

## CHAPTER 17

# PARKING CONTROL

### 1701 INTERPRETATION

1701.1 In this Bylaw, unless inconsistent with the context:

**DISABLED PARKING SPACE** means a parking space used by vehicles displaying a "Mobility Card" (as issued by the CCS) and designated as a reserved parking space by the appropriate signs.

**GOODS SERVICE VEHICLE** means a motor vehicle designed exclusively or principally for the carriage or haulage of goods, but does not include a tractor.

**INFRINGEMENT NOTICE** means a notice issued in respect of an alleged offence.

**MANUAL OF TRAFFIC SIGNS AND MARKINGS** means the manual as published by the National Roads Board of New Zealand and as amended from time to time.

**PARKING** means in relation to any portion of road or any land or building the stopping or standing of a vehicle on that portion of road or land or building.

**PARKING OFFENCE** means: -

- (a) Parking on any portion of a road or on any land belonging to the Council, and which is set aside for the parking of vehicles, in breach of any Act or Regulation or of any Bylaw made by the Council.
- (b) Any other breach of this Bylaw.

**PARKING SPACE** means a space marked out pursuant to Clause 1703 of this Bylaw by painted lines for the accommodation of a vehicle and at which space a time limit and/or restriction may be established.

**PARKING ZONE** means any land belonging to the Council or under the Council's control including any road or portion of a road, which is authorised by resolution of the Council to be used as a place where vehicles may park and at which restrictions may be established and maintained.

**PROCEEDINGS** means proceedings under the Summary Proceedings Act 1957 and includes the issue of an infringement notice under Section 42A of the Transport Act 1962.

**RESERVED PARKING PLACE** means any parking space which has been reserved by the Council for letting to any person for reserved parking and which is clearly marked by a sign, notice or otherwise as being not available for public parking.

**ROAD** includes a street; and also includes any place to which public have access, whether as of right or not; and also includes all bridges, culverts, drains, gates and fords forming any part of any road, street or place as aforesaid.

**VEHICLE** means a contrivance equipped with wheels, tracks or revolving runners upon which it moves or is moved, but does not include:

- (a) A perambulator or pushchair.
- (b) A shopping or sporting trundler not propelled by mechanical power.
- (c) A bicycle or tricycle driven with pedals or handles and not propelled by mechanical power.

1702 **TIME RESTRICTIONS ON PARKING SPACES**

1702.1 No person being the driver or in charge of any vehicle shall stop, stand or park that vehicle:-

- (a) For a period longer than 5 minutes at any time in that area coloured pink and specified as "P5" in the second schedule to this Bylaw.
- (b) For a period longer than 10 minutes at any time in that area coloured green and specified as "P10" in the First Schedule to this Bylaw.
- (c) For a period longer than 15 minutes at any time in that area coloured purple and specified as "P15" in the First Schedule to this Bylaw.
- (d) For a period longer than 30 minutes at any time in that area coloured pink and specified as "P30" in the first schedule to this Bylaw.
- (e) For a period longer than 60 minutes at any time between the hours of 8.00 am and 5.00 pm, Mondays to Fridays inclusive, in that area coloured yellow and specified as "P60" in the First Schedule to this Bylaw.

PROVIDED HOWEVER that this parking restriction shall not apply on any week day which is also a public holiday.

- (f) For a period longer than 90 minutes at any time between the hours of 8.00 am and 5.00 pm, Mondays to Fridays inclusive and between the hours of 8.00 am and 12 noon on Saturdays or, if the day is one on which there is a late shopping night, then between the hours of 8.00 am and 9.00 pm on that particular day, in that area coloured blue and specified as "P90" in the First Schedule to this Bylaw.

PROVIDED HOWEVER that this parking restriction shall not apply on any week day which is also a public holiday.

- (g) For a period longer than 180 minutes at any time between the hours of 8.00 am and 5.00 pm, Mondays to Fridays inclusive and between the hours of 8.00 am and 12 noon on Saturdays or, if the day is one on which there is a late shopping night, then between the hours of 8.00 am and 9.00 pm on that particular day, in that area coloured orange and specified as "P180" in the First Schedule to this Bylaw.

PROVIDED HOWEVER that this parking restriction shall not apply on any week day which is also a public holiday.

