

CHRISTCHURCH CITY COUNCIL TRAFFIC AND PARKING BYLAW 2008

Incorporating the following amendments:

- Traffic and Parking Amendment Bylaw 2012 resolved by the Council on 26 April 2012 (and coming into force on 1 July 2012), amending clauses 12 and 13 and revoking the First and Second Schedules (the content of which will now be in separate registers).
- Traffic and Parking Amendment Bylaw 2014 resolved by the Council on 13 November 2014 (and coming into force on 1 December 2014), adding definitions in clause 4, amending clause 5, clause 6, and clause 16, and adding new clauses 14A and 14B.
- Christchurch City Council Cruising and Prohibited Times on Roads Bylaw 2014 amended the Traffic and Parking Bylaw 2008 (resolved by the Council on 13 November 2014, and came into force on 1 December 2014) by revoking clauses 15 and 16(2).
- Amendments to Bylaw made by order of the Minister for Canterbury Earthquake Recovery exercising powers under s27(1)(e) of the CER Act 2011 (coming into effect 12 December 2014) adding clause 4 definitions, adding to clause 12, adding a new clause 13A and 23A, and adding new Schedules 1 - 4.

CHRISTCHURCH CITY COUNCIL TRAFFIC AND PARKING BYLAW 2008

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CHRISTCHURCH CITY COUNCIL TRAFFIC AND PARKING BYLAW 2008

Pursuant to the Local Government Act 1974, the Local Government Act 2002 and the Transport Act 1962, the Christchurch City Council makes this Bylaw.

1. SHORT TITLE

(1) This Bylaw is the Christchurch City Council Traffic and Parking Bylaw 2008.

2. COMMENCEMENT

(1) This Bylaw comes into force on 1 July 2008.

3. APPLICATION

(1) This Bylaw applies generally to all roads under the care, control and management of the Council.

(2) This Bylaw does not apply to roads under the care, control and management of Transit New Zealand, unless the Council and Transit New Zealand have entered into an agreement providing that this Bylaw applies to those roads.

(3) Nothing in this Bylaw limits the application of any other Act or any rules or regulations made under any other Act, for example, and without limitation:

- (a) the Transport Act 1962;
- (b) the Land Transport Act 1998;
- (c) the Local Government Act 1974;
- (d) the Land Transport (Road User) Rule 2004;
- (e) the Land Transport Rule: Traffic Control Devices 2004.

4. INTERPRETATION

(1) In this Bylaw, unless the context otherwise requires,

‘AUTHORISED OFFICER’ means an officer or other person appointed by the Council to perform duties required under this Bylaw, irrespective of the designation given to that officer or person.

‘CARRIAGEWAY’ means that part of a road laid out for vehicular traffic as determined by the Council under section 319 of the Local Government Act 1974.

‘COUNCIL’ means the Christchurch City Council and includes any person, authorised by the Council to act on its behalf.

‘CYCLE’ has the meaning given to that term in the Land Transport (Road User) Rule 2004.

‘DISPLAY’ for the purposes of a parking receipt, means placing the parking receipt in a conspicuous position inside or on a vehicle so that all the information printed on the parking receipt is readable by a person standing outside the vehicle.

‘DRIVER’ has the meaning given to that term in the Land Transport (Road User) Rule 2004.

‘EMERGENCY VEHICLE’ has the meaning given to that term in the Land Transport (Road User) Rule 2004.

‘ENFORCEMENT OFFICER’ means:

- (a) any person who has been appointed as an enforcement officer by the Council under the

Local Government Act 2002; or
(b) any person who is an enforcement officer
under the Land Transport Act 1998.

'FOOTPATH' has the meaning given to that term in the Land
Transport (Road User) Rule 2004.

'GRASS BERM' is the area behind a kerb which is laid out in grass
and may include a riverbank area.

'GRASS VERGE' is the area of road, which is laid out in grass:

- (a) between the carriageway and a kerb; or
- (b) adjacent to the carriageway where there is no
kerb and which may include a riverbank area.

'HEAVY MOTOR VEHICLE' has the meaning given to that term in the Land
Transport (Road User) Rule 2004.

'HOURS OF DARKNESS' means any period of time between half an hour after
sunset on any one day and half an hour before
sunrise on the next day.

'IMMOBILISED VEHICLE' means any vehicle that cannot be moved on its own
because it is mechanically not able to be moved or
has a wheel or wheels missing from the vehicle.

'LANE' has the meaning given to that term in the Land
Transport (Road User) Rule 2004.

