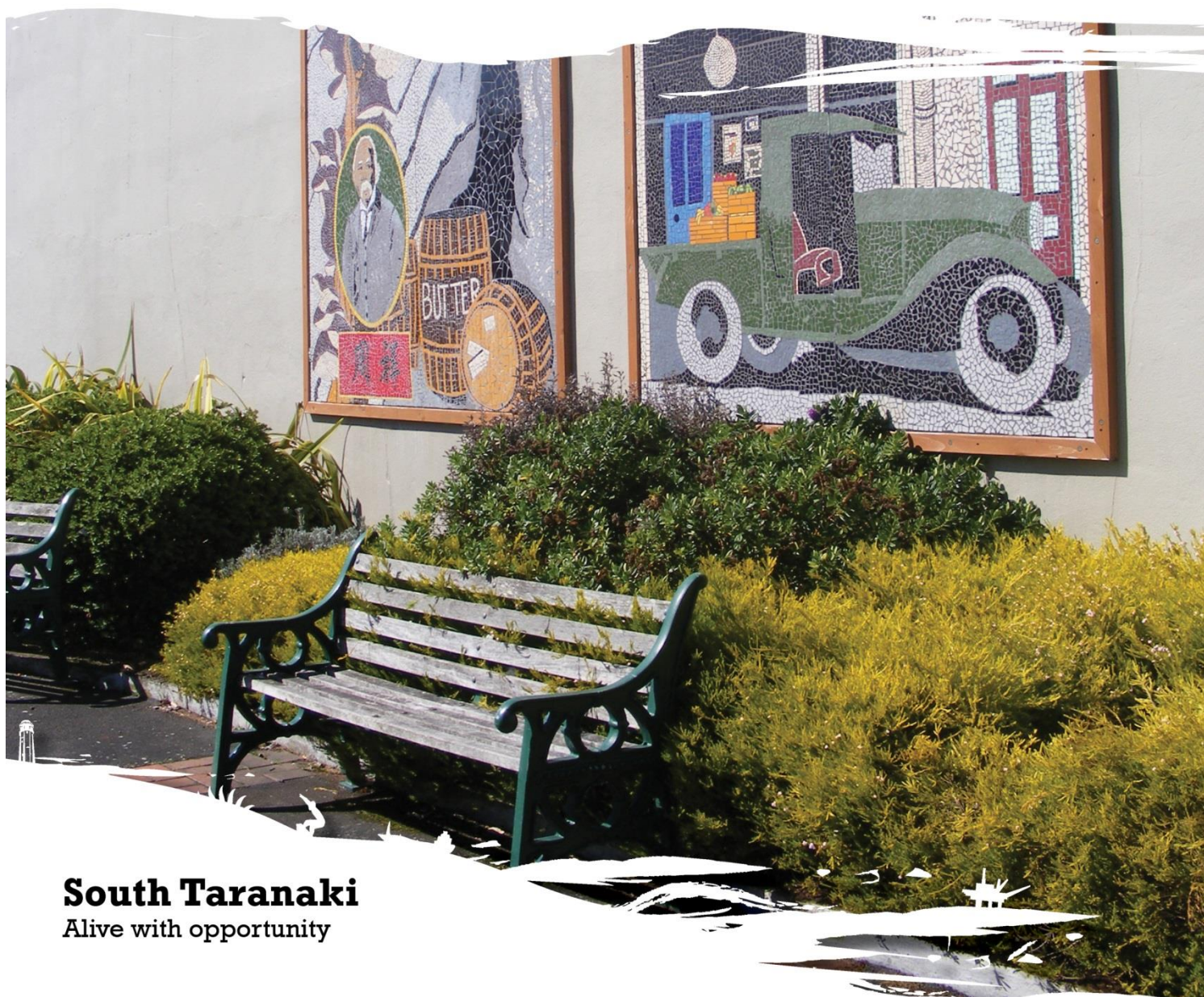




Public Places Bylaw 2014

South Taranaki District Council



South Taranaki
Alive with opportunity



Public Places Bylaw 2014

South Taranaki District Council

1.0 Title

1.1 This Bylaw is made under section 145 and 146 of the *Local Government Act 2002* and shall be known as the South Taranaki District Council Public Places Bylaw 2014.

2.0 Commencement

2.1 This Bylaw shall come into force on 2 December 2014.

3.0 Revocation

3.1 The South Taranaki District Council Public Places Bylaw 1992 (and all amendments) is hereby revoked.

4.0 Scope

4.1 This Bylaw relates to the public places owned or managed by the South Taranaki District Council.

5.0 Purpose of the Bylaw

5.1 The purpose of this Bylaw is to:

- Protect the public from nuisance;
- Protect, promote and maintain public health and safety;
- Regulate, control or prohibit signs in public places; and
- Regulate and control the use of public places.

