homes in accordance with Council policy, provided however, that it shall not be an offence to stop, stand or park a heavy motor vehicle on any such road for such period as is reasonably required for the purpose of loading or unloading that vehicle and that such loading or unloading takes place and except in any area of road, which by way of Council resolution is declared a parking area for heavy vehicles.

21.2 The Council may by resolution declare roads or parts of roads where heavy motor vehicle parking is permitted at specified times

*Note: See Attachment 7.26 for the resolutions made under this clause*
22. **Residents’ Parking Area**

22.1 The Council may by resolution:

(a) specify parking places or parking spaces to be a residents’ parking area the subject of a residents’ parking scheme;

(b) specify the hours and days of the week during which a residents’ parking scheme shall operate.

(c) impose conditions, and prescribe fees and charges, for use of residents’ parking scheme;

(d) specify any other conditions related to the residents’ parking scheme.

*Note: See Attachment 7.27 for the resolutions made under this clause*

22.2 A residents’ parking area is for the exclusive use at the specified times of vehicles owned by residents of the surrounding area and which display a residents’ parking permit issued for the vehicle.

22.3 A residents’ parking area shall be indicated by appropriate signage.

22.4 Where a permit is required to be held for the use of a resident’s parking scheme:

(a) the parking permit shall be displayed so as to be legible through the front window where fitted, or visible on the vehicle where no front window is fitted, on a motor vehicle stopped, standing or parked in the residents’ parking area;

(b) the permit shall identify the motor vehicle for which it has been issued. The permit only applies to the motor vehicle displayed in the permit;

(c) the permit shall be returned to Council immediately after the resident ceases to be entitled to the permit;

(d) the permit is valid and effective only during the time specified on the permit and in the road or roads specified on the permit.

22.5 No person shall park, stop or stand a vehicle in a residents' parking area without displaying a valid permit, except for:

(a) vehicles operated by or for the Council if necessary for the provision of, or maintenance of, facilities within the road reserve;

(b) vehicles operated by utility operators if necessary for the provision of, or maintenance of, a utility operation;

(c) vehicles driven by Council officers (e.g. dog control officers, building inspectors) attending the property of a resident holding a residents’ parking scheme permit;

(d) vehicles being used to pick up or deliver goods to, or in connection with emergency maintenance of, the property of a resident holding a residents’ parking scheme permit;

(e) medical practitioners such as doctors, district nurses and midwives who are attending a patient;

(f) vehicles specified in clause 15.1(a), (b) or (c) of this Bylaw.

23. **Prepaid Parking Vouchers**

23.1 The Council, or any person authorised on its behalf may issue to any person parking vouchers on payment of the appropriate parking fees.

23.2 All such prepaid parking vouchers must be issued with printed instructions as to the required display and activation of the vouchers.
23.3 Each prepaid parking voucher shall state:
   (a) the prescribed fees for specified periods of parking;
   (b) the authorised parking spaces or parking area;
   (c) the parking time limit;
   (d) rules about displaying the voucher.

23.4 A prepaid parking voucher must be activated in accordance with the instructions printed on it and the date and time of the commencement of parking must be displayed so as to be legible through the front window where fitted, or visible on the vehicle where no front window is fitted.

23.5 Any Authorised Person may require the driver or person in charge of, or any passenger in, any motor vehicle to produce for inspection any parking voucher displayed in that vehicle and that Authorised Person may retain the voucher.

24. Temporary Discontinuance

24.1 Where the Council is of the opinion that any parking space or spaces should be temporarily discontinued as a parking space or should be reserved for use by a utility operator or other specified vehicle, the Council may place or erect a sign or notice that sufficiently indicates ‘No Stopping’ at such parking space or spaces, or may issue a Parking Voucher for sole use of the space or spaces to the trades vehicle or other specified vehicle.

24.2 No person shall park a vehicle in a discontinued parking space, except with the permission of the Council.

25. Other Unlawful Conduct in Parking Places

25.1 No person shall park any vehicle in a parking space except as permitted by the provisions of this Bylaw.

25.2 No driver or person in charge of any vehicle shall stop, stand or park a vehicle:
   (a) outside the extremities of any parking space unless the vehicle by virtue of its size cannot be contained in one space. If that vehicle is parked, the driver or person in charge of that vehicle is liable for a parking fee for each Pay Space occupied or encroached on by that vehicle;
   (b) in a parking space if that vehicle is of a class not permitted to use that parking space or parking place;
   (c) in any parking space already occupied by another vehicle or vehicles unless that vehicle is a motorcycle;
   (d) in any parking space for longer than the maximum period allowed for parking in that space;
   (e) in a Pay Space for longer than the maximum indicated on the Parking Machine if the Parking Machine is not in operation;

25.3 No driver or person in charge of any vehicle shall drive a vehicle in any parking area contrary to the direction of travel prescribed by the Council and shown by marks on the surface or other indications.

