

KAIKOURA DISTRICT (TRAFFIC CONTROL) BYLAW 1995.

INTRODUCTION

A Bylaw of the Kaikoura District Council to control the flow of traffic in the Kaikoura District, with an emphasis on the control of parking.

The Kaikoura District Council hereby resolves by way of special order the following Bylaw, pursuant to the Local Government Act 1974 (and its amendments), the Transport Act 1962 (and its amendments) and all other Acts, powers and authorities enabling the Council in that behalf.

1.1 Short Title

- 1.1.1 The short title of this Bylaw shall be the Kaikoura District (Traffic Control) Bylaw 1995.

1.2 Commencement

- 1.2.1 This Bylaw shall come into force on the 1st February 1996

1.3 Principles of Interpretation

- 1.3.1 Every provision in this Bylaw shall be deemed to have been adopted for the good rule and government of the district and the more effectual carrying out of any of the objects of any Act empowering the Council to make Bylaws, and regard shall be taken of the purposes and objects of any such Act in interpreting the Bylaw, which shall receive such fair, large and liberal construction or interpretation as will best ensure the attainment of the public good and the achievement of the foregoing purposes and objects according to their true intent, meaning and spirit.

1.4 Interpretation

- 1.4.1 In this Bylaw, unless the context otherwise requires:

"Authorised Officer" includes the District Manager, any Parking Warden duly appointed in accordance with the Transport Act 1962, and any other person so designated in writing by the District Manager,

"Council" means the Kaikoura District Council,

"District Manager" means the District Manager of the Kaikoura District Council,

"Goods Service Vehicle" has the same definition as that given by section 2 of the Transport Act 1962,

"Heavy Motor Vehicle" has the same definition as that given by section 2 of the Transport Act 1962,

"Loading Zone" has the same definition as that given by section 2 of the Transport Act 1962,

"Maximum authorised time" means the maximum time permitted for a particular area as set by Council,

"Metered Parking Space" means any parking space within a Metered Zone,

"Metered Zone" means any road or portion of any road or any piece of land authorised by the Council to be used as a place where vehicles may park at which parking meters, or parking coupon dispensers are installed,

"Parking Place" has the meaning given to it by section 591 of the Local Government Act 1924,

"Parking Space" means a space or section in a Parking Place indicated by or lying within markings made by the Council for the accommodation of a vehicle,

"Passenger Service" has the same definition as that given by section 2 of the Transport Services Licensing Act 1989,

"Passenger Service Vehicle" has the same definition as that given by section 2 of the Transport Services Licensing Act 1989,

"Passenger Transport Operation" means any business or operator that carries out a Passenger Service,

"Public holiday" means any Statutory Holiday, and includes Marlborough Anniversary Day,

"Public Places" includes roads, grass verges, garden areas and reserves,

"Reserve" has the same meaning as that given by section 2 of the Reserves Act 1977,

"Transport Station" has the meaning given to it by section 591 of the Local Government Act 1924,

"U turn" means vehicles on a roadway turning from facing or travelling in one direction to facing or travelling in the opposite direction.

- 1.4.2 Any words, phrases or expressions used in this Bylaw which have meanings assigned to them by The Transport Act 1962, or the Traffic Regulations 1976 (and which are not defined in clause 1.4.1 above), shall have such meanings as are respectively assigned thereby unless

such meanings shall be repugnant to, or inconsistent with the context in which such words, phrases or expressions occur.

- 1.4.3 In this Bylaw, unless the context otherwise requires, words importing the singular shall include the plural and vice versa, and in words importing the masculine shall include the feminine and the neuter.
- 1.4.4 The headings to the clauses and the explanatory notes to each Part of this Bylaw shall not affect the construction thereof.
- 1.4.5 Every schedule to this Bylaw shall be deemed to form part of this Bylaw.
- 1.4.6 Council may by resolution, delegate to any committee or any person elected a member of the Council or any officer of the Council, any of the functions imposed upon it by any clause of this Bylaw or any amendment thereto.

1.5 Bylaws Revoked

- 1.5.1 All Bylaws in force in the district at the time of the coming into force of this Bylaw, which cover the matters now covered by this Bylaw, are hereby revoked.
- 1.5.2 All Bylaws revoked by this Bylaw shall remain in full force and effect so far as they relate to anything done or any offence committed, penalty incurred, prosecution or proceedings commenced, right or liability accrued, notice given, or order may be under or against any of the provisions thereof before the coming into force of this Bylaw.