6.0 Interpretation

6.1 In this Bylaw –

Advertising means using words or any pictorial or other representation to notify the availability of or to promote the sale of an object, a product, a service or a business.

Authorised Officer means any person appointed by the Chief Executive of the Council for purposes of acting as an Authorised Officer under this Bylaw.

Busker means any person who performs or entertains in a public place whether for money or otherwise. “Busk” and “busking” means the same.

Council means the South Taranaki District Council.

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Display means to place, erect, construct or fix.

District Plan means the current operative South Taranaki District Plan.

Drone or unmanned aircraft means an aircraft without a human pilot on board, where the device is communicated with from a ground based controller.

Election Signs means a sign identifying or promoting a person or political party in a parliamentary or local authority election.

Flag Sign means a flag with advertising.

Footpath means that portion of any road reserve laid out or constructed for the use of pedestrians and includes the edging and kerbing and includes any footbridge.

Footpath sign/sandwich board means a sign containing advertising displayed on a footpath but does not include a **flag sign**.

Hawera Central Business District (CBD) is defined as including the streets in map 2.1 in Schedule 2.0 of this Bylaw.

Livestock means any farmed animal. This includes but is not limited to any cattle, sheep, goat, donkey, mule, horse, pig, lama, alpaca or deer of any kind.

Mobile sign means a vehicle (including trailer) that displays a sign or signs.

Motorcycle/motor vehicle has the same meaning as defined under the *Land Transport Act 1998*.

Permit/consent means written consent from Council, which may include conditions and may (as stated) require payment of fee to accompany an application.

Public Place means a place that is:

- a) Under the control of the Council; and
- b) Open to, or being used by, the public whether or not there is a charge for admission; and includes:
 - i) A road, whether or not the road is under the control of Council; and
 - ii) Any part of a public place; and
 - iii) Any reserve.

Real Estate means land, and buildings on land.

Real Estate flag means a flag advertising real estate or a licensed real estate agency.

Real Estate sign means a sign advertising real estate but does not include a **real estate flag**.

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Reserve includes any open space, plantation, park, garden, or ground set apart for public use, recreation or enjoyment which is under the management or control of the Council.

Road has the same meaning as defined under the *Land Transport Act 1998*.

Sign means words or any pictorial or other representation or notice on any material or object.

Temporary sign means a sign that is portable and not fixed to land or buildings.

7.0 Animals in public places

7.1 Without the prior permission of the Council, no person shall tether or otherwise put or place any animal defined in any South Taranaki District Council bylaw, in any public place for the purposes of grazing.

7.1.1 Section 7.1 shall not apply to any grazing that is expressly permitted under the current South Taranaki District Council Livestock Control Bylaw.

8.0 Scattering/disposing of Ashes

8.1 No person may scatter or dispose of human ashes in a public place, without the written permission of the Council.

9.0 Beaches

9.1 Any person wishing to gain access to a beach shall use a designated access point (where this is available).

9.2 No person shall drive or allow livestock to wander on any beach within the South Taranaki District.

9.3 No person shall ride or walk any horse on the following beaches during the following specified times:

- a) Opunake Beach and Camp Ground – 24 hours a day, seven days a week; and
- b) Cave Beach – from 9 am to 6 pm during the period that daylight saving for New Zealand is in force.

10.0 Buildings and structures

10.1 Awnings and blinds

10.1.1 No person shall erect or maintain any awning over any public place, or hang any awning, blind or screen from any porch on any public place; unless permission (in writing) from Council has first been obtained.

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- 10.1.2 The Council reserves the right to impose conditions regarding the installation of awnings and blinds.
- 10.1.3 The Council reserves the right to revoke permission (in writing) at any time.
- 10.1.4 The Council reserves the right to issue notices to fix or remove for blinds or awnings which pose a hazard to the general public.
- 10.1.5 Section 10.1.1 does not apply to motor caravan awnings erected while day tripping or freedom camping.

10.2 Restrictions on barbed, razor or electrified wire

- 10.2.1 Barbed wire, razor wire or electrified wire may not be used along or within 1 metre of any boundary line between any land or building and any public place, unless that wire is at a height of 2.5 metres or more above ground level.
- 10.2.2 No person shall renew, repair or join, in whole or in part, any existing or future fence, along or within 1 metre of any boundary line between any land or building, and any public place, with barbed wire, razor wire or electrified wire.
- 10.2.3 Clauses 10.2.1 and 10.2.2 shall not apply within any area zoned “rural” under the District Plan, except when the fence abuts or adjoins a formed pedestrian footpath.