'LOCAL ROAD' means a road that is classified as a local road in the
District Plan.

'MOBILITY DEVICE' has the meaning given to that term in the Land Transport (Road User) Rule
2004.

'MOTORHOME' means any motorised vehicle designed to be used
for human habitation.

'MOTOR VEHICLE' has the meaning given to that term in section 2(1) of
the Land Transport Act 1998.

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

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

'PARKING' has the meaning given to that term in the Land
Transport (Road User) Rule 2004.

'PARKING COUPON' or
'COUPON' means a coupon issued by or on behalf of the
Council to any person for the purpose of parking a

vehicle in accordance with the provisions of this Bylaw.

'PARKING METER'

- (a) means an apparatus designed to:
- (i) receive payment of parking fees; and
 - (ii) indicate whether any parking fee has been paid; and
 - (iii) fix the period of parking allowed for any parking fee paid; and
 - (iv) indicate whether the period for which any such parking fee has been paid has elapsed; and
- (b) includes a pay and display machine.

'PARKING SPACE' means a space or an area on a road that has been marked out specifically for parking.

'PARKING RECEIPT' means a receipt produced by a parking meter to indicate the payment of a parking fee for parking and the end of the period allowed.

'PARKING WARDEN/OFFICER' means a parking warden appointed or deemed to be appointed by the Council under section 7 of the Transport Act 1962.

'PAY AND DISPLAY AREA' means a restricted parking area that has been set aside as a Pay and Display area under clause 5.

'PEDESTRIAN' has the meaning given to that term in the Land Transport (Road User) Rule 2004.

'PERMIT' means a permit supplied by the Council.

'POWER-ASSISTED CYCLE' has the meaning given to that term in the Land Transport (Road User) Rule 2004.

'PRESCRIBED SIGN' means any applicable traffic control device (such as a traffic sign or road marking) referred to in the Land Transport Rule: Traffic Control Devices 2004.

'RESIDENTS PARKING ONLY AREA' means a restricted parking area that has been set aside as Residents Parking Only area under clause

'RESTRICTED PARKING AREA' means a road or area set aside as a restricted parking area under clause 5.

'ROAD' has the meaning given to that term in section 2(1) of the Land Transport Act 1998.

'SHARED PATH' means a cycle path, a cycle track, a footpath, or some other kind of path that may be used by some or all or of the following persons at the same time:

- (a) cyclists;
- (b) pedestrians;
- (c) riders of mobility devices;
- (d) riders of wheeled recreational devices.

'SHARED ZONE' means a length of roadway intended to be used by pedestrians and vehicles.

'SHUTTLE' means a passenger service vehicle that has less than 13 seating positions inclusive of the driver's seating position, and which is engaged in the conveyance of persons for hire or reward.

'STANDING' has the meaning given to that term in Part 2 of the Land Transport Rule: Traffic Control Devices 2004.

'TEMPORARY ROAD CLOSURE' has the same meaning as set out in paragraph 11 of the Tenth Schedule of the Local Government Act 1974.

'TOUR COACH' means a passenger service vehicle that has more than 9 seating positions inclusive of the driver's seating position, and which is engaged in the conveyance of persons on organised tours.

'TRAFFIC MANAGEMENT PLAN' has the same meaning as set out in the Code of Practice for Temporary Traffic Management.

'TRAFFIC SIGN' means a traffic control device prescribed by Part 2 of Land Transport Rule: Traffic Control Devices 2004.

'USE' has the meaning given to that term in the Land Transport (Road User) Rule 2004.

'VEHICLE' has the meaning given to that term in section 2(1) of the Land Transport Act 1998.

'WHEELED RECREATIONAL DEVICE' has the meaning given to that term in the Land Transport (Road User) Rule 2004.

(2) A reference in this Bylaw to any Act, regulation or rule, unless the context otherwise requires, includes a reference to all subsequent Acts, regulations or rules, made in amendment or substitution, and for the time being in force.

PART 1 PARKING

5. PARKING, STOPPING AND STANDING RESTRICTIONS

(1) The Council may by resolution set aside any road, or part of any road, or any other area controlled by the Council, as a restricted parking area.

(2) A restricted parking area may be subject to such conditions as the Council determines by resolution and, without limitation, may include:

- (a) the time period or time periods between which parking restrictions have effect;
- (b) the number and situation of parking spaces within each restricted parking area;
- (c) the maximum time allowed for parking in any parking space in a restricted parking area;
- (d) whether a parking space in a restricted parking area is designated for a specified class of vehicle (for example, tour coach or shuttle parking) or class of road user (for example, disabled parking) or for a designated activity (for example, a loading zone) or mobile shop and the charges payable (if any) for that parking space;

(e) whether or not the restricted parking area is a Residents Parking Only area:

(f) whether or not the restricted parking area is a Pay and Display area:

(g) that parking is prohibited in that restricted parking area or parts of that restricted parking area.

