

PUBLIC SAFETY BYLAW 2008

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1. INTRODUCTION

1.1 SCOPE

The purpose of this Bylaw is to ensure that acceptable standards of safety, convenience, visual amenity and civic values are maintained for the well-being of inhabitants and visitors to the District.

1.2 ENABLING ENACTMENTS

This Bylaw is made pursuant and subject to the Local Government Act 2002, the Litter Act 1979, the Health Act 1956, the Sale of Liquor Act 1989 and the Reserves Act 1977.

1.3. TITLE OF THIS BYLAW

This Bylaw shall be known and cited as Matamata-Piako District Council Public Safety Bylaw 2008 and shall come into operation on 1 July 2008. For expediency this Bylaw may be referred to as the Public Safety Bylaw.

1.4. DEFINITIONS AND INTERPRETATION

For the purposes of this Bylaw the following definitions shall apply:

BARBED WIRE means any wire that contains barbs, spikes, blades, jagged edges or pointed projections along its length and used to make fences and barriers.

BROTHEL means the same as in Section 4(1) of the Prostitution Reform Act 2003.

CERTIFICATE means a certificate in Food Safety that meets unit standards prescribed by the New Zealand Qualifications Authority or alternatively any certificate that has been approved by the Council.

COMMERCIAL SEXUAL SERVICES means the same as in Section 4(1) of the Prostitution Reform Act 2003.

EXEMPTED FOOD HANDLER means:

- (a) Any person employed in any food premises who is not involved in the manufacture, preparation or packing of food but does handle pre-packaged foodstuffs at the point of sale or in storage.
- (b) Any other person employed in food premises or who works in connection with any food premises who in the opinion of the Council is an exempted food handler.

Exempted food handlers may include:

- (i) Supermarket checkout operators;
- (ii) Persons employed exclusively in the handling of packaged goods in storage or the carriage of goods to and from storage;
- (iii) Persons employed exclusively in the delivery of packaged goods to and from food premises;
- (iv) Persons employed predominantly in the wholesale or retail sale of fruit or vegetables.

FOOD means the same as in Section 2 of the Food Act 1981.

FOOD HANDLER means any person employed in or on any food premises who at anytime may be involved in the manufacture, preparation or packing of food.

FOOD PREMISES means the same as in Regulation 2 of the Food Hygiene Regulations 1974 but shall not include occasional food premises as defined in that Regulation.

GUEST means a person for whom any room or part thereof or rooms in a hostel is or are provided as a lodging or for his/her use or occupation and to whom whole or partial board may also be supplied.

HOSTEL means a building in which accommodation is provided for a single night or longer for 5 or more persons who are not part of a family with or without a common right to the use of common cooking, dining and laundry facilities. A hostel includes but is not limited to:

- (a) A boarding house;
- (b) A guest house;
- (c) A rooming house;
- (d) A private hotel;
- (e) A motel;
- (f) A residential club;
- (g) A backpacker's accommodation;

but does not include:

- (i) Any premises in respect of which a licence under the Sale of Liquor Act 1989 is in force;
- (ii) Any premises in respect of which an on-licence or an off-licence is deemed to be in force pursuant to Sections 240 and 241 of the Sale of Liquor Act 1989;
- (iii) Any hospital as defined in Section 2 of the Hospitals Act 1957;
- (iv) Any home for aged persons required to be licensed under Section 120A of the Health Act 1956;
- (v) Any private hospital required to be licensed under Part V of the Hospitals Act 1957;
- (vi) Any institution licensed under Section 9 of the Mental Health Act 1969;
- (vii) Any home that is required to be registered or deemed to be registered under Part IX of the Children and Young Persons Act 1974;
- (viii) Any child care centre required to be licensed by regulations made under the provisions of the Education Act 1989;
- (ix) Any home required to be registered under Part II of the Disabled Persons Community Welfare Act 1975;
- (x) Any camping ground required to be licensed under regulations made under Section 120B of the Health Act 1956.