10.3 No building to be erected on a public place

- 10.3.1 No person shall:
 - a) Erect, construct, or place any building, marquee or other structure under, upon, over, or across any public place (or any part of); without the prior written consent of Council; or
 - b) Use any dwelling or any vehicle for the purposes of temporary living accommodation on any portion of any public place without the written consent of the Council. Any consent is subject to such conditions as the Council may impose.
 - i) The only exclusion to clause 10.3.1(b) is the use of public places for the purpose of Freedom Camping as defined within the South Taranaki District Council’s current and operative Freedom Camping Bylaw.
- 10.3.2 Any person who causes damage to a public place shall be liable for that damage and any cost for any repair or reinstatement.

10.4 Encroachment to be removed upon notice

- 10.4.1 Council may by written notice, require the owner to remove such building or structure encroaching onto a public place, which is as a result of a breach of 10.3.1.

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10.4.2 The written notice may require conditions which stipulate precautions to be undertaken to ensure the safety of the public.

10.4.3 Should the building or structure not be removed by the owner within seven (7) days of notice being given, the Council may remove the building or structure immediately and the owner of the building or structure shall be liable for the cost of removal.

10.5 Drippings from eaves

10.5.1 No person shall cause or permit rain water to drain or fall from overhead structures onto a public place (such as but not limited to a public footpath) in a way that inconveniences the public using that public space.

10.5.2 The council shall serve notice on the owner of a building that causes rain water to drain or fall onto a public space requiring the nuisance to be averted.

10.5.3 If after seven days, the nuisance has not been averted, the Council shall repair the structure to the extent that rain water is properly contained and disposed of, at the expense of the building owner.

10.6 Doors, gates, to swing inwards

10.6.1 No person shall hang or permit to be hung, any door or gate abutting on any public place so as to render it capable of being swung over or across such public place.

10.7 Repair of fences

10.7.1 Where any fence abutting a public place is in such a state of disrepair as to be, in the opinion of an Authorised Officer, dangerous to persons passing; the Council may by notice in writing require the owner or occupier to:

- a) Repair the fence to a standard of the Fencing Act 1978; or
- b) Remove the fence.

10.8 Disrepair of rails, gates and cellar doors

10.8.1 No person shall fail to keep in good repair any rail, gate, or cellar door which opens into or upon any public place.

10.8.2 No person shall keep open for more than a reasonable time, for taking, in or out any articles; any entrance to any gate, fence or cellar door.

10.9 Securing foundations

10.9.1 No person shall neglect to secure and maintain the foundations of any building, wall or fence abutting a public place.

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11.0 Busking and Street Activities

- 11.1 No person shall in any street or public place:
- a) Sing or play any musical instrument;
 - b) Preach;
 - c) Read loudly; or
 - d) Lecture;

without the consent of Council and subject to conditions which Council may impose (*see Schedule One – Busking and Street Activity permit*).

12.0 Closure of public places

- 12.1 Council reserves the right to close or restrict public access to a public place due to maintenance, repair or any other reason.
- 12.2 Except in an emergency or where impractical, the Council will provide public notification or signage for any closures of a public place.

13.0 Damage to public places

13.1 Damage to Council property

- 13.1.1 No person shall wilfully or maliciously:
- a) Damage, break or remove Council property;
 - b) Damage, remove or interfere with any warning lights, signs or barricades placed by the Council to warn the public of danger; or
 - c) Destroy, damage, pollute or obstruct any pump, watercourse, fountain or drinking font on any public place.

13.2 Graffiti

- 13.2.1 No person may mark any footpath, unless chalk is the only material applied.
- 13.2.2 Excluding clause 13.2.1, no person shall paint, draw, or write any representation, figure or work in or on any public place, or in or on any building or place to which the public are admitted or have access without the written approval of the owner or occupier of that space, wall or building.
- 13.2.3 All costs involved in the removal of such painting, drawing or marking will be recovered from the person who carried out that action.

13.3 Placards and posters

- 13.3.1 No person shall:
- a) Place any placard, poster, or other document on, or otherwise disfigure or deface, any surface visible in a public place; or
 - b) Stamp, stain, paint, or print any advertisement or notice upon any public place;

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except with the prior written permission of the Council, and then only within the terms of any permit that may be granted.