(3) The Council may by resolution impose standing or stopping restrictions on any road or any part of any road or any other area controlled by the Council whether by way of a time restriction, a restriction to a specified class, classes or description of vehicle (for example, bus parking), a total prohibition or any combination of these.

(4) The Council may by resolution:

(a) prescribe the fees payable for parking in a restricted parking area; and

(b) prescribe the means by which parking fees may be paid, including by the use of parking meters, pay and display machines, parking coupons, attendant or machine issued tickets, 'pay by phone applications' or other internet or mobile phone applications, or any other method of payment whatsoever.

(5) The Council may subsequently amend by resolution:

(a) any restricted parking area by adding any road or part of a road, or any other area controlled by the Council as a restricted parking area, or deleting or changing any road or part of a road, or other area previously so specified as a restricted parking area:

(b) any condition in relation to a restricted parking area, by adding, deleting or changing any such condition:

(c) any stopping or standing restrictions by adding, deleting, or changing any such restrictions.

(6) The Council must indicate any restricted parking area, stopping or standing restrictions (as referred to in subclauses (1) to (4)) by the use of prescribed signs.

6. PAYMENT FOR PARKING

(1) Where the Council has prescribed a fee for parking in a restricted parking area, any person using the restricted parking area must pay the fee without delay and in the manner so prescribed.

(2) If a parking receipt is provided in paper form, the parking receipt must be displayed in accordance with the instructions printed on it (if any).

7. PARKING COUPONS

(1) The Council, or any person authorised in that behalf, may issue to any person parking coupons on payment of the appropriate parking fees.

(2) All parking coupons issued by the Council, or by any person authorised in that behalf, must be issued with printed instructions as to the display and activation of such coupons.

(3) A parking coupon must be activated in accordance with the instructions printed on it and the date and time of the commencement of parking the vehicle must be displayed.

(4) Any Parking Warden/Officer may require the driver or person in charge of, or any passenger in any motor vehicle to produce for inspection any parking coupon displayed on that motor vehicle and that Parking Warden/Officer may retain that parking coupon.

8. TEMPORARY DISCONTINUANCE OF A PARKING SPACE

(1) If an authorised officer is of the opinion that any parking space or spaces should be temporarily discontinued as a parking space, the authorised officer, may authorise the placement of a sign that sufficiently indicates "No Stopping" at such parking space or spaces.

(2) If an authorised officer is of the opinion that any parking space or spaces should be temporarily discontinued as a parking space, except for the use of a trades vehicle or other specified vehicle, the authorised officer may authorise the placement of a sign that sufficiently reserves parking for a specific trade or other specified vehicle at such parking space or spaces.

(3) No person may:

(a) stop or park a vehicle at:

- (i) a parking space affected by a sign under subclause (1); or
 - (ii) a parking space affected by a sign under subclause (2) unless that person is specifically authorised by the authorised officer; or
- (b) remove any signs authorised under subclauses (1) or (2).

9. PARKING ON GRASS BERMS OR VERGES

(1) No person may stop, stand or park a motor vehicle on a grass berm or verge where prescribed signs indicate no stopping, standing or parking, as the case may be.

10. HEAVY VEHICLES PARKING IN A RESIDENTIAL AREA

(1) The Council may by resolution specify any road or part of a road in a residential area which may not be used by heavy motor vehicles for the purposes of stopping, standing, or parking for the time period or periods for which the restriction applies.

(2) The Council may by resolution subsequently amend or revoke any resolution made under subclause (1).

(3) No person may stop, stand, or park a heavy motor vehicle on any road or part of a road in a residential area as specified in a resolution made under subclause (1).

(4) For the purposes of this clause, residential area:

(a) means any land zoned "living" or "residential"; and

(b) includes any land that may not be zoned "living" or "residential" but has the following characteristics:

- (i) continuous residential dwellings on one or both sides of the road; or
- (ii) residential dwellings mixed with open spaces or local amenities such as hospitals, schools, clubrooms, medical centres and other similar activities.

(5) Nothing in subclause (3) applies to a heavy motor vehicle:

- (a) providing an emergency service on the road or in the immediate vicinity; or
- (b) being loaded or unloaded in the course of trade; or
- (c) carrying out work as a network utility operator.

