

Chapter 13: Parking

Scope

The purpose of this chapter of the bylaw is to allow for areas where public parking is available and to provide the rules and guidelines for such areas.

1300. Interpretation

1300.1. This Chapter to be read in conjunction with Chapter 1 – Interpretation.

1301. Offences

1301.1. No person shall use any road or Council controlled parking place for the keeping or placing of vehicles for sale, exhibition or demonstration or otherwise in connection with the trade or business of such person, provided, however nothing in this clause shall prevent any person from driving or operating a vehicle along any road for demonstration purposes.

1301.2. No person shall park any vehicle on or adjacent to the median strips of those one way roads named in the Fifth Schedule of Chapter 10 of the bylaw.

1301.3. No person shall, stop, stand or park a vehicle on a road or any Council controlled parking place for the prime purpose of sale or advertising it for sale.

1301.4. No person shall stop, stand or park a vehicle on a road or footpath for the purpose of repair.

1302. Stopping prohibited

1302.1. No person or driver shall stop, stand or park any vehicle in any manner contrary to any prohibition limitation or restriction imposed from time to time by resolution of Council and indicated by the erection of a sign prescribed by the Land Transport Act 1998 or any rules or regulations made there under or as indicated in any other clear manner.

1303. Parking places and time limits

1303.1. Council may from time to time by ordinary resolution:

- (a) Declare any piece of land or any road or any part of a road or any building or part of a building owned or occupied by Council to be a parking place.
- (b) Direct the times, manner and conditions for parking of vehicles in any such parking places.
- (c) Direct the classes of vehicles that shall be permitted to be parked in any such parking places.
- (d) Make other provision for the efficient management and control of any such parking places.

- (e) Delegate authority to alter the management of any parking space or spaces, set time limits and fix the fees payable for any such parking places.
- (f) Declare any parking space in a parking place to be reserved for the exclusive parking of vehicles displaying a mobility parking permit.

1303.2. No driver or person in charge of any vehicle shall permit such vehicle to be parked in any such parking place except as permitted by any such resolution.

1303.3. Any such resolution may from time to time be amended or rescinded by a further ordinary resolution of Council.

1304. Payment of fees

1304.1. Where a fee has been prescribed for parking pursuant to clause 1303.1(d) hereof payment of the fee shall be by the method prescribed for that area or, where more than one method of payment has been prescribed, by one of those methods.

1305. Weight limit in Stafford Street

1305.1. No person shall stop, stand or park any vehicle of the weight of 3.5 tonnes or more other than a passenger service vehicle, in Stafford Street, except for the purposes of loading or unloading goods.

1306. Parallel parking

1306.1. Unless marked for angle parking, all legal parking spaces are to be used by vehicles parking parallel to the kerb line in the same direction as the vehicle would move on that road.

1307. Angle parking

1307.1. Council may from time to time determine and appoint any place or places where vehicles may be parked only at an angle to the direction of the road, parallel to white painted lines indicating individually marked spaces, and so the front of the vehicle is facing inwards toward the kerb or footpath or centre island.

1308. Parking correctly in individually marked space

1308.1. In any parking area where individual spaces are indicated by lines painted or otherwise marked, no driver or person in charge of a vehicle shall park such vehicle in a parking space across any line marking the parking space, or in such a position that the said vehicle shall not be entirely within the area designated as a parking space.

1308.2. In any parking area where individual parks are indicated by lines painted or otherwise marked, no driver or person in charge of a vehicle shall park such vehicle in a parking space which is already occupied by another vehicle. However it shall be lawful for a maximum of 3 motorcycles (including

motorcycles with sidecars attached thereto), to occupy any parking space at the same time.

1309. Metered zones and parking meters, and pay and display machines and multi-bay meters

1309.1. Council may from time to time by ordinary resolution:

- (a) Declare any road or part of a road to be a metered zone.
- (b) Declare any piece of land owned or occupied by Council and not being a road or part of a road to be a metered zone.
- (c) Declare the time allowed for parking in metered spaces beyond which it shall be unlawful to remain parked.
- (d) Fix the fees payable for the parking of vehicles within the metered zone.
- (e) Delegate authority to alter a metered zone, time allowed for metered spaces and fix fees payable within a metered zone.

1309.2. Any such resolution may from time to time be amended or rescinded by a further ordinary resolution of Council.

1309.3. In accordance with the provisions of any such resolution Council shall establish and mark out or cause to be established and marked out metered spaces in all metered zones, and where marked spaces are controlled by a multi-bay meter each space shall be marked with an identifying number.

1309.4. Individual parking meters shall be placed upon and firmly fixed to the kerb or footpath or area adjoining each metered space and each such meter shall clearly indicate the time allowed for parking in such metered space, the prescribed coin and where a maximum time is permitted under clause 1309.1(d) hereof.

1309.5. Multi-bay meters shall be located within the metered zones they are intended to control and such machines shall clearly indicate the prescribed coin and the maximum time permitted under clause 1309.1(d) hereof. Upon the insertion of the prescribed coin such machine shall clearly indicate the time allowed for parking in the specified space.

1309.6. Pay and display machines shall be located within the metered zone which they are to control. Any such pay and display machine shall, on insertion of the prescribed coin and in accordance with the instructions on the pay and display machine issue a parking receipt.

1309.7. The extremities of each metered space or carpark shall be clearly indicated by white lines painted on the road.

1310. Parking fee to be paid

1310.1. When any vehicle is parked in a metered space the driver or person in charge of such vehicle shall prior to leaving the vehicle but no later than five minutes after parking the vehicle deposit or cause to be deposited in the

controlling parking meter or by a cell phone based payment application the prescribed value as indicated on the parking meter or pay and display machine, as a parking fee and shall forthwith activate the mechanism in accordance with the instructions on the parking meter. Thereupon the metered space may be lawfully occupied by the vehicle during the period indicated on the parking meter or parking receipt, but no longer, provided that the driver or person in charge of such vehicle may without any payment park the same during such time (if any) as may be indicated on the parking meter as being unexpired from its previous use.