1.6 Serving of Orders and Notices

- 1.6.1 Except where otherwise expressly provided for in any Act, in any case in which it is provided by this Bylaw, that an order may be made upon any person or that notice be given to any person requiring that person to do or abstain from doing anything, or any notices are required by this Bylaw to be given or sent to any person, such order or notice may be delivered to that person either personally or by sending the same, by messenger or by registered post, to the last known place of abode or business of that person.

1.7 Offences

- 1.7.1 Every person commits an offence against this Bylaw who:
 - (a) Does, or causes to be done, or knowingly permits or suffers to be done, or is concerned in doing, anything whatsoever contrary to or otherwise than as provided by this Bylaw; or

- (b) Omits or neglect to do, or knowingly permits, or suffers to remain undone, anything which under this Bylaw, ought to be done by that person at the time and in the manner therein provided; or
- (c) Does not refrain from doing anything which under this Bylaw that person is required to abstain from doing; or
- (d) Knowingly permits or suffers any condition of things to exist contrary to any provision contained in this Bylaw; or
- (e) Refuses or neglects to comply with any notice duly given to that person under this Bylaw; or
- (f) Obstructs or hinders any officer or employee of the Council in performance of any duty to be discharged by that officer under or in the exercise of any power conferred upon that officer or employee by this Bylaw; or
- (g) Fails to comply with any prohibition, or restriction, or direction or requirement indicated by lines, markings, parking meters, traffic signs or other signs and notices placed or erected on any road, public places, or other area controlled by the Council pursuant to this Bylaw or any resolutions made thereunder.
- (h) Fails to comply with any notice or direction given under this Bylaw.

1.8 Offenders to Give Names

- 1.8.1 Any person who, in the opinion of any authorised officer, is committing or has committed a breach of any of the provisions of this Bylaw, shall if so requested by the authorised officer, supply his or her full name and address.

1.9 Penalties

- 1.9.1 Unless otherwise provided for in this Bylaw, the fees payable for any breach of any Part of this Bylaw shall be the maximum fee as set out in the Second Schedule to the Transport Act 1962.
- 1.9.2 Notwithstanding subclause 1.9.1, every person continuing any breach of this Bylaw shall be liable upon conviction to a fine not exceeding \$500.

1.10 Provision for Resolutions

1.10.1 The Council may from time to time by resolution impose such prohibitions, restrictions, controls, or directions concerning the use by traffic or otherwise of any road, public place or other area controlled by the Council, as are permitted by the Local Government Act 1974 (and its amendments), the Transport Act 1962 (and its amendments) and all other Acts, powers and authorities so enabling the Council.

1.10.2 Any such resolution may:

- (a) be made in respect of a specified class, type or description of vehicle, and may be revoked or amended by the Council from time to time;
- (b) be expressed or limited to apply only on specified days, or between specified times, or in respect of specified events or classes of events, or be limited to specified maximum periods of time;
- (c) also, where appropriate, prescribe, abolish or amend such fees, whether annual, hourly or otherwise, as the Council may reasonably require for any parking place, parking building, transport station or metered area; and may prescribe the methods of displaying appropriate receipts for payments, or other authority to use or park in such places buildings or other authority to use or park in such places buildings or areas.

Public Notification

1.11.1 Any resolution made by Council under this Bylaw (including any resolution revoking or amending such resolution) shall be publicly notified at least fourteen (14) days before it takes effect. If an objection in writing- made by any person adversely affected by any such resolution, is received by the Principal Administrative Officer before the resolution takes effect, then the Council shall consider that objection and may confirm, amend or revoke the resolution the subject of the objection, as it thinks fit. Until Council has considered the objection and made a decision on it, the resolution the subject of objection shall not take effect.

1.11.2 This clause shall not apply to any resolution which consolidates resolutions previously made under this Bylaw or has the same effect as a resolution made under a Bylaw revoked by this Bylaw.

PUBLIC PLACES

Explanatory Note

The Local Government Act 1974 authorises the Council to adopt Bylaws regulating the activities which can be carried out in or on roads, public places and reserves. This part of the Bylaw controls damage to public facilities such as roads, grass verges, garden areas and reserves.

It also provides for the control of activities within public places and reserves which may have an adverse effect on other users of these facilities.

This Part has not been extended to regulate activities such as lighting fires, water wastage, or camping (other than in vehicles). This Bylaw could be extended to cover these activities or could probably better be dealt with separately.