(6) This clause is subject to the Council erecting the prescribed signs.

11. PENALTIES FOR PARKING OFFENCES

(1) Every person who breaches any of the parking provisions in Part 1 commits an offence and is liable -

(a) to infringement fees as set out in Schedule 2 of the Transport Act 1962; or
(b) on summary conviction to a fine not exceeding \$500 as set out in the Transport Act 1962.

(2) For the purposes of subclause (1), a person breaches a parking provision in Part 1 if he or she parks, stops, or stands a vehicle in contravention of any of the clauses in Part 1 or in contravention of any resolution made under any of the clauses in Part 1.

PART 2

TRAFFIC MOVEMENT RESTRICTIONS

12. ONE WAY STREETS

(1) The Council may by resolution specify any road or part of a road where vehicles must travel in one specified direction only.

(2) The Council may by resolution subsequently amend or revoke any resolution made under subclause (1).

(3) No person may drive a vehicle on a road in a manner that contravenes a restriction made under this clause.

(4) This clause is subject to the Council erecting the prescribed signs.

(5) Despite clauses 12(1)-(4) inclusive from the dates specified in the First Schedule, the roads or parts of roads in that schedule are one-way streets. Vehicles may only travel on the roads or parts of roads in the First Schedule in the direction stipulated in that schedule.

(6) No person may operate a vehicle on any road or part of a road in the First Schedule in contravention of the stipulated direction of travel in that Schedule.

(7) From the dates specified in the Third Schedule, the roads or parts of roads specified in that schedule are no longer one-way streets.

(8) Despite clauses 12(5) and 12(7), the Council may, on giving not less than one month's notice alter any of the dates on which the stipulated direction of travel in the First Schedule applies, or any of the dates on which the present stipulated direction of travel in the Third Schedule expires, to any other date or dates.

[The following note is explanatory and is not part of the Bylaw: All resolutions made by the Council under this clause will be recorded in a register which is accessible on the Council's website or available from the Council's Service Centres. Note that the First Schedule also contains a list of one way streets inserted into the Bylaw by the Canterbury Earthquake Recovery Authority.]

13. ROADS OR TRAFFIC LANES RESTRICTED TO SPECIFIC CLASSES OF VEHICLES

(1) The Council may by resolution specify any road or part of a road where a traffic lane may be used only by –

- (a) buses, taxis, cycles or vehicles of other specified classes; or
- (b) vehicles carrying specified classes of loads or no fewer than a specified number of occupants.

(2) The Council may by resolution specify any road or part of a road where any turning movement may only be made by -

- (a) buses, taxis, cycles or vehicles of other specified classes; or
- (b) vehicles carrying specified classes of loads or no fewer than a specified number of occupants.

(3) Any resolution made under this clause must specify, as the case may be -

- (a) the type of traffic lane (for example a bus, taxi or cycle lane); and
- (b) the hours of operation of the traffic lane (if any) when it is restricted to specific classes of vehicles; and
- (c) the hours that a restricted turning movement may be made (if any).

(4) The Council may by resolution subsequently amend or revoke any resolution made under this clause.

(5) No person may drive a vehicle on a road in a manner that contravenes a restriction made under this clause.

(6) This clause is subject to the Council erecting any prescribed signs or marking the road. The exact location of a restriction under this clause, will be signed and marked as prescribed by the Land Transport Rule Traffic Control Devices 2004 (or any other applicable legislation). Where signs and markings are not prescribed, they will be decided by the Council's traffic engineering staff applying best practice guidelines.

[The following note is explanatory and is not part of the Bylaw: All resolutions made under this clause by the Council will be recorded in a register which is accessible on the Council's website or available from the Council's Service Centres. Note that the Fourth Schedule (also see clause 13A of this Bylaw), contains a list of specific bus lanes inserted into the Bylaw by the Canterbury Earthquake Recovery Authority.]

13A SPECIFIC BUS LANES

(1) Without limiting clause 13, the roads or parts of roads in the Fourth Schedule are restricted to use by buses only.

14. TURNING RESTRICTIONS

(1) The Council may by resolution specify any road or part of a road where:

- (a) vehicles are prohibited from turning from facing or travelling in one direction to facing or travelling in the opposite direction, ("commonly known as u-turns"); or
- (b) vehicles or specified classes of vehicles **are prohibited** from turning to the right or to the left or from proceeding in any other direction.

(2) The Council may by resolution subsequently amend or revoke any resolution made under subclause (1).