14.0 Dangerous or Offensive Materials

14.1 Hazardous Substances

14.1.1 No person shall leave any hazardous or flammable materials or matter within a public place without having first obtained written permission from the Council.

14.2 Fireworks and explosive material

14.2.1 No person shall discharge any fireworks or explosive material in or on any public place without the permission in writing from the Council.

14.2.2 Any fireworks discharged shall not be so near to any such public place as to endanger, annoy or frighten passers-by, livestock or other animals along such public place.

14.3 Leaving dead animals

14.3.1 No person shall leave any animal carcase or part of any animals remains upon any public place, or into any body of water or on any bank.

14.3.2 No person shall fail to dispose of, in a proper manner, the carcase or remains of any animal belonging to them which may have been killed or died whilst straying or being driven in a public place.

14.4 Street litter bins

14.4.1 No person shall place, deposit in or deposit in the vicinity of, any street litter bin or other public refuse receptacle; any offensive matter or any household, shop, office or trade refuse of any description.

15.0 Exposing or distributing indecent matter

15.1 No person shall expose to view or distribute or offer for sale in any public place any placard, print, or other material whatsoever of any offensive or indecent character.

15.2 The council reserves the right to decide on the degree of offensiveness of any material and shall remove offensive material without warning or notice to persons who have placed the items in a public place.

15.3 All costs involved in the removal, storage and return of property will be at the expense of the owner or distributor.

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16.0 Goods displayed outside premises

- 16.1 A general exemption is granted for the display of goods up to 600mm from the legal boundary of a commercial property, provided that clear pedestrian access way no less than 2 metres wide is retained.
- 16.2 Goods may only be displayed outside the premises of the person offering the goods for sale.
- 16.3 The goods and display stand must be removed at the close of each day's trading.

17.0 Seizure and Impounding of property not on private land

- 17.1 An Authorised Officer may seize and impound property that is not on private land if:
- a) The property is materially involved in the commission of an offence; and
 - b) It is reasonable in the circumstances to seize and impound the property; and
 - c) Before seizing and impounding the property, the Authorised Officer –
 - i) Directed (orally or in writing) the person committing the offence to stop committing the offence; and
 - ii) Has advised (orally or in writing) the person committing the offence that, if he or she does not stop committing the offence, the Authorised Officer has power to seize and impound the property; and
 - iii) Provided the person with a reasonable opportunity to stop committing the offence.
- 17.2 However, if the property is not in the possession of a person at the time the Authorised Officer proposes to seize and impound the property, the Authorised Officer does not have to comply with section 17.1 (c).
- 17.3 As soon as practicable after seizing and impounding property, an Authorised Officer must give notice –
- a) To the person in possession of the property at the time it was seized and impounded; or
 - b) Clause 17.3 (a) does not apply, if the Authorised Officer cannot ascertain who is the owner of the property.

18.0 Obstructing Public Places

18.1 General Obstruction

- 18.1.1 Except with the permission of an Authorised Officer, no person shall:
- a) Obstruct the entrances to or exits from a public place;
 - b) Place or leave any material, good or thing, within a public place which could obstruct the public right of passage upon any public place;
 - c) Allow any gate or door on property abutting a public place, to swing outwards or across the public place;

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- d) Allow any material, good or thing so as to obstruct the free flow of water in any stream or watercourse; or
- e) Allow any material, good or thing upon any watercourse, channel or river, which would endanger life or limb.

18.1.2 If any such obstruction is placed in breach of section 18.1.1, the Council may give notice to the owner or occupier requiring the removal of the obstruction within a time stated.

18.1.3 Failure to remove the obstruction within the time stated within the notice constitutes a breach of this bylaw.

18.1.4 Should the owner or occupier fail to remove any obstruction within the time period set out in any notice, the Council may remove the obstruction and the owner or occupier will be liable to any cost incurred in removing such obstruction.

18.2 Obstructing footways or cycle tracks

18.2.1 No person shall obstruct by their own action or inaction, any footpath, cycleway, walkway or pedestrian area.

19.0 Overhanging vegetation liable to obstruct

19.1 No person shall permit or allow vegetation to encroach onto or over any public place so as to obstruct or hinder the free movement of persons or vehicles using that public place.

19.2 This section shall apply only to vegetation that could obstruct pedestrian traffic on a formed footpath and intruding into an envelope of the full width of the footpath for a height of 2.5 metres vertically from that footpath

20.0 Packing or unpacking goods

20.1 No person shall without the prior written consent of the Council, pack or unpack any goods (as defined in the Land Transport Road User Rule 2004) upon any public place, including the loading and unloading of vehicles.

