

SELWYN DISTRICT COUNCIL

VEHICLE SPEED RESTRICTIONS AND CONTROLS IN RESERVES BYLAW 2008

This Bylaw is made by the Selwyn District Council in exercise of the powers and authority vested in the Council pursuant to Section 145 of the Local Government Act 2002, Section 17 (2)(a) of the Reserves Act 1977.

1. TITLE

- 1.1 This bylaw shall be known as the Vehicle Speed Restrictions and Controls in Reserves Bylaw 2008.

2. APPLICATION

- 2.1 This bylaw applies in all Reserves classified and administered by the Selwyn District Council.

3. DATE OF COMMENCEMENT

- 3.1 This bylaw shall come into force on xxxx 2008.

4. OBJECTIVES

- 4.1 To control the speed and manner of operation of vehicles within reserves for the protection and general well-being of reserves and for the protection and control of the public using those reserves.

5. DEFINITIONS

- 5.1 In this bylaw, except where inconsistent with the context:

“**Cycle**” means a vehicle that has at least two wheels and that is designed primarily to be propelled by muscular energy of the rider.

“**Council**” means the Selwyn District Council or any officer authorised to exercise the authority of the Council.

“**Fauna**” means animals of any kind.

“**Flora**” means plants of any kind.

“**Natural water body**” means any naturally occurring body of water, including a river, creek, stream, drain or lake.

“**Registered**” in relation to a vehicle, means registered under the Transport (Vehicle and Driver Registration and Licensing) Act 1986.

“Reserve” or **“public reserve”** has the same meaning as the Reserves Act 1977.

“Vehicle” has the same meaning as in Section 2(1) of the Land Transport Act 1998 except that it does not include cycles.

“Wheeled recreational device” means a vehicle that is a wheeled conveyance (other than a cycle that has a wheel diameter exceeding 355mm) and that is propelled by muscular energy of the rider.

6. VEHICLE CONTROLS WITHIN DISTRICT RESERVES

- 6.1 No person may drive or ride any vehicle within any reserve in a manner which, having regard to all the circumstances, is or might be dangerous to any person.
- 6.2 No person may drive any vehicle in any reserve at a speed in excess of 20 km/h or such other speed limit as the Council from time to time indicates by a sign or signs. This limit does not apply to cycles and wheeled recreational devices.
- 6.3 No person may stop or park any vehicle within any reserve in such a manner that it causes or is likely to cause an obstruction to any entrance, thoroughfare, path or walk.
- 6.4 Where, in the opinion of any authorised officer of the Council, a vehicle (whether complete or not) has been abandoned in any reserve, the officer may take possession of the vehicle and dispose of it in the same manner as provided by Section 356 of the Local Government Act 1974.
- 6.5 No person may operate a vehicle in a natural water body or on its banks and margins and its associated waters, if to do so would be detrimental to flora and fauna.
- 6.6 No person may operate the following motor vehicles in any reserve:
 - All-terrain vehicles (ATVs)
 - tri or quad bikes,
 - farm bikes and
 - trail bikes,
 - any other vehicle that has been designed for off road use or
 - any vehicle that is not registered and does not have a current Warrant of Fitness,unless prior approval in writing has been granted by the Council.

7. ORDERING OFF

- 7.1 Every person committing any breach of the provisions of this Bylaw must, upon any request or order by any authorised officer of the Council, immediately leave the reserve for such period as the authorised officer deems fit.

8. OFFENCES AND PENALTIES

- 8.1 Every person who breaches this Bylaw commits an offence and is liable on summary conviction to a fine not exceeding \$1,500.00.

9. REPEALS

- 9.1 The Selwyn District Council Vehicle Speed Restriction in Reserves 1999 is hereby repealed.

The **COMMON SEAL** of the
SELWYN DISTRICT COUNCIL
was hereunto affixed, in accordance
with the Special Order made by the
Council on _____
in the presence of:

)
)
)
)
)
)

_____ **Mayor**

_____ **Chief Executive**

Draft Bylaw 2008