

# **RODNEY DISTRICT COUNCIL**

## **RODNEY DISTRICT COUNCIL GENERAL BYLAW: 1998**

### **CHAPTER 9**

#### **ROAD CROSSINGS AND NUMBERING OF PREMISES**

##### **EXPLANATION**

This Chapter of the Bylaw is prepared under section 319 of the Local Government Act 1974, and section 146(b) (vi) of the Local Government Act 2002.

The bylaw protects the road asset by setting rules for public crossings across roads and water channels and enables the Council to name roads and identify premises to facilitate the work of emergency services, postal authorities and others.

**1.0 BYLAW ADMINISTRATION**

- 1.1 See Chapter 1, Bylaw Administration for general fee provisions, interpretations, licences, offences, and dispensations.

This Bylaw shall come into force on 1<sup>st</sup> December 2005 and will be reviewed not later than 10 years from that date.

**2.0 INTERPRETATION**

- 2.1 For the avoidance of doubt, all interpretations shall have the meaning ascribed to them under the Local Government Act 1974 or the Local Government Act 2002
- 2.2 The Council has powers under section 72(1) of the Transport Act 1962 and the Land Transport Act 1998 to make bylaws in respect of any roads under its control.
- 2.3 The Council has powers under sections 319B and 684 of the Local Government Act 1974 and section 146(b)(vi) of the Local Government Act 2002, to make bylaws in respect of any roads under its control.

**3.0 EXEMPTIONS**

- 3.1 This bylaw shall not apply to any ambulance, fire appliance, Police or other emergency vehicle carrying out urgent public duties.

**4.0 CROSSINGS IN PUBLIC PLACES**

- 4.1 No person shall construct any crossing across any footway or water channel or repair, reconstruct, renew, or do any work whatsoever in connection with any existing crossing without the prior written consent of the Council or an authorised officer.
- 4.2 Any person proposing to construct, repair, reconstruct or renew any crossing shall make application in writing to the Council or any Authorised Officer who may:
- (a) require payment to the Council of such sum of money as may be determined by the Council as necessary for the work and upon receipt of such sum carry out and execute such work itself as soon as practicable; or
  - (b) subject to the payment of a deposit and inspection fee determined by the Council or any authorised officer, permit the applicant to carry out the work to such standard as the Council or any authorised officer may specify, provided that the deposit shall be refunded if the work is completed to the satisfaction of the Council or any authorised officer; or
  - (c) refuse to carry out such work or to permit such work to be carried out if in its opinion the existence of any such crossing causes or may be likely to cause any danger or obstruction in any public place.

## **5.0 TEMPORARY CROSSINGS IN PUBLIC PLACES**

- 5.1 No person shall take or drive a vehicle or permit the same to be taken or driven across any footway or water channel in the course of construction or other work on the adjoining property or to deliver or collect building or other materials used in connection therewith except with the prior written consent of the Council or any authorised officer.
- 5.2 Except with the permission of the Council or an authorised officer, all crossings constructed under this clause shall be lighted between sunset of one day and sunrise of the next day, and the street channels shall be left clear from obstacles.

## **6.0 REINFORCING OF FOOTWAYS IN PUBLIC PLACES**

- 6.1 Where any land or premises is at any time or from time to time so occupied or used that, in the usual course of the business carried on at such land or premises, any materials, goods, merchandise, articles, or things whatsoever are, or are likely to be, dropped or deposited upon or conveyed across any footway, water channel or crossing in such a manner as to be likely to damage such footway, water channel or crossing the Council or any authorised officer may from time to time, by notice in writing, require the owner or occupier of such land or premises to provide adequate reinforcement to such footway, channel, or crossing.

## **7.0 NAMING OF STREETS**

- 7.1 No person other than the Council shall give any name or street number to or permit the affixing, setting up, or painting of any name on any street, private street, or public place.

Note: The Council is empowered under the Local Government Act 1974, Section 319 to name streets and when doing so consults with Tangata Whenua and other affected parties.

## **8.0 NUMBERING OF PREMISES**

- 8.1 Subject to Clause 11.2 below, the owner or occupier of every premises shall mark such premises with such numbers, being in no case less than 75mm in height, as the Council or Authorised Officer shall direct or approve, and shall renew the numbers as often as they are obliterated or defaced, or as directed by the Council or authorised officer from time to time.
- 8.2 Every such number shall be placed upon the premises in such a position as to be readily visible from any street upon which the premises front; or, if no such position is available, shall be placed upon a post, fence, or gate near or adjacent to, and readily visible from, such street.

## **9.0 OFFENCES**

- 9.1 Any contravention of Clauses 4.1 and 6.1 shall constitute an infringement offence for the purposes of the Land Transport Act 1998 and the infringement fee payable is the appropriate fee payable under the Land Transport Act 1998 or the Transport Act 1962.
- 9.2 Pursuant to section 72 (l) of the Transport Act 1962, the Council has by resolution, publicly notified, set infringement fees payable, for offences against this bylaw.

- 9.3 Where it is suspected that any person has committed a breach of this bylaw, that person shall, on the direction of an authorised officer provide his/her full name, date of birth, and address.