21.0 Reserves

21.1 No person shall, without the prior permission of an Authorised Officer, allow any cattle, other animal or poultry to wander or graze within the limits of any reserve.

21.2 No person shall light any fire within a reserve, except in a place specially constructed for that purpose; subject to the Fire and Emergency New Zealand Act 2017.

21.3 No person shall by any means whatsoever destroy, shoot, snare, injure, interfere with or take any animal, fish, reptile, lizard, gekkota, eel (native or otherwise), bird, bird's nest, or bird's egg, or any native flora or attempt so to

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do, in or from any reserve without the prior written consent of an Authorised Officer.

- 21.4 Provided that in the case of any animal or bird protected by the Wildlife Act 1953 no such permission shall be granted unless and until the provisions of that Act have been complied with.
- 21.5 No person shall remove or interfere with turf, soil, plantings or other material in any reserve.
- 21.6 No person shall undertake planting, landscaping or maintenance of any trees, shrubs, flowers or plants of any kind within a public place.
- 21.7 No person shall damage or remove any inscription, sign, or label attached or connected with any article, tree, shrub or other plant.
- 21.8 No person shall remove or damage any Council property located within or related to any reserve.
- 21.9 No person shall ride or cause to be ridden, any motor vehicle including all classes of motorcycle or vehicle as defined under the *Land Transport Act 1998*, on unsealed surfaces in a reserve that are not provided specifically for motor vehicle use, so that damage to that surface does or may occur.
- 21.10 Subject to the provisions contained within any South Taranaki District Council Bylaw, every reserve shall be open to the public at all times, except during such hours as the Council may determine for prescribed periods.
- 21.11 If the Council has prescribed a period of closure of a reserve, no person shall enter or remain within such reserve, except with the prior permission of an Authorised Officer.
- 21.12 No person shall use any reserve for commercial purposes without written authorisation from the Council.
- 21.13 An Authorised Officer may prevent any sport or other recreation activity being played on any reserve if in the Authorised Officers opinion that sport or activity is liable to damage the reserve or any article within the reserve.
- 21.14 No person shall drive or ride any motor vehicle upon, across or along any grass plot or flowerbed laid out within any public place, unless with the prior consent of the Council.
- 21.15 Any Authorised Officer who has reason to believe that any vehicle has been abandoned in a reserve, may remove it or cause it to be removed.
- 21.16 Where any vehicle has been removed under this Bylaw, the owner or driver of that vehicle may be required, in addition to any fine that may be imposed, pay all or any of the following:
 - a) A fee for the removal of the vehicle; and
 - b) Reasonable storage charges on a daily basis, until the vehicle is claimed.

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22.0 Drones and unmanned aircraft

Note: The Civil Aviation Rules require operators of unmanned aircraft, including drones (unmanned aerial vehicles), model aeroplanes and helicopters to obtain permission from property owners before flying over their land.

22.1 No person shall fly any drone or unmanned aircraft over Council owned land, unless they have obtained written permission from the Council to undertake that activity.

23.0 Public safety and nuisances

23.1 No person shall use any bow and arrow or similar device in any public space, unless that area has been set aside especially for that purpose, through a resolution of Council.

23.2 No person shall:
a) Fly model or toy aircraft; or
b) Play or practice golf or other such practices;
in any reserve, so as to cause damage to property or to endanger other people utilising the area.

24.0 Road and Building Identification

24.1 Naming of streets

24.1.1 No person shall give any name to or affix, set up, or paint any name on any street, private street, or public place without the prior written permission of the Council.

24.2 Numbering of buildings

24.2.1 The owner or occupier of every building shall mark such building with such numbers, being in no case less than 50mm in height, as the Council shall direct or approve, and shall renew the numbers of such building as often as they are obliterated or defaced, or as the Council shall order or direct.

24.2.2 It is an offence against this Bylaw if the owner or occupier of any building neglects, for one month after notice from the Council, to mark such building with a number as the Council may direct or approve.

24.2.3 The Council shall have power at any time to alter the number of any building where it may be in the Council's opinion necessary or advisable to do so.

24.2.4 Every such number shall be placed upon any building in such a position as to render it readily visible from any street fronted by such building; or, if no such position is available, shall be placed upon a post, fence, or gate near or adjacent to, and readily visible from the street.

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24.3 Defacing names and numbers

24.3.1 Any person commits an offence against this Bylaw who wilfully or maliciously destroys, pulls down, obliterates, or defaces the name of any street, or the number of any building, or paints, affixes, or sets up any name of any street, or any number to any building, contrary to the provisions of this Part of this bylaw.