(3) No person may drive a vehicle on a road in a manner that contravenes a turning restriction made under this clause.

(4) This clause is subject to the Council erecting the prescribed signs.

14A. SHARED ZONES

(1) The Council may by resolution specify any road or part of a road to be a shared zone.

(2) Any resolution made under this clause may specify —

(a) whether the shared zone may be used by specified classes of vehicles;

(b) the days and hours of operation of the shared zone (if they differ from 24 hours per day, 7 days per week);

(c) any other restrictions on how the shared zone is to be used by the public including how traffic and pedestrians will interact.

(3) The Council may by resolution subsequently amend or revoke any resolution made under subclause (1).

(4) Except where the Council has by resolution specified otherwise, no person may stand or park a vehicle in a road or part of a road specified as a shared zone.

(5) No person may use a shared zone in a manner that contravenes a restriction made under this clause.

(6) This clause is subject to the Council erecting the prescribed signs.

[The following note is explanatory and is not part of the Bylaw: All resolutions made under this clause by the Council will be recorded in a register which is accessible on the Council's website or available from the Council's Service Centres. Note that the Second Schedule (also see clause 23A of this Bylaw) contains a list of shared zones inserted into the Bylaw by the Canterbury Earthquake Recovery Authority.]

14B. SHARED PATHS

(1) The Council may by resolution —

(a) determine the length, route and/or location of a shared path; and

(b) determine priority for users on a shared path that may be used by some or all of the following persons at the same time —

(i) pedestrians;

(ii) cyclists;

(iii) riders of mobility devices;

(iv) riders of wheeled recreational devices.

(2) The Council may by resolution subsequently amend or revoke any resolution made under subclause (1).

(3) No person may use a shared path in a manner that contravenes a restriction made under this clause.

(4) This clause is subject to the Council erecting the prescribed signs.

15. PROHIBITED TIMES ON ROADS

Revoked by the Christchurch City Council Cruising and Prohibited Times on Roads Bylaw 2014

16. PENALTIES FOR TRAFFIC MOVEMENT OFFENCES

(1) Every person who breaches any of clauses 12 to 14B commits an offence and is liable on summary conviction to a fine not exceeding \$500 as set out in the Transport Act 1962.

(2) *Revoked by the Christchurch City Council Cruising and Prohibited Times on Roads Bylaw 2014*

[The following note is explanatory and is not part of the Bylaw, but is intended to explain its general effect: Any moving vehicle violation is liable to any action taken by the New Zealand Police.]

PART 3 EVENTS

17. EVENTS OBSTRUCTING TRAFFIC

(1) Every person intending to hold or organise an event involving people, vehicles or both, where that event may obstruct pedestrian or vehicle movements or has the potential to cause a safety issue for pedestrians or traffic, must provide the Council with a Traffic Management Plan prepared by a qualified Site Traffic Management Supervisor.

(2) If the event requires a “temporary road closure” then at least 60 days notice is required. For any other event, at least a 14 days written notice of application to the Council for its consent; which consent should not be unreasonably withheld having regard to likely traffic conditions.

(3) The Council must immediately forward a copy of such consent to the Police having jurisdiction in the area.

(4) Nothing in this clause applies to a funeral procession.

PART 4 VEHICLE CROSSINGS

18. VEHICLE CROSSINGS

(1) No person may construct any vehicle crossing without obtaining a vehicle crossing permit from the Council.

(2) All costs associated with the vehicle crossing must be met by the applicant.

(3) In applying to the Council for a crossing permit, the application must include a plan showing the location and design of the crossing and description of the construction materials.

(4) If:

- (a) a new vehicular access is to be created; and
- (b) there is a difference in level between the edge of the kerb or road seal on a formed road and the property boundary,-

then the standard of any works carried out on the road must be the standard that would be appropriate for a right-of-way to a new subdivision.

(5) If the accessway requires a structure (for example a retaining wall, ramp or bridge), a formal licence agreement between the owner and the Council will be required.

(6) A temporary access may be constructed at any place approved by the Council as a temporary measure if:

- (a) the applicant has provided a Traffic Management Plan which is satisfactory to the Council in all respects; and
- (b) protection of the footpath has been undertaken to ensure no damage will occur to the footpath. This protection may be wooden planks 50 mm thick held and laid close together, steel plates or some other approved material.

(7) Where damage occurs to a footpath as a result of a vehicle crossing it on an unprotected or inadequately protected point, the cost of repairing the footpath may be recoverable from the owner or person in charge of the vehicle.