2.1 Reserves

2.1.1 No person shall on any reserve:

- (a) Drive, park, stop, stand, or leave any vehicle (other than a council, service, emergency or other authorised vehicle) except in an area set aside for that purpose and then only in full compliance with any conditions, standards or stipulations specified by the Council;
- (b) Camp in an area not set aside for that purpose. In this context camping shall include the use of any vehicle whether or not it is specially fitted out for sleeping;
- (c) Use or cause to be used any vehicle in any manner which would be likely to disturb the enjoyment of the reserve by other persons lawfully using it.

2.1.2 Any controls, restrictions, prohibitions, directions or charges which the Council may impose under this Bylaw, may be imposed by the Council from time to time by resolution in respect of any reserve. In addition, the Council may from time to time by resolution impose any other controls, restrictions, prohibitions, directions or charges in respect of any traffic, whether pedestrian or vehicular, in any reserve to give effect to the proper use and enjoyment of the reserve.'

2.1.3 The Council, where practicable and reasonable, shall place in any reserve to which one or more of its Traffic Resolutions apply, suitable signs, notices or road markings to set out the effect of such resolutions.

2.1.4 It shall not be a defence to any charge that an offence has been committed against this part of the Bylaw (other than where compliance with a sign, notice or road marking is an ingredient of the offence) if

no sign, notice or road marking was in place at the time such offence was alleged to have been committed.

2.2 Damage

- 2.2.1 No person shall stop, stand, park, ride or drive any vehicle in any manner that causes damage to any road, reserve, garden area or grass verge forming part of any road.
- 2.2.2 No person shall interfere with or damage or remove any traffic control sign.

3 PARKING

Explanatory Note

This part of the Bylaw facilitates traffic management and parking control measures in respect of roads, public places, parking areas and transport stations under the control of the council.

It provides measures to ensure the maintenance of acceptable standards for the safe and orderly movement of traffic, particularly in the business area of Westend, and in South Bay, where the increase in tourist and holiday traffic is creating a problem.

Parking control measures for roads and parking areas are also covered by this Part.

3.1 Turning Traffic

- 3.1.1 No person shall turn any vehicle to the right nor to the left on any road, nor perform a U turn thereon where the Council has prohibited or restricted such turns. The Council shall erect appropriate signs to this effect.

3.2 Stopping Restrictions

- 3.2.1 No person shall stop, stand or park any vehicle nor cause or permit any vehicle to be stopped, stood or parked upon any grass verge or berm forming part of a road.
- 3.2.2 Except as directed by a police officer, traffic control signal, traffic sign or except in a traffic emergency, no person shall stop, stand or park any vehicle or permit any vehicle to remain stopped, standing or stationary on any road or in any public place, in contravention of any restriction or prohibition imposed by the Council.
- 3.2.3 Except with the written permission of the Council given in respect of any specified vehicle, trailer or part thereof, and then only in

compliance with any conditions under which that permission is given, no person shall stop, stand or park any vehicle, trailer, or part thereof on any road or public place [other than for bona fide purposes of travel and stoppages thereto.

3.3 Loading Zones

3.3.1 The Council may by resolution publicly notified:

- (a) Determine that any part of a road shall be a "Loading Zone";
- (b) Restrict the stopping, standing or parking of any vehicles other than goods service vehicles in any Loading Zone;
- (c) Restrict the period of parking time of any vehicle in a Loading Zone.

3.3.2 The Council shall erect appropriate signs to this effect.

3.4 Passenger Service Vehicles

3.4.1 The Council may by resolution publicly notified reserve and mark out any part of a road as a stopping place for any particular class of vehicle licensed under the **Transport Services Licensing Act 1989** and engaged in the carriage of passengers for hire or reward.

3.4.2 In addition to the general power conferred by subclause 3.4.1 the Council may impose by resolution publicly notified, any one or more of the following restrictions:

- (a) Limit to not more than 10 minutes the time a passenger service vehicle may remain stationary on any stopping place that has been reserved for its use;
- (b) Reserve any particular stopping place for the exclusive use of passenger service vehicles licensed under the Transport Services Licensing Act 1989 and owned or operated by a specified person or company carrying on a passenger transport operation.