25.0 Signage

25.1 Signs

25.1.1 No person may display a sign in a public place unless:

- a) The display of the sign conforms to the specifications contained within this Bylaw; or
- b) The display of the sign involves a temporary sign associated with a cultural, sporting or educational activity authorised by the Council and is removed after the authorised activity ceases; or
- c) The display of the sign is expressly allowed by a resource consent under the Resource Management Act 1991; or
- d) The display of the sign affixed to a network utility for the purpose of providing a health and safety warning and for asset identification; or
- e) The displaying of the sign is undertaken by the Council, its agents or the New Zealand Transport Agency.

25.1.2 No person may display a sign in a location or manner that impedes the safe and efficient flow of pedestrian or vehicular traffic on a footpath or road, as determined by an Authorised Officer.

25.1.4 No person may leave a mobile sign in a public place for the primary purpose of advertising or electioneering without obtaining permission in writing from the Council.

25.1.5 No person shall place or leave any sign which encroaches onto the roadway.

25.2 Signs and Flags

25.2.1 No person may display a footpath sign in a public place unless it complies with the following specifications:

| | |
|---------------------|------------|
| Maximum height | 1.0 metres |
| Maximum width | 0.6 metres |
| Maximum base spread | 0.6 metres |

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25.2.2 No person may display a flag sign in a public place unless it complies with the following specifications:

| | |
|-------------------------|------------|
| Maximum height | 2.0 metres |
| Maximum width | 0.9 metres |
| Maximum base spread | 0.6 metres |
| Maximum flagpole height | 3.0 metres |

25.2.3 No person may display a footpath sign or flag sign in a public place unless:

- a) The sign advertises a business or relates to the business activity taking place at the site; and
- b) The sign is located adjacent to the business to which it relates; or immediately adjacent to the footpath kerb; and
- c) The sign is not displayed when the business is not open to the public; and
- d) There is not more than one footpath sign or flag sign for each business located in the Hawera CBD area:
 - i) Businesses which have two road frontages in the Hawera CBD area (such as corner sites) may display one footpath sign or flag sign on each road frontage.
 - ii In all other areas of the district, not more than two footpath signs or flag signs for each business can be displayed.
- e) There is to be a minimum width of footpath free from obstruction by signs or flags adjacent to the footpath sign or flag sign of 1.5 metres; and
- f) The footpath sign or flag sign does not protrude onto the carriageway.

25.2.4 Despite clause 25.2.3, a flag sign may be fixed to a building if:

- a) The sign relates to a business in that building; and
- b) The maximum height of the flag sign does not exceed 3 metres; and
- c) The flag sign does not protrude onto a road; and
- d) The flag sign does not protrude into any footpath more than 0.6 metres.

25.3 Real Estate Signs and Flags

25.3.1 No person may display a real estate sign advertising residential real estate unless:

- a) The sign has an area less than 1.1 metres²; and

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- b) All parts of the sign do not exceed a vertical height of 1.8 metres above ground level; and
- c) The number of signs does not exceed one per licensed real estate agency appointed in writing by the owner of the residential real estate; and
- d) The total number of signs does not exceed three.

25.3.2 No person may display a real estate sign advertising real estate (other than real estate covered by clause 25.3.1) unless:

- a) The sign has an area less than 2.9 metres²; and
- b) The number of signs does not exceed one per licensed real estate agency appointed in writing by the owner of the residential real estate; and
- c) The total number of signs does not exceed three.

25.3.3 No person may display a real estate flag unless:

- a) The real estate flag is adjacent to the real estate to which it relates; and
- b) The dimensions of the real estate flag do not exceed 2 metres by 0.9 metres; and
- c) The flag pole of the real estate flag does not have a vertical height measured from ground level exceeding 3 metres; and
- d) The base of the flagpole is positioned on the road not more than 0.5 metres from the face of the kerb, is located alongside and attached to the associated vehicle and is not a freestanding device.

25.3.4 Clauses 25.3.1, 25.3.2 and 25.3.3 do not apply to signs on the business premises of a licensed real estate agent.

25.3.5 All real estate signs must be removed from the premises within three (3) weeks of the sale or lease of the real estate.

25.4 Election Signs

25.4.1 No person may display an election sign on any land, including public places, without the written consent of the owner or occupier of that land.

25.5 Breaches of this section

25.5.1 Council reserves the right to remove any sign or flag located in a public place which is in breach of this Bylaw, without notice to the owner of that sign or flag.