PART 5

MACHINERY OR EQUIPMENT ON ROADS

19. USE OF CONSTRUCTION MACHINERY OR EQUIPMENT

(1) No person may operate any construction machinery or equipment (for example a crane, mobile crane, concrete pump truck, concrete truck, excavator or drill rig) which is parked on or overhanging the footpath or road that may obstruct pedestrian or vehicle movements or has the potential to cause a safety issue for pedestrians or traffic, unless that person has obtained the prior consent of an authorised officer.

(2) In applying for consent under subclause (1), the applicant must provide a Traffic Management Plan prepared by a qualified Site Traffic Management Supervisor.

20. USE OF WASTE-TAKER BINS, RECEPTACLES, OR ANY OTHER OBJECT

(1) Subject to the subclause (6), waste-taker bins, similar receptacles or shipping containers or any other object that interferes with the use of a road (not being a vehicle) may be placed on the road if:

(a) the person placing the bin, receptacle, shipping container or other object has obtained the prior consent of an authorised officer; and

(b) in an area where parking fees apply to the use of parking spaces:

(i) the consent is affixed to the bin; and

(ii) the bin is contained wholly within the parking space or spaces to which the consent relates; and

(c) in any other area, the bin, receptacle, shipping container or other object is:

(i) not positioned in a parking space; and

(ii) is positioned as far as practicable to the left of the road to ensure the safe passage of vehicles and pedestrians.

(2) In applying for consent under subclause (1), the applicant must provide a Traffic Management Plan which is satisfactory to the Council in all respects.

(3) For the purposes of subclause (1) consent may be granted for the leaving of bins, receptacles or shipping containers or any other objects on roads generally, or any specified road or roads and for such period as the Council thinks fit, and may at any time be varied or revoked in writing by the Council.

(4) For the purposes of subclause (1), if no individual parking spaces are marked, a space is considered to be an area which a standard vehicle will occupy, and for parallel parking, this length is 6m.

(5) If a waste-taker bin or similar receptacle or shipping container or any other object is placed on the road and contravenes this clause:

(a) the bin, receptacle, shipping container, or object may be removed by the Council and the cost of removal and damage may be charged to the owner of the bin, receptacle, shipping container or object:

(b) the Council may place adjacent to, or affix to, the bin, receptacle, shipping container, or object any safety or warning device, and the costs of the safety or warning device may be charged to the owner of the bin, receptacle, shipping container or object.

(6) This clause does not apply to any object that may be placed on the road which has been authorised by the Council (for example, waste-taker bins that are specifically for the purpose of Council rubbish collection).

21. MOTORHOMES AND IMMOBILISED VEHICLES

(1) No person may use the road by leaving a motorhome or immobilised vehicle on that road for a continuous period exceeding seven days without the prior written consent of an authorised officer.

(2) The Council is not liable for any loss or damage resulting from the subsequent removal or disposal of any such vehicle.

22. USING THE ROAD FOR STORAGE

(1) No person may leave a vehicle on the road for the purpose of storage in connection with their trade or business except with the prior written consent of an authorised officer.

23. WORKING ON VEHICLES

(1) No person may leave any vehicle on any road to carry out repairs unless those repairs are of a minor but urgent nature.

PART 5A

AVON RIVER PRECINCT AND FRAMES SHARED ZONE

23A. AVON RIVER PRECINCT AND FRAMES SHARED ZONE

(1) The roads or parts of roads in the Second Schedule are the Avon River Precinct and Frames Shared Zone.

(2) No person may operate a vehicle in the Avon River Precinct and Frames Shared Zone in contravention of the restrictions on access or on the days and hours of operation specified in the Second Schedule.

(3) Despite clause 23A(2) cycles may be operated in any direction in the Avon River Precinct and Frames Shared Zone.

(4) No person may stand or park a vehicle in the Avon River Precinct and Frames Shared Zone except on Oxford Terrace between Montreal Street and Durham Street where the Council may by resolution under clause 5 of Part 1 authorise parking for such times and on such conditions as it determines appropriate.

PART 6

MISCELLANEOUS

24. MATERIALS/DEBRIS ON ROADS AND DAMAGE TO ROADS

(1) No person may cause damage to the road or to any associated signage.

(2) Any material or debris deposited on the road must be removed as soon as practicable.

(3) The Council may give any person who has deposited material or debris on a road notice:

(a) to remove that material or debris from the road within 24 hours or to repair the damage caused to the road within 48 hours; and

(b) that if the person does not comply, that person commits a further breach of this Bylaw and the Council may undertake the work and recover all costs from that person.