- 1310.2. It shall be lawful for the driver or person in charge of a vehicle immediately upon the expiration of any authorised period of parking again to deposit or cause to be deposited the prescribed coin in the parking meter and thereafter the said vehicle may lawfully occupy the metered space for the further period indicated on the parking meter or parking receipt provided that the maximum period for parking in clause 1309.1(c) hereof is not exceeded in total.
- 1310.3. No driver or person in charge of any vehicle is permitted to remain parked in a metered space while the meter has not been properly operated in accordance with the instructions on the meter.
- 1310.4. Where more than one motorcycle occupies a metered space it shall not be necessary for the payment of more than one parking fee but no such vehicle shall remain parked in the metered space while the parking meter controlling the metered space or the parking receipt displayed shows that the time has expired and each motorcycle so parking is in breach of this chapter of the bylaw.
- 1310.5. Where a vehicle is parked on a metered space controlled by a pay and display machine, a valid parking receipt issued by the pay and display machine shall be placed on the dashboard at the front of the vehicle in a manner which will allow the expiry time to be seen by Council officer from outside the vehicle or if the vehicle is not fitted with a dashboard the parking receipt shall be displayed on the vehicle in a clear manner.
- 1310.6. No person shall display a parking receipt in a manner that is likely to deceive or confuse, or display a copy of a parking receipt or an altered or false parking receipt.

1311. Reserved or discontinued parking space

- 1311.1. Where Council is of opinion that any metered space or spaces or time restricted parking space or spaces should be temporarily discontinued as a parking space or spaces, Council may place or erect, or cause to be placed or erected a sign or signs or a road cone or road cones indicating "No Stopping" at such space or spaces, and it shall be unlawful for any person to park a vehicle at such space or spaces while such an indication is so placed or erected.

- 1311.2. Council may, subject to such conditions as are appropriate in the circumstance and upon payment of the prescribed fee, if any, authorise the stopping, standing or parking of a specified vehicle or vehicles, notwithstanding the provisions of clause 1311.1 hereof. In any case where an authorisation has been granted there shall be displayed on the vehicle a document issued by Council authorising the occupation of the space and setting out the days and times and location applying to the authorisation.
- 1311.3. Council may designate parking spaces in any off street car park to be reserved spaces available for lease to individuals or companies and may set the conditions and fees applying to the sole right to use such spaces.
- 1311.4. No driver or person in charge of any vehicle shall permit such vehicle to be parked in any reserved parking space except as permitted by the conditions set by Council pursuant to clause 1311.3 hereof.

1312. Interference with parking meters

- 1312.1. Every person who misuses any parking meter, or who interferes, tampers, or attempts to tamper with the working or operation of any parking meter or who without due authority affixes or attempts to affix any placard, advertisement, notice list, document board or thing, or to paint, write upon or disfigure any parking meter commits an offence against this chapter of the bylaw.

1313. Prescribed coins only

- 1313.1. No person shall deposit or cause to be deposited in any parking meter anything whatever other than the prescribed coin or coins.

1314. Unlawful parking

- 1314.1. It shall be unlawful for any person to park any vehicle in a metered space except as permitted by the provisions of this chapter of the bylaw.

1315. Operation of parking meters

- 1315.1. No person shall operate or attempt to operate any parking meter by any means other than as prescribed by this chapter of the bylaw.

1316. Exemption from payment and defences available

- 1316.1. The driver or person in charge of any of the following vehicles shall be exempt from the provisions of this chapter of the bylaw:
- (a) A vehicle used as an ambulance and being at the time used for an urgent ambulance service.
 - (b) A vehicle used by a fire brigade for attendance at emergencies and at the time used for an urgent emergency service.
 - (c) A vehicle being used at the time for a police service.

- (d) A vehicle marked with Council logo on duty signage
- (e) Such driver or person entitled to be in possession of “Over 80” parking exemption signage which is properly on display.

1316.2. It shall be a defence to any person who is the driver or is in charge of any goods-service vehicle and who is charged with a breach of this chapter of the 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 and that the vehicle was being used on the road with due consideration to the safety and convenience of other road users.

1316.3. It shall also be a defence to any charge of a breach against this chapter of the bylaw if the act complained of was done in compliance with the directions of a police officer, Council officer, traffic control sign or traffic sign or that the vehicle was engaged on a public work and was being used on the road with due consideration to other road users.

1317. Hours applicable to parking meters

1317.1. The hours for parking meter restrictions shall be in accordance with the First Schedule of this chapter of the bylaw and may be altered from time to time by ordinary Council resolution.

1318. Mobility parking spaces

1318.1. The extremities of each mobility parking space shall be indicated by yellow lines clearly painted on the road. A yellow wheelchair emblem shall be painted within the space, and the appropriate sign shall be erected.

1318.2. No person shall park a vehicle on a mobility parking space except for the needs of the holder of a mobility parking permit who is travelling in the vehicle and such permit being prominently displayed within the vehicle.

CHAPTER 13: Parking

FIRST SCHEDULE BYLAW POLICY

Parking meters

Subject

Clause 1317.1 - Hours applicable to metered parking zones

The hours during which payment of the fee for metered parking is required are as follows:

- 9.00am to 5.30pm, Monday to Friday excluding Public Holidays
- 9:00am to 1:00pm, Saturdays, excluding Public Holidays.