3.5 Parking - Places, Buildings

3.5.1 The Council may by resolution publicly notified:

- (a) Declare any piece of land or any length of road or any building owned or occupied by the Council to be a "Parking Place";
- (b) Define the times, manner and conditions of parking of vehicles in any Parking Place;

- (c) Define the vehicles or classes of vehicles that may be entitled to use any Parking Place, and the conditions upon and to which such Parking Place may be used;
 - (d) Fix the charges and any penalty fees payable, if any, for the parking of any vehicles in any Parking Place;
 - (e) Fix the charges to be paid by any owner of a vehicle in return for the sole right to park such a vehicle in any allotted parking space, and define the hours during which the owner of their agents shall be entitled to the sole use of the allotted parking space;
 - (f) Except as provided in sub clause 3.5.1(c) and clause 3.5.2, no part of any road shall be designated as a Parking Place available only to specified persons or to vehicles owned or operated by specified persons or by specified classes of persons.
- 3.5.2 The Council may, either generally or at specified times, reserve any Parking Space for the exclusive use of vehicles driven by or carrying disabled persons, and displaying an operation mobility card/permit. Every such reserved Parking Place shall be indicated by appropriate signs.
- 3.5.3 The Council may by resolution publicly notified apply the provisions of clauses 3.3.1 to 3.5.3 inclusive to any road or public place under its control, and may impose such conditions and **fix** such fees and charges as are authorised therein.

3.6 Metered Zones

- 3.6.1 The Council may by resolution publicly notified:
- (a) Declare a road or any part of it or any public place to be a "Metered Zone" for parking purposes;
 - (b) Declare the maximum time allowed for the parking of a vehicle in any parking space within a Metered Zone on any one occasion (hereinafter called "the Maximum Authorised Time"),
 - (c) Fix the days, times and amount of parking fees that shall be payable for parking in Metered Parking Spaces;
 - (d) Specify times and conditions within which vehicles may park within a Metered Zone without payment of a parking fee.
- 3.6.2 Subject to clauses 3.6.1(d) and 3.6.10, it shall be an offence for any person to cause a vehicle to be parked in a Metered Parking Space without having paid the specified fee, or to allow a vehicle to remain in

a Metered Parking Place after expiration of the Maximum Authorised Time.

- 3.6.3 If a Metered Parking Space is parallel to the kerb or footpath, the driver of a vehicle intending to occupy it shall park the vehicle so that it shall be facing in the direction of movement of traffic on that side of the street, and so that the vehicle shall be as close as practicable to the line marking the front extremity of the Metered Parking Space.
- 3.6.4 If the Metered Parking Space is at an angle to kerb or footpath, the driver of a vehicle intending to occupy it shall park the vehicle so that the front of the vehicle is closest to the kerb or footpath.
- 3.6.5 The driver of any vehicle shall not park it across or on any line marking the extremities of a Metered Parking Space and shall ensure that it is kept within that space unless by reason of its size it may be necessary for the vehicle to extend onto an adjoining and unoccupied Metered Parking Space. Where the vehicle extends onto the adjoining space, the driver shall be liable to pay a parking fee for each space so occupied.
- 3.6.6 A person shall not drive into a Metered Parking Space which is already occupied by another vehicle, provided that it shall be lawful for another motorcycle, but no other vehicle, to occupy a Metered Parking Space which is already occupied by one or more motorcycles. In the event that a Metered Parking Space is occupied by more than one motorcycle:
 - (a) If the Metered Parking Space is parallel to the kerb or footpath, an additional motorcycle shall not be parked so that any part of it lies closer than 1.2 metres from the line on the ground marking the rear extremity of the Metered Parking Space;
 - (b) It shall not be necessary for the payment of more than one parking fee, but where the parking meter shows the maximum time has expired, the persons in charge of every motorcycle therein shall be held to be severally liable, and therefore to have committed an offence under clause 3.6.2.
- 3.6.7 A person shall not misuse a parking meter nor insert or cause to be inserted into it anything other than the prescribed fee in New Zealand currency, or any other card or token as prescribed by resolution of the Council as a method of making payment of the parking fee.
- 3.6.8 Notwithstanding the provisions of clause 3.6.1 the Council may install and operate parking coupon dispensers in any area which has been declared a Metered Zone. Any person intending to park any vehicle in any such metered zone shall deposit the prescribed fee in the parking coupon dispenser located within that metered zone.

