

CHRISTCHURCH CITY COUNCIL SPEED LIMITS BYLAW 2010

Pursuant to section 684(13) of the Local Government Act 1974 and section 145 of the Local Government Act 2002, and in accordance with the Land Transport Rule: Setting of Speed Limits 2003 (Rule 54001), the Christchurch City Council makes this Bylaw.

1. SHORT TITLE

This Bylaw is the Christchurch City Council Speed Limits Bylaw 2010.

2. COMMENCEMENT

This Bylaw comes into force on 1 January 2010.

3. INTERPRETATIONS

In this Bylaw, unless the context otherwise requires:

'COUNCIL'	means the Christchurch City Council and includes any person authorised by the Council to act on its behalf.
'DESIGNATED LOCATION'	means, in accordance with section 4.1(2) of the Rule, a designated location is any of the following: car park; an educational or scientific institution; an industrial facility; a health facility; a residential facility; a camping ground; a sports facility or other recreational area; a botanical garden; a port or wharf area; an airport; a beach; a cemetery; a facility operated by the New Zealand Defence Force; any other location approved by the New Zealand Transport Agency.
'INNER ZONE'	means those roads or parts of roads bounded by but not including Kilmore Street, Madras Street, Latimer Square East (including those portions of Hereford Street and Gloucester Street east of Madras Street and adjoining Latimer Square), St Asaph Street, Hagley Avenue and Hagley Park, together with Colombo Street (Moorhouse Avenue to St Asaph Street) and Victoria Street."
'ROAD'	in accordance with Part 2 Land Transport Rule: Setting of Speed Limits 2003 (Rule 54001), includes: a street; and a motorway; and a beach; and a place to which the public have access, whether as of right or not; and all bridges, culverts, ferries and fords forming part of a road or street or motorway, and all sites at which vehicles may be weighed for the purposes of the Land Transport Act 1998 or any other enactment; and includes a section of a road.
'RULE'	means the Land Transport Rule: Setting of Speed Limits 2003 (Rule 54001).

‘SPEED LIMIT’

means, in accordance with part 2 of the Rule:

- (a) the maximum speed at which a vehicle may legally be operated on a particular road, but does not mean the maximum permitted operating speed for classes or types of vehicle specified in any Act, regulation or rule;
- (b) for a minimum speed limit, the minimum speed at which a vehicle may legally be operated in a specified lane of a road;
- (c) an urban, rural, permanent, holiday, temporary, variable or minimum speed limit.

‘URBAN TRAFFIC AREA’

means, in accordance with part 2 of the Rule, an area designated under the Rule that consists of one or more specified roads or a specified geographical area, to which the urban speed limit generally applies.

4. OBJECT

The purpose of this Bylaw is to provide the mechanism required by the Rule to enable the Council to set speed limits for all roads under the care, control and management of the Council.

5. SPEED LIMITS

(1) The Council may, by resolution:

- (a) set speed limits
- (b) designate urban traffic areas

for any roads under the Council’s jurisdiction in accordance with Section 7.1 of the Rule.

(2) The Council may, by resolution, set speed limits for roads in any designated location under the Council’s jurisdiction in accordance with Section 4.1(4) of the Rule.

(3) The Council may amend or revoke a resolution made under Clauses 5(1) or 5(2) at any time.

[The following note is explanatory and is not part of the Bylaw: Section 7.3 of the Rule requires the Council to maintain a register of speed limits that records all speed limits, except temporary speed limits, and records all designated urban traffic areas for the roads under its jurisdiction. The register of speed limits must be available for inspection by members of the public. The Council’s speed limits register including maps showing the designated urban traffic areas can be found on the Council website: <http://www.ccc.govt.nz/Environment/SpeedRegister/>.

In accordance with Section 2.2 of the Rule the Council may set speed limits of 10, 20, 30, 40, 50, 60, 70, 80, 90 or 100 km/h.]

6. REVOCATION AND SAVINGS

- (1) The following Bylaws are revoked:
 - Christchurch City Speed Limits Bylaw 2005
 - Banks Peninsula District Speed Limit Bylaw November 2005.
- (2) The speed limits listed in the schedule of the Banks Peninsula District Speed Limit Bylaw November 2005 are not revoked, but are incorporated into the Christchurch City Register of Speed Limits.
- (3) Any act of authority which originated under any of the Bylaws revoked in sub clause 6(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.
- (4) The revocation of any of the Bylaws under sub clause 6(1) does not prevent any legal proceedings being taken in relation to any speed limits set under those Bylaws and such proceedings continue to be dealt with and completed as if the Bylaws had not been revoked.

7. CHRISTCHURCH CITY COUNCIL GENERAL BYLAW

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 resolution to make this Bylaw was passed by the Christchurch City Council at a meeting of the Council held on 24 September 2009 and was confirmed by a resolution of the Council at a subsequent meeting of the Council on 10 December 2009, following completion of the special consultative procedure where no submissions were received.

[The following note is explanatory and is not part of the Bylaw: Every person who exceeds any speed limit set in accordance with this Bylaw and the Rule breaches section 5 of the Land Transport (Road User) Rule 2004, which is an infringement offence against the Land Transport Act 1998, and may be liable to an infringement fee as specified in Schedule 1B of the Land Transport (Offences and Penalties) Regulations 1999]

8. INNER ZONE LIMITS

- (1) Despite Clause 5, no person may operate a vehicle on any road or part of a road in the Inner Zone at a speed exceeding 30km/h unless that vehicle is being driven by an enforcement officer engaged on urgent duty, or is in an emergency vehicle being used in an emergency, as provided for in the Land Transport (Road User) Rule 2004.
- (2) Despite Clause 5 and Clause 8(1), no person may operate a vehicle on any road or part of a road in a Shared Zone (as defined in the Traffic and Parking Bylaw) at a speed exceeding 10km/h unless that vehicle is being driven by an enforcement officer engaged on urgent duty, or is an emergency vehicle being used in an emergency, as provided for in the Land Transport (Road User) Rule 2004.

[The following note is explanatory and is not part of the Bylaw: The definition of 'Inner Zone' was added pursuant to Section 27(1) (e) of the Canterbury Earthquake Recovery Act 2011.]

[The following note is explanatory and is not part of the Bylaw: Clause 8 was added pursuant to Section 27 (1) (e) of the Canterbury Earthquake Recovery Act 2011.]