25.5.2 All costs involved in the removal, storage and return of property will be at the expense of the sign or flag owner.

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26.0 Street Appeals

- 26.1 Any person or organisation wishing to use a public place for the soliciting of subscriptions, collections or donations, shall only do so after the written permission from Council has been obtained.
- 26.2 Any person or organisation wishing to use a public place to distribute tickets, pamphlets or other printed material, shall only do so after they have obtained written permission from Council to do so.
- 26.3 Applications for such permission shall be in writing and shall be made ten (10) working days prior to the commencement date of the street appeal. The application shall include:
- The purpose for which the profits of the solicitation shall be used;
 - The date of the proposed collection;
 - The place or places where it is desired to station collectors or erect stall(s); and
 - The names, addresses and contact details of the promoters.

27.0 Street Cafes

- 27.1 No person shall place objects on any public place for the purpose of alfresco dining or extending the seating capacity of their business, without first obtaining a permit from Council to do so.
- 27.2 No person shall operate in the manner of a Street Café permit, unless it conforms to the conditions contained within the current operative *South Taranaki District Council Street Café Policy*.

28.0 Permits

- 28.1 For any permit required under this Bylaw, the Council may from time to time prescribe a non-refundable application fee.
- 28.2 The Council reserves the right to impose conditions on any permit issued, to protect and promote the health and safety of the public.
- 28.3 The Council reserves the right to place an expiration date on any permit issued, and require that a renewal of a permit is required to continue any activity which requires a permit to do so.

29.0 Notices to Fix or Remove

- 29.1 The Council reserves the right to issue notices to fix or notices to remove any object which is in breach of any clause of this Bylaw.
- 29.2 The Council reserves the right to place time limits and other conditions on the notice to fix or remove.
- 29.3 The owner or occupier of any work or thing which is in breach of this Bylaw, shall comply with the time and conditions stated within any notice to fix or remove.

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- 29.4 Any Authorised Officer may pull down or remove any work or thing which is in breach of this Bylaw, if the notice to fix or remove has not been complied with.
- 29.5 It is an offence against this Bylaw to act in any way which breaches a notice to fix or remove.

30.0 Fees and Charges

- 30.1 For fees and charges required under any section in this Bylaw, the applicant must pay to the Council a fee that Council may by resolution from time to time prescribe in its current *Fees and Charges Schedule*.
- 30.2 Any costs involved in the removal and impounding of property is at the expense of the property owner.

31.0 Penalties and Offences

- 31.1 Every person commits a breach of this Bylaw who:
 - a) Does, or causes anything that is contrary to this Bylaw;
 - b) Omits or neglects to do anything which ought to be done by them at the time and in the manner provided in this Bylaw;
 - c) Does not refrain from doing anything which under this Bylaw they are required to abstain from doing;
 - d) Knowingly permits any condition or thing to exist contrary to any provision contained in this Bylaw;
 - e) Refuses or neglects to comply with any notice or direction given to them under this Bylaw;
 - f) Obstructs or hinders any Authorised Officer in the exercise of any power conferred upon them by this Bylaw; or
 - g) Fails to divulge their full name, address and date of birth or other relevant information when requested to do so by an Authorised Officer.
- 31.2 Every person who is convicted of an offence against this bylaw is liable on summary conviction to a fine not exceeding \$20,000.

This Bylaw was made by the South Taranaki District Council on 1 December 2014.

THE COMMON SEAL of the SOUTH TARANAKI DISTRICT COUNCIL was hereunto affixed by resolution of the said Council in the presence of:

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Mayor

.....

Chief Executive

Chief Executive.....

Mayor.....



