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Sponsor/Group:	Group Manager: Finance & Strategy

TAUPŌ DISTRICT COUNCIL TRAFFIC BYLAW 2014 (Reviewed 2024)

Purpose and Scope

1. The purpose of this Bylaw is to set the requirements for parking and control of vehicle traffic on any road managed or controlled by Taupō District Council.
2. The Bylaw is made under the authority of the section 22AB of the *Land Transport Act 1998*. In addition, traffic and parking issues are also regulated and controlled by other Acts, Regulations, and Rules, which should be referred to in conjunction with this Bylaw.

Commencement

3. The Bylaw shall come into force throughout the district on 16 December 2014

Revocations

4. The Taupō District Council Traffic Bylaw 2008 is revoked at the time of the Taupō District Council Traffic Bylaw 2014 coming into force.
5. The School Patrol Pedestrian – Crossing:1989, Parking Restrictions: Taupō Commercial Business District:1990, On-Street Parking Development/Footpaths:1994, Provision of School Parking Facilities:1996, Signs:2001 and Road Signs:2006 policies are revoked at the time of the Taupō District Council Traffic Bylaw 2014 coming into force.

Definitions

6. Any words, phrases or expressions used in this Bylaw which have meanings assigned to them by the *Local Government Act 2002*, the *Land Transport Act 1998*, and Rules made under the *Land Transport Act 1998* shall have the meanings as are respectively assigned in those Acts/Rules, unless inconsistent with the context in which such words occur.
7. In this Bylaw, if not inconsistent with the context:

Approved disabled person's parking permit	A disabled person's parking permit or mobility parking permit- a. Issued by CCS Disability Action; or b. Approved by Council .
Chief Executive	The chief executive of Council and any person delegated to perform any duties of the chief executive
Council	Taupō District Council
Cycle Path	Has the same meaning as in the Land Transport (Road User) Rule 2004
Footpath	Has the same meaning as in the Land Transport (Road User) Rule 2004
Parking Space	Any space or section, of any road or public place , indicated by and lying within markings made by the Council for the accommodation of a vehicle
Parking Warden	Any person appointed or authorised by the Council to act on its behalf and includes any Parking Warden appointed under section 128D of the Land Transport Act 1998 or Police Officer
Prescribed signs	The same as Traffic Control Device as defined in the <i>Land Transport Rule: Traffic Control Device 2004</i> .

Public Place	Any place under Council control and open to or used by the public as of right
Residential Zoned Land	Land within the residential environment of the Taupō District Plan or legislation enacted in substitution
Roadway	Has the same meaning as in the Land Transport (Road User) Rule 2004.

Parking

8. **Council** may subject to the erection of the **prescribed signs** prohibit, limit or restrict the stopping, standing or parking of vehicles of any specified class or description on any road.
9. A person must not stop, stand or park a vehicle on any road in contravention of a prohibition, restriction or limitation made by **Council**.
10. A person must not stop, stand or park a motor vehicle, displaying a 'for sale' sign or for carrying out any repairs on any road or **public place**.
11. A person must not wilfully or negligently obstruct or leave a motor vehicle, structure or object on any road or **public place**.
12. A person must not stop, stand or park a heavy motor vehicle for longer than an hour on any road or part of a road within the **residential zoned land**, unless for the purposes of loading and unloading a delivery.
13. A person must not stop, stand or park a motor vehicle on that part of the road not laid out as the **roadway**.
14. A person must not stop, stand or park a motor vehicle on a road or **public place**, for a period exceeding seven days.

Mobility parking

15. **Council** may by resolution, subject to the erection of the **prescribed signs**, reserve any **parking space** on a road for the exclusive use of a disabled person who has on display in the vehicle a current approved disabled person's parking permit that is clearly legible.
16. **Council** may approve the form of a disabled person's parking permit.
17. A person must not park a vehicle which is not displaying a current **approved disabled person's permit** in a **parking space** reserved for the exclusive use of disabled persons.
18. A person must not park a vehicle which is displaying an **approved disabled person's parking permit** unless the vehicle is being used to convey a disabled person or to pick up or drop off a disabled person.

Parking spaces

19. **Council** may by resolution:
 - a. Reserve any area of land or any part of a road or any zone under the care, management or control of **Council** to be a **parking space**;
 - b. Specify the vehicles or classes of vehicle that may or must not use a **parking space**;
 - c. Prescribe the times, manner and conditions for the parking of vehicles or classes of vehicles in a **parking space**;
 - d. Prescribe-
 - i. any charges to be paid for the use of a **parking space**; and
 - ii. the manner by which parking charges may be paid by the use of **parking space**;
 - e. Make provision for the efficient management and control of a parking space.
20. Any restrictions that apply to a zone, do not apply in locations within that zone parking area where other specific stopping, standing or parking restrictions apply.

Vehicle and Road Use

21. **Council** may by resolution, subject to the erection of the **prescribed sign**:
 - a. Prohibit, restrict or limit, the use of any road or **public place**, by any vehicle of any specified class or description.
 - b. Provide that vehicles must drive in one specified direction.
 - c. Prescribe any traffic lane be used for the turning of any vehicle.

22. A person must not use the road or **public place** contrary to the prohibition, restriction or limitation.

Miscellaneous

23. **Council** may by resolution, subject to the erection of the **prescribed sign**:

- a. Restrict the use of vehicles on unformed legal roads.
- b. A person must not use a vehicle on an unformed road contrary to the restriction.

24. A person must not move, deface or overturn any **prescribed sign** on any road or **public place**.

25. A person must not wilfully or negligently obstruct any road or **public place** in any manner which causes a nuisance to other users or interferes with any person's right to use any road or **public place**.

26. Council may prohibit or limit any livestock from using any road, or prescribe the routes which any livestock may use on any road.

Exemptions

27. A person is not in breach of this Bylaw if that person proves

- a. The act was taken to avoid death or injury of a person; or
- b. The act was taken at the direction of a **Parking Warden** or enforcement officer; or
- c. They have prior written approval from the **Chief Executive**, a fee or rental may be prescribed for processing these approvals. This fee or rental may be refunded, remitted, or waived at the **Chief Executive's** discretion.

Offences/Penalties/Powers

28. A person is in breach of this Bylaw who fails to comply with any control, restriction, limitation or prohibition made under this Bylaw commits an offence under the Land Transport Act 1998 and is liable to the penalties set out in the Act.

29. Any person that commits a breach of this Bylaw commits an offence and is liable to a fine under the *Land Transport Act 1998* as follows:

- a. Not exceeding the amount fixed for any breach for which an infringement notice is issued;
- b. Not exceeding \$500.00 and the breach is a continuing one, not exceeding a further \$50.00 per day thereafter.

30. **Council** may remove or cause to remove from any **parking space**, road, or **public place**, any vehicle, structure or object, in breach of this Bylaw, and/or recover all charges in connection with the removal of any vehicle, structure or thing.

THIS BYLAW WAS MADE BY RESOLUTION XXXX OF COUNCIL AT AN ORDINARY MEETING OF THE TAUPŌ DISTRICT COUNCIL HELD ON XXXX.

IN WITNESS thereof the Common Seal of the Taupō District Council has hereby order in Council hereunto been affixed in the presence of:

David Trewavas
MAYOR

Julie Gardyne
CHIEF EXECUTIVE