25.4 No driver or person in charge of any vehicle shall within 30 minutes of leaving a parking space or parking area re-park in that parking space or parking area or in any other parking space or parking area within 50 metres of that parking space or parking area and which is subject to the same parking restriction.
25.5 No driver or person in charge of any motorcycle or moped, shall park closer than 1 metre from the front and/or rear of a parking space.

25.6 No person may park a motorhome or immobilised vehicle on any road for a continuous period exceeding seven days without prior approval from Council.

25.7 No person may leave a vehicle on the road for the purpose of storage in connection with their trade or business without prior approval from Council.

26. Displaying Vehicles for Sale on Roads

26.1 The Council may by resolution declare roads or parts of roads where vehicles may not be displayed for sale.

Note: See Attachment 8 for the resolutions made under this clause

26.2 No person shall stop or park a vehicle on any section of any road to which a resolution made under clause 26.1 applies, or on any other road within 30 metres of any intersection of any road to which a resolution made under clause 26.1 applies, for the purpose of selling that vehicle or advertising that vehicle for sale to the public, or for the purpose of selling to the public any matter, object or thing within the vehicle.

27. Vehicle Removal

27.1 An authorised officer may remove or cause to be removed any vehicle or other thing from any road or other area controlled by Council, if that vehicle or thing is parked or present in breach of this Bylaw, or any resolution made under this Bylaw, and the Council may recover from any person responsible for committing the breach all expenses incurred by the Council in connection with the removal of the vehicle or thing.

27.2 The Council must use reasonable care in the removal and storage of any vehicle removed under this clause but is not liable for any loss or damage arising directly or indirectly from the removal of any vehicle under this clause unless caused by the negligence of its agents or employees.

27.3 The powers that may be exercised under this clause are in addition to those provided by the Land Transport Act 1998 and sections 356 and 356A of the Local Government Act 1974.

Part Three: Offences, Breaches, Penalties, Notices and Documents

28. Offences, Breaches and Penalties

Every person commits an offence against this bylaw who:

(a) does, or causes or permits to be done, or is concerned in doing, anything contrary to or otherwise than in accordance with this bylaw;
(b) omits, or neglects to do, or permits to remain undone, anything which according to this bylaw ought to be done by that person at the time and in the manner provided;
(c) does not refrain from doing anything which that person is required to refrain from doing under this bylaw;
(d) causes or permits any condition or thing to exist or continue to exist contrary to this bylaw;
(e) does anything, or causes anything to exist, for which a licence, permit or approval is required under this bylaw without first obtaining that licence, permit or approval;

(f) fails to comply in all respects with any prohibition, direction or requirement indicated by lines, markings, traffic signs or other signs or notices laid down, placed, made or erected by the Council on any road, car park, reserve or other place controlled by the Council, under any of the provisions of this bylaw;

(g) fails, refuses or neglects to comply with any notice direction or order served on that person under this bylaw;

(h) obstructs or hinders any Authorised Officer or other person for the time being appointed, employed or authorised by the Council in the performance of any duty to be discharged by such person under or in the exercise of any power conferred by this bylaw;

(i) fails or refuses to comply with any notice or conditions contained in any licence, permit or approval granted by the Council under this bylaw.

28.1 Subject to any provision to the contrary, any person convicted of an offence against this bylaw is liable for the penalties set out in section 242 of the Local Government Act 2002.

29.3 Any person breaching a bylaw made under section 22AB of the Land Transport Act 1998 and in respect of which no other penalty provision applies is liable for a fine of $500.

29.4 Every person guilty of an infringement offence is liable for the applicable infringement fee relating to that offence.

29. Defences

29.1 A person is not in breach of this Bylaw if that person proves that the act or omission complained of:

(a) Took place in compliance with the directions of an authorised officer, a parking warden or a traffic control device; or

(b) Was performed by an authorised officer or a parking warden and was necessary in the execution of that person’s duty.

30. Serving of Notices and Documents

30.1 Except as otherwise expressly provided for in any Act, where any notice, order, or other document is required to be served on any person for the purposes of this Bylaw, the Council may serve notice by:

(a) delivering it personally;

(b) sending it by messenger;

(c) sending it by registered post to the person’s last known place of residence or business

30.2 If that person is absent from New Zealand, the notice may be sent to his or her agent instead of to that person.

30.3 If that person has no known name or address or is absent from New Zealand and has no known agent, and the notice relates to any land or building, the notice may be served on the occupier, or if there is no occupier the notice may be put on some
conspicuous part of the land or building without the notice naming the owner or occupier.

30.4 If that person has died, the notice may be served on his or her personal or legal representative or executor.

30.5 Where a notice is sent by registered post it will be sent to arrive in the normal course no later than the notice is required to be served and will be deemed to have been served at the time when the registered letter would be delivered in the ordinary course of post.

31. Commencement

31.1 This Bylaw comes into force on 1 November 2012