Schedule One **Busking and Street Activity Permit Conditions**

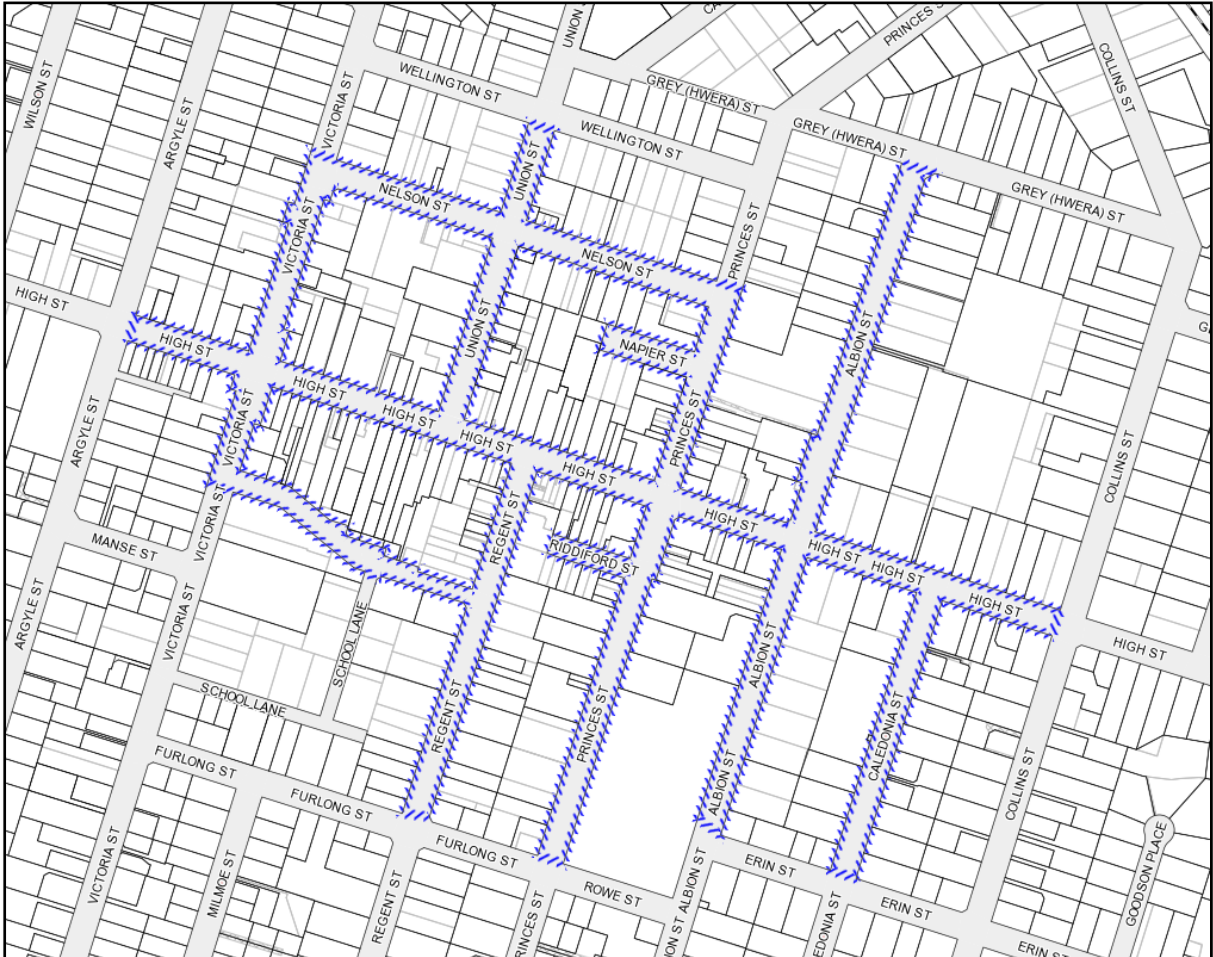
- 1.1 General approval will be given to allow applicants to operate within the South Taranaki District subject to the following conditions:
- a) Applicants may operate in any area provided that:
 - i) They do not block off entrances;
 - ii) They do not obstruct the footpath and impede pedestrians;
 - iii) That amplification equipment is not used (unless it is a designated open space as defined by Council);
 - b) The applicant must obtain permission from businesses which they are operating outside of;
 - c) The applicant may operate for a maximum of two (2) hours at a time;
 - d) The applicant must not cajole money out of the public;
 - e) The applicant must produce any permit issued to them, when requested to do so by a Police Officer or Authorised Officer; and
 - f) If an applicant is requested by any business operator (of which they are operating outside of), Constable or Authorised Officer to cease and depart, they must do so.
- 1.2 A Busking and Street Activity Permit is only valid for a maximum period of three months.
- 1.3 A Busking and Street Activity Permit is not transferrable.
- 1.4 The Council reserves the right to revoke approval in writing at any time.



Schedule Two

Hawera Central Business District

2.1 Hawera CBD as defined under this Bylaw



History of Bylaw

| Action | Description | Decision date | Decision number | Commencement |
|------------------|--|----------------------|------------------------|---------------------|
| New | Adoption of new Public Places Bylaw 2014 | 10/11/2014 | 128/14 | 11/11/2014 |
| Amendment | Review and renewal of Bylaw | 16/09/2019 | 137/19 | 3/10/2019 |
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