- 3.6.9 The coupon issued by the parking coupon dispenser shall be displayed in a conspicuous position inside the vehicle, but so as to be readable by any authorised officer standing outside the vehicle.
- 3.6.10 Notwithstanding clause 3.6.2, every Metered Parking Space may be occupied without the payment of a parking fee between the hours of 6.00pm on one day and 8.00 am the following day, and also all day on Saturdays, Sundays and Public Holidays, unless otherwise specified on the meter.
- 3.6.11 No person shall use a Metered Parking Space for the purpose of camping, whether or not a parking fee is payable. In this context, camping shall include the use of any vehicle whether or not it is specially fitted out for sleeping.

3.7 Vehicle Removal

- 3.7.1 In addition to the powers conferred upon it by any other enactment, the Council may, acting through an authorised officer, order the removal of any vehicle, or trailer, or part thereof, or bulk bin or container from any road, public place or from any Parking Place, which is using the road public place or Parking Place in breach of the provisions of this Bylaw.
- 3.7.2 The Council shall remove or cause to be removed, the vehicle, or trailer, or part thereof, or bulk bin or container to a place of safety, and shall release the vehicle, or trailer, or part thereof, or bulk bin or container to the owner upon payment of the reasonable costs of such removal, and the reasonable costs of any subsequent daily storage.
- 3.7.3 It shall be an offence for any person to place or leave anything without reasonable excuse on any road in circumstances that endanger the safety of other road users.

4. HEAVY TRAFFIC

Explanatory Note

The purpose of this part of the Bylaw is to control the use of Heavy Motor Vehicles to prevent nuisance or unnecessary hazard.

It is not designed to interfere with the legitimate day to day business of loading or unloading of goods and passengers, and specifically excludes Heavy Motor Vehicles which are not Goods Service Vehicles or Passenger Service Vehicles, thus not restricting the use of Camper Vans.

4.1 Heavy Motor Vehicles - Limitations

- 4.1.1 The Council may declare any point on any road a "Prohibited Entry Point".
- 4.1.2 No person shall drive a heavy motor vehicle that is a goods service vehicle past a Prohibited Entry Point other than for the bona fide purpose of delivering or loading goods.
- 4.1.3 No person shall drive a heavy motor vehicle past a Prohibited Entry Point other than for the bona fide purpose of setting down or picking up passengers.
- 4.1.4 Appropriate signs shall be displayed at each Prohibited Entry Point.

4.2 Heavy Motor Vehicles - Limitations - Residential - Areas

- 4.2.1 No person shall on any road within 100 metres of any residential property, disconnect or connect from any Heavy Vehicle combination any Heavy Trailer forming part of that combination.

RESOLUTIONS

The Council by resolution hereby prohibits U turns at the following places:

The intersection of West End, Beach Road and Churchill Street.

The Council by resolution hereby declares the following places to be reserved for vehicles carrying passengers for hire and reward (Passenger Service Vehicles), and sets the maximum period of time any such vehicle may remain there at 10 minutes:

On West End, on the west side, commencing at a point 326 metres from the intersection of Churchill Street, for a distance of 39.5 metres;

On West End, on the west side, commencing at a point 374.7 metres from the intersection of Churchill Street, for a distance of 18.5 metres;

On West End, on the east side, commencing at a point 291.8 metres from the intersection of Beach Road, for a distance of 51 metres;

The Council by resolution hereby declares the following places to be reserved for 2 wheeled vehicles only:

On West End, on the east side, commencing at a point 230.8 metres from the intersection with Beach Road, for a distance of 3.6 metres.

The Council by resolution declares the following places to be a parking place.

That area on the West end between the road on the west side, the Lyell Creek on the east side, the public toilets on the north side, and the information centre on the south side, which is known as the West end carpark.

The Council by resolution declares the following places to be reserved for disabled persons, pursuant to subclause 3.5.2 of the Kaikoura District (Traffic Control) Bylaw 1995:

On West end, on the west side, commencing at a point 150.4 metres from the intersection of Churchill Street, for a distance of 6.6 metres;

On West end, on the east side, commencing at a point 137 metres from the intersection of Beach Road, for a distance of 5.4 metres;

In the West end carpark, an area comprising of the first two parking spaces on the eastern most side, from the north end.

The Council by resolution declares the following places to be prohibited entry points for the purpose of Part 4 of the Kaikoura District (Traffic Control) Bylaw 1995:

On West end, at the intersection with Beach Road and Churchill Street;

On The Esplanade, 20 metres north of the intersection with Killarney Street.

The following resolutions, or resolutions similar in nature, are required to establish the maximum time allowed in any given "time limit" area.