LIQUOR means the same as in Section 2 of the Sale of Liquor Act 1989.

LITTER ACT 1979 means the same as in Section 2 of the Litter Act 1979.

PUBLIC PERFORMANCE includes public speaking, busking, miming, singing, dancing, acting or the playing of musical instruments, regardless of whether such performance is:

- a) prerecorded or live;
- b) requires public participation; or
- c) requires payment, donations or is performed gratis;

PROSCRIBED SUBSTANCE means a mind altering substance, whether synthetic or naturally occurring which may alter consciousness, mood or emotions, or which might intoxicate or induce pleasurable sensations. It includes what is commonly known as glue sniffing, but does not include:

- (a) medically prescribed substances ingested by the person for whom they were prescribed;

- (b) substances purchased from a pharmacy without a medical prescription;
- (c) nicotine;
- (d) liquor.

NUISANCE means the same as in Section 29 of the Health Act 1956 and its amendments.

SELL or SALE mean the same as in Section 4 of the Food Act 1981 and also includes the extended meaning given in Regulation 2(5) of the Food Hygiene Regulations 1974.

SIGN means

- (a) a visual message or notice conveyed to the public and visible from a public place displayed to advertise, identify a product, business, or service, inform or warn the public, and any frame, supporting device and associated ancillary equipment; and
- (b) includes but is not limited to any mural, message or notice painted on, affixed to or otherwise incorporated with a building, structure, or site, banner, flag, poster, billboard, sandwich board, wind sock, blimp or projection of light to create an advertising image; and
- (c) a bunting that has symbols or messages on it.

TEMPORARY SIGN means any sign advertising:

- (a) a parliamentary or local authority election, or candidates for any such election; or
- (b) construction or development works on a building site or demolition site; or
- (c) an auction or the intention to sell or lease any land or premises; or
- (d) any exhibition or entertainment event.

SKATING DEVICE means roller skates, roller blades, inline skates, skateboard, scooter or other or similar recreational devices but does not include any wheelchair, baby or invalid carriage or bicycles.

URBAN AREA includes all residential, business and industrial zones in accordance with the District Plan as well as the settlements of Waitoa, Tahuna, Hinuera, Te Poi, Mangataparū, Motumaoho and Te Aroha West.

WATERCOURSE means the same as in Section 2 of the Land Drainage Act 1908

2. SAFETY IN PUBLIC PLACES

2.1 PURPOSE

The purpose of clause 2 is to promote public safety and the enjoyment of public places by inhabitants and visitors by managing and regulating the use of public places.

2.2 GENERAL RESTRICTIONS ON CONDUCT IN PUBLIC PLACES

2.2.1

No person shall in any public place:

- (a) place or leave litter or any materials or object or substance, which are likely to be hazardous or injurious to any person, or likely to create a nuisance ;
- (b) deposit in or around a public litter receptacle any household or trade refuse;
- (c) interfere with any refuse, which is awaiting collection by an authorised collector;
- (d) drive any vehicle except on a formed road, or drive in a manner that is dangerous or inconsiderate to pedestrians or other vehicles;
- (e) leave any work, hole or excavation in a public place in a manner that could be a danger to anyone entering or using that public place;
- (f) take off or land any aircraft, hot air balloon, hang glider, parachute or similar aircraft except in an emergency;
- (g) consume, inject or inhale any proscribed substances or offer or sell such substances to any person;
- (h) play any game or use any object including skateboards, roller blades, roller skates, bicycles or motorised scooters, recklessly or in a manner which may intimidate, be dangerous or injurious or cause a nuisance to any person in the public place, or damage the public place;
- (i) use profane or obscene language on a public place or within the hearing of a person in a public place;
- (j) loiter or remain in or on a public place after being directed to move on by an enforcement officer;

2.2.2

Except with the prior written permission of the Council, no person shall in any public place:

- (a) solicit any subscription, collection or donation or provide