- (h) For a period longer than 60 minutes at any time between the hours of 9.00 am and 3.00 pm and 3.30 pm to 5.00 pm Mondays to Fridays inclusive in that area coloured silver and specified as "P60 - Bus" in the First Schedule to this Bylaw.

PROVIDED HOWEVER that this parking restriction shall not apply on any week day which is also a public holiday.

1703 **MARKING OUT OF PARKING AREAS**

1703.1 The Council shall establish and mark out or cause to be established and marked out the parking spaces referred to in Clause 1702 of this Bylaw. The extremities of each parking space shall be clearly indicated by white lines painted on the road or other land and the time limits or other restrictions applying to such parking spaces shall be indicated by the erection of the signs prescribed in the Manual of Traffic Signs and Markings.

1704 **USE OF PARKING AREAS**

1704.1 No driver or person in charge of a vehicle shall park such vehicle in a parking space across any line marking such designated space in such a position that the said vehicle shall not be entirely within the area so designated.

1704.2 No driver or person in charge of a vehicle shall park such vehicle in a parking space which is already occupied by another vehicle.

PROVIDED HOWEVER, that it shall be lawful for any number of motorcycles (including motorcycles with sidecars attached thereto) but no other vehicle to occupy any parking space at the same time.

1704.3 If a parking space is parallel to the kerb or footway of any road, the driver or person in charge of any vehicle occupying such space shall park the vehicle so that the vehicle shall be entirely within the parking space, and parallel to the lines marking the limits, so that the vehicle is parked as close as is practicable to the kerb, headed in the general direction of movement of traffic on the side of the street on which the vehicle is parked.

1704.4 If a parking space is at an angle to the kerb or footway of any road, the driver or person in charge of any vehicle occupying such space shall park the vehicle in such a manner that it is entirely within the parking space and parallel to the lines marking the limits thereof with the front of the vehicle facing towards and as near as practicable to such kerb or footway.

1704.5 If a parking space is on any land other than a road the driver or person in charge of any vehicle occupying such space shall park the vehicle in such a manner that it is entirely within the parking space and parallel to the lines marking the limits thereof.

1704.6 No driver or person in charge of a vehicle shall park outside of a designated parking space when the parking space is unoccupied, and in such a position that the said vehicle is not entirely within the area so designated.

1705 **BUS STOPS**

1705.1 No person shall at any time stop stand or park any vehicle on any parking space which has been specifically reserved for use by buses and which is specified as that area coloured blue and specified as "Bus" in the Second Schedule to this Bylaw.

Such spaces shall be marked by the appropriate signs prescribed in the Manual of Traffic Signs and markings and edged by a painted broken yellow line 2.5 metres from the carriageway kerb.

1705.2 No person shall at any time between the hours of 8.30 am and 9.30 am Mondays to Fridays inclusive and between the hours of 2.30 pm and 3.30 pm Mondays to Fridays inclusive stop stand or park any vehicle on any parking space in that area coloured black and specified as "Primary School Bus Stop" in the Second Schedule to this Bylaw.

PROVIDED HOWEVER that this parking restriction shall not apply on any week day which is also a public and or school holiday.

1705.3 No person shall at any time between the hours of 8.00 am to 9.00 am Mondays to Fridays inclusive and between the hours of 3.00 pm to 3.30 pm Mondays to Fridays inclusive stop, stand or park any vehicle on any parking space in that area coloured black and specified as "High School Bus Stop" in the Second Schedule to this Bylaw.

PROVIDED HOWEVER that this parking restriction shall not apply on any weekday which is also a public and or school holiday.

1706 **NO STOPPING**

1706.1 No person shall at any time stop, stand or park any vehicle on any part of a road or service lane (identified by purple in the second schedule of this Bylaw) or land belonging to the Council marked by a broken yellow line as prescribed in the Manual of Traffic Signs and Markings.

1707 **LOADING ZONES**

1707.1 No person, being the driver or in charge of any vehicle, shall stop, stand, or park that vehicle whether attended or unattended, on a road or service lane which is:

- (a) reserved as a loading zone in any area coloured green and specified as a "loading zone" in the second schedule to this bylaw;
- (b) the location of such loading zones which are indicated by the erection of the appropriate parking sign and the area of which is marked on the roadway by lines as prescribed in the Manual of Traffic Signs and Markings:
  - (i) if the vehicle is not of the class (if any) specified on the sign; or
  - (ii) if the driver leaves the vehicle unattended for more than five minutes or such longer period as is specified on the sign; or
  - (iii) if the driver is not actually loading or unloading goods.

PROVIDED THAT it shall be a defence for any person who is the driver or is in charge of any goods service vehicle and who is charged with a breach of this part of this Bylaw if such person proves that the act complained of was done during the loading or unloading of the vehicle in the course or trade and that the vehicle was being used with due consideration to the safety and convenience of other persons."

1708 **DISABLED PARKING**

1708.1 No person, other than any person holding a Mobility Card, shall at any time stop, stand or park a vehicle in any Disabled Parking Space, such Disabled Parking Spaces being those areas coloured red and specified as "Disabled Parking" in the Second Schedule to this Bylaw.

1709 **PARKING OF VEHICLES EXCEEDING SIX METRES IN LENGTH**

1709.1 No person shall at any time angle park any vehicle exceeding 6 metres in length in any area which is marked out for angle parking.

1710 **DOUBLE PARKING**

1710.1 No person, being the driver or in charge of any vehicle, shall stop, stand or park that vehicle so that any other stopped motor vehicle is located between his vehicle and the nearest edge of the roadway.

1711 **TEMPORARY DISCONTINUANCE**

1711.1 In any case where the Authorised Officer is of the opinion that the use of any parking space or spaces should be temporarily discontinued, the Council may place or erect or cause to be placed or erected a sign or signs indicating "No Parking" at such space or spaces, and it shall be unlawful for any person to stop a vehicle at such space or spaces while such sign is so placed or erected.

1712 **EXEMPT VEHICLES**

1712.1 The driver or person in charge of any of the following classes of vehicles shall be exempt from the provisions of this Bylaw:

- (a) A vehicle used as an ambulance and being at the time used on urgent ambulance service.
- (b) A vehicle used by a fire brigade for attendance at fires and/or other emergencies and at the time engaged at any outbreak of fire or any other emergency.

1713 **PENALTIES AND FEES**

1713.1 Where the Authorised Officer has reason to believe that the user of a vehicle has committed a parking offence:

- (a) The user of the vehicle may be proceeded against for the alleged offence under the Summary Proceedings Act 1957 and in such case the maximum penalty shall be the maximum penalty for such offences provided for in the Transport Act 1962 and Section 139 of the Land Transport Act 1998; or
- (b) The Authorised Officer may issue an infringement notice as provided in the Transport Act 1962, in respect or the alleged offence in which case the infringement fee payable shall be the maximum infringement fee specified in Part 1 of the Schedule 4 of the Transport Act 1998, as amended from time to time.

1714 **DEFENCE**

1714.1 It shall be a defence for any person who is the driver or is in charge of any goods service vehicle and who is charged with a breach of this Bylaw, if such person proves that the act complained of was done during the loading or unloading of the vehicle in the course of trade, that the vehicle was being used with due consideration to the safety and convenience of other persons and that a formed and usable service lane was not available from which to load or unload goods.

1714.2 It shall be a defence to any person who is the driver or is in charge of any vehicle and who is charged with a breach of this Bylaw if such person proves that the act complained of was done in compliance with the directions of a police officer, traffic officer, traffic control signal or traffic sign.

1715 **PARKING/DRIVING ON BERMS/PUBLIC PLACES**

1715.1 Any person shall be guilty of an offence against this part of the Bylaw who shall cause, permit or suffer any motor vehicle to be parked on, or driven upon, across or along any grass plot or flower bed laid out on any public place under the control of the Council.

1715.2 Any person shall be guilty of an offence against this part of the Bylaw who shall cause, permit or suffer any motor vehicle to be parked on, or driven upon, across or along any berm laid out on any public place under the control of the Council except -

any party who owns or occupies land that has frontage to a berm may park vehicles authorised by it on that section of berm, provided that:

- the vehicles are currently warranted/registered and mobile; and
- no damage is done to the berm; and
- no danger is caused to motorists or pedestrians.