The Council by resolution sets the maximum time for parking, pursuant to clause 3.5.1 of the Kaikoura District (Traffic Control) Bylaw 1995, in the following places at 5 minutes:

On West end, on the west side, commencing at a point 393.2 metres from the intersection of Churchill Street, for a distance of 50.3:

The Council by resolution sets the maximum time for parking, pursuant to clause 3.5.1 of the Kaikoura District (Traffic Control) Bylaw 1995, in the following places at 10 minutes:

On the West End, on the east side, commencing at a point 167.5 metres from the intersection with Beach Road, for a distance of 6.0 metres.

The Council by resolution sets the maximum time for parking, pursuant to clause 3.5.1 of the Kaikoura District (Traffic Control) Bylaw 1995, in the following places at 15 minutes:

On West end, on the west side, commencing at a point 33.5 metres from the intersection of Churchill Street, for a distance of 21.1 metres;

In the West end Carpark, at the southern end, those car-park directly in front of, and perpendicular to, the Information Centre entrance way.

The Council by resolution sets the maximum time for parking, pursuant to clause 3.5.1 of the Kaikoura District (Traffic Control) Bylaw 1995, in the following places at 60 minutes:

On West end, on the west side, commencing at a point 80.5 metres from the intersection of Churchill Street, for a distance of 46.2 metres;

On West end, on the west side, commencing at a point 167.8 metres from the intersection of Churchill Street, for a distance of 158.2 metres;

On West end, on the east side, commencing at a point 25.9 metres from the intersection of Beach Road, for a distance of 111.1 metres;

On West end, on the east side, commencing at a point 147.2 metres from the intersection of Beach Road, for a distance of 77.6 metres;

On West end, on the east side, commencing at a point 371.7 metres from the intersection of Beach Road, for a distance of 224.8 metres;

The West End Carpark, from the Northern end to the North side of the Waikanau Bridge.

The Council by resolution sets the maximum time for parking, pursuant to clause 3.5.1 of the Kaikoura District (Traffic Control) Bylaw 1995, in the Following places at 120 minutes:

The West end carpark, South from the North side of the Lions Bridge, excluding those car-parks at the southern end directly in front of, and perpendicular to, the Information Centre entrance way.

The Council by resolution sets the fee for parking in a metered space at 40c per hour or part thereof, with a minimum fee of 20 cents.

The Council by resolution sets the fee for parking in the West end Carpark, excluding any area with a maximum authorised time of not more than 15 minutes, at 40c per hour, or part thereof, with a minimum fee of 40 cents.

The Council by resolution hereby declares the following places to be reserved as Loading Zones for the purposes of loading and unloading Commercial Seagoing Vessels;

Commencing from the eastern edge of the South bay Slipway in an easterly direction, for a distance of 80 metres;

Commencing from the Western edge of the South Bay slipway in a Westerly direction, for a distance of 30 metres.

The Council by resolution hereby declares that Stock Trucks or Stock Vehicles are prohibited from parking at all times in the West End Carpark.

The Council by resolution hereby declare that charges for parking may be applied on Saturday, Sundays and Statutory public holidays.

The Kaikoura District Council pursuant to Section 681 of the Local Government Act 1974 confirmed this Kaikoura District (Traffic Control) Bylaw 1995 to come into force on 1 February 1996 and resolved to affix the Seal thereto at a Meeting held on 17 January 1996.

Confirmed this 20th day of February 1996

Signed by Mayor

Witnessed by Regulatory Control Officer.

Appendix B

SECOND SCHEDULE TO THE TRANSPORT ACT 1962

INFRINGEMENT OFFENCES AND FEES

PART I : PARKING OFFENCES

Infringement Fee

OFFENCE (in addition to any towage fee-see below)

Any parking offence involving parking on a road in breach of a local authority Bylaw, in excess of a period fixed by a meter or otherwise, where the excess time is-

Not more than 30 minutes \$10 or such lesser amount as is fixed by the local authority.

More than 30 minutes but not more than 1 hour \$14 or such lesser amount as is fixed by the local authority

More than 1 hour but not more than 2 hours \$14 or such lesser amount as is fixed by the local authority

More than 2 hours but not more than 4 hours \$30 or such lesser amount as is fixed by the local authority

More than 4 hours \$34 or such lesser amount as is fixed by the local authority

Any other parking offence \$40

Towage fee: Where expenses are incurred by an enforcement authority in respect of the movement or proposed movement under section 68B(1)(c) or section 68BA(2)(b) of this Act of the vehicle involved in the offence (whether or not the vehicle is in fact moved), the infringement fee shall be the total of the amount specified above in respect of the offence and the amount of the appropriate towage fee (including any goods and services tax payable in respect of the towage fee).