(4) Subclauses (2) and (3) do not apply to faecal matter deposited on the road by stock. The Christchurch City Council Stock Control Bylaw 2008 applies to faecal matter deposited on the road from stock.

25. VEHICLE REMOVAL

(1) An enforcement officer may remove or cause to be removed any vehicle or other thing from any road, or other area controlled by the Council, which contravenes this Bylaw, or any resolution made under this Bylaw, and the Council may recover from the person committing the breach of this Bylaw all expenses incurred by the Council in connection with the removal of the offending vehicle or thing.

(2) The powers that may be exercised under this clause are in addition to those provided by the Transport Act 1962 and sections 356 and 356A of the Local Government Act 1974.

26. EXEMPTED VEHICLES

(1) This Bylaw does not apply to any of the following vehicles being used in the execution of duty:

- (a) an emergency vehicle; or
- (b) a vehicle that is used by a Parking Warden/Officer; or
- (c) a vehicle that is used by an enforcement officer.

27. DEFENCES

(1) It is a defence to any person charged with a breach of this Bylaw if it is proved:

- (a) that the act complained of was done in an emergency; or
- (b) that the act complained of was done in compliance with the directions of a Police Officer, Parking Warden/Officer, traffic control signal or traffic sign; or
- (c) that:
 - (i) the vehicle was at the time of the act complained of engaged in a public work on a road; and
 - (ii) that the act complained of was reasonably necessary for the purposes of that work; and
 - (iii) that the driver of the vehicles took all reasonable care to prevent the occurrence of any accident, mishap, collision, or damage, or any injury to or interference with any person, animal, or property arising by reason of the act or omission.
- (d) that the act complained of was necessary for the loading or unloading of the vehicle in the course of trade, and was done with due consideration to the safety and convenience of other road users, and either:
 - (i) that alternative access for the purpose of loading or unloading the vehicle was not available; or
 - (ii) that where such access was available, the circumstances existing at the time were such that it was unreasonable to require such access to be used.

28. PENALTIES

(1) Every person who breaches this Bylaw commits an offence and is liable on summary conviction to a fine not exceeding \$20,000 as set out in the Local Government Act 2002, unless a different penalty is specified in another clause in this Bylaw.

29. REVOCATIONS AND SAVINGS

(1) The following Bylaws are revoked:

- Banks Peninsula District Council Traffic and Parking Bylaw 1998.
- Christchurch City Council Traffic and Parking Bylaw 1991.
- Banks Peninsula District Council Licences for Vehicle Stands on Streets.

(2) Any approval, permit or other act of authority which originated under any of the bylaws revoked in subclause (1) that is continuing at the commencement of this Bylaw, continues to have full force and effect for the purposes of this Bylaw, but

is subject to the application of any relevant clauses in this Bylaw.

(3) Despite subclause (1), the content of Schedule 9 of the Christchurch City Traffic and Parking Bylaw 1991, and any amendment to that Schedule by way of resolution of the Council, continues for the purposes of this Bylaw to have full force and effect as if the content of that Schedule and subsequent resolutions were made under clause 15 of this Bylaw by resolution of the Council.

(4) To avoid any doubt, the resolutions of the former Banks Peninsula District Council made under clause 4 of the Banks Peninsula Traffic and Parking Bylaw 1998 and as set out in the Fifth and Sixth Schedules of that Banks Peninsula Traffic and Parking Bylaw 1998 continue for the purposes of clause 5 of this Bylaw to have full force and effect as if they were resolutions made under clause 5 of this Bylaw.

(5) The revocation of any of the Bylaws under subclause (1) does not prevent any legal proceedings, criminal or civil, being taken to enforce those bylaws and such proceedings continue to be dealt with and completed as if the bylaws had not been revoked.

30. CHRISTCHURCH CITY COUNCIL GENERAL BYLAW

(1) The provisions of the Christchurch City Council General Bylaw 2008 and any bylaw passed in amendment or substitution are implied into and form part of this Bylaw.

The initial resolution to make this bylaw was passed by the Christchurch City Council at a Meeting of the Council held on 13 March 2008 and was confirmed following consideration of submissions received during the special consultative procedure, by a resolution of the Council at a subsequent Meeting of the Council held on 19 June 2008.