Appendix C

TOWAGE FEES

The Transport (Towage Fees) Notice (No 2) 1990 NOTICE

1. Title and Commencement

(1) This notice may be site as the Transport (Towage Fees) Notice (No 2) 1990.

(2) This notice shall apply with respect to perking offences committed on and after the 20th day of July 1990

2. Towage Fees

(1) The towage fee payable under the Transport Act 1962 in respect of any parking offence is

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(a) In the case of a vehicle whose gross weight does not exceed 3500kg-

(i) \$40.00, where the Towage takes place between the hours of 7am and 6pm on any Monday, Tuesday, Wednesday, Thursday, or Friday (other than a public holiday):

(ii) \$55, where the towage takes place at any other time:

(b) In the case of a vehicle whose gross weight exceeds 3500kg-

(i) \$ 1 00.00, where the towage takes place between the hours of 7am and 6pm on any Monday, Tuesday, Wednesday, Thursday, or Friday (other than a public holiday):

(ii) \$150, where the towage takes place at any other time:

(2) The towage fees specified in this clause are inclusive of any amount of goods and services tax payable under the Goods and Services Tax Act 1985.

AMENDMENT TO THE KAIKOURA DISTRICT (TRAFFIC CONTROL) BYLAW

At the Works and Services Committee meeting on Wednesday 18 November 1998 the Works and Services Committee resolved that:

Pursuant to section 1.10 of the Kaikoura District Council (Traffic Control) Bylaw 1995 the Council by resolution hereby declares the following places to be no parking zones.

- The Esplanade on the south side commencing at a point 0.00 metres from the intersection with Westend for a distance of 12.50 metres
- The Esplanade on the south side commencing at a point 174.7 metres from the intersection with Westend for a distance of 6.2 metres.
- The Esplanade on the south side commencing at a point 211 metres from the intersection with Westend for a distance of 7 metres.
- The Esplanade on the south side commencing at a point 236 metres from the intersection with Westend for a distance of 30 metres.
- The Esplanade on the south side commencing at a point 445 metres from the intersection with Westend for a distance of 25 metres.

Pursuant to section 1.10 of the Kaikoura District Council (Traffic Control) Bylaw 1995 the Council by resolution hereby declares the following place to be a no parking zone while Mayfair Theatre is in session.

- The Esplanade on the south side commencing at a point 510.5 metres from the intersection with Westend for a distance of 15.5 metres.

Pursuant to section 1.10 of the Kaikoura District Council (Traffic Control) Bylaw 1995 the Council by resolution hereby declares the following places to be a no parking zones.

- Killarney Street on the east side commencing at a point 72 metres from the intersection with the Esplanade and continuing for a distance of 14 metres.
- Killarney Street on the west side commencing at a point 68 metres from the intersection of the Esplanade and continuing for a distance of 14 metres.

Pursuant to section 1.10 of the Kaikoura District Council (Traffic Control) Bylaw 1995 the Council by resolution hereby declares the following place to be a bus stop.

- Torquay Street on the north side commencing at a point 61.0 metres from the intersection of Killarney Street and continuing for a distance of 28 metres.

This was adopted by Council on 16 December 1998.

KAIKOURA DISTRICT (TRAFFIC CONTROL) BYLAW 1995 AMENDMENT

The Kaikoura District Council by resolution on 21 April 1999 hereby revokes the passenger service vehicle time limit parking and replaces it with time limit parking and sets the maximum period of time any vehicle may remain there at 60 minutes.

- *On Westend, on the west side commencing at a distance 326 metres from the intersection of Churchill Street, for a distance of 16 metres.*

Pursuant to section 1.10 of the Kaikoura District (Traffic Control) Bylaw 1995 the Kaikoura District Council by resolution hereby revokes the time limit parking and replaces it with a place to be reserved for vehicles carrying passengers for hire and reward (Passenger Service Vehicles) and sets the maximum period of time any vehicle may remain there at 10 minutes.

- *On Westend on the west side commencing at a distance of 393 metres from the intersection of Churchill Street for a distance of 18 metres.*

This amendment is to take effect from 3 May 1999.