First Schedule
One Way Streets

Street Name	Section of Road and Stipulated Direction of Travel	Date on which stipulated direction of travel applies
Cambridge Terrace	Cambridge Terrace in a westerly direction from Kilmore Street to Manchester Street.	Operational on 1 December 2015
Durham Street South	Durham Street South in a southerly direction from Cashel Street to Lichfield Street.	Operational on 1 December 2015
Durham Street South	Durham Street South in a southerly direction from Tuam Street to Moorhouse Avenue. (Advisory note: Two way between Tuam and Lichfield Streets)	Operational on 1 December 2015
Oxford Terrace	Oxford Terrace in a southerly direction from Armagh Street to Lichfield Street. This restriction does not apply to cyclists.	Operational on 1 August 2015
Oxford Terrace	Oxford Terrace in a westerly direction from Durham Street South to Antigua Street. This restriction does not apply to cyclists.	Operational on 1 August 2015
Oxford Terrace	Oxford Terrace in a north-easterly direction from the intersection of Hagley Avenue and Riccarton Avenue to Antigua Street. This restriction does not apply to cyclists.	Operational on 1 February 2016
Oxford Terrace	Oxford Terrace in a westerly direction from Manchester Street to Colombo Street.	Operational on 1 May 2015
St Asaph Street	St Asaph Street in a westerly direction from Madras Street to Hagley Avenue.	Operational on 1 February 2015
Tuam Street	Tuam Street in an easterly direction from Antigua Street to Madras Street.	Operational on 1 February 2015
Tuam Street	Tuam Street in an easterly direction from Madras Street to Fitzgerald Avenue.	Operational on 1 December 2017

Second Schedule
Avon River Precinct and Frames Shared Zones

Street Name	Section of Road	Description of shared zone with access and other restrictions
Oxford Terrace	Montreal Street to Antigua Street	Shared zone with access for goods vehicles for the purposes of deliveries, restricted to before 10am and after 4pm.
Oxford Terrace	Durham Street to Montreal Street	Shared zone.
Oxford Terrace	Hereford Street to Lichfield Street	Shared zone with access for goods vehicles for the purposes of deliveries, restricted to before 10am and after 4pm.
Oxford Terrace	Worcester Street to Hereford Street	Shared zone.
Oxford Terrace	Gloucester Street to Worcester Street	Shared zone.
Oxford Terrace	Armagh Street to Gloucester Street	Shared zone with access for goods vehicles for the purposes of deliveries, restricted to before 10am and after 4pm.
Oxford Terrace	Manchester Street to Colombo Street	Shared zone with access for goods vehicles for the purposes of deliveries, restricted to before 10am and after 4pm.
Worcester Street	Manchester Street to Latimer Square	Shared zone.

Cashel Street	Manchester Street to Madras Street	Shared zone.
North/South Street through the East Frame	Lichfield Street to Gloucester Street	Shared zone.

Third Schedule
Schedule of Expiry of One Way Streets
and Resumption of Travel in both Directions

Street Name	Section of Road and present Stipulated Direction of Travel	Date on which present stipulated direction of travel expires
Durham Street South	Durham Street South in a southerly direction from Cashel Street to Moorhouse Avenue.	31 November 2015
Kilmore Street	Kilmore Street in a westerly direction from Madras Street to Park Terrace.	1 March 2017
Lichfield Street	Lichfield Street in an easterly direction from Oxford Terrace to Manchester Street.	31 May 2015
Lichfield Street	Lichfield Street in an easterly direction from Manchester Street to Fitzgerald Avenue.	31 May 2015
Oxford Terrace	Oxford Terrace in a northerly direction from Lichfield Street to Hereford Street.	31 July 2015
Oxford Terrace	Oxford Terrace in an easterly direction from the intersection of Hagley Avenue and Riccarton Avenue to Lichfield Street.	31 July 2015
St Asaph Street	St Asaph Street in a westerly direction from Madras Street to Antigua Street.	31 January 2015
Salisbury Street	Salisbury Street in an easterly direction from Park Terrace to Barbadoes Street.	1 March 2017
Tuam Street	Tuam Street in a north westerly direction from Antigua Street to Hagley Avenue - except for cycles on the cycle lane on the northern side.	31 January 2015

Fourth Schedule
Schedule of Specific Bus Lanes

Name	Location	Roads and Traffic Lanes Restricted to Specific classes of vehicles
Manchester Street	In a northerly direction, bus lane between Lichfield Street and Armagh Street.	Bus lane for buses only
Manchester Street	In a southerly direction, bus lane between Armagh Street and Lichfield Street.	Bus lane for buses only
Tuam Street	In a north westerly direction, bus only from Antigua Street to Hagley Avenue.	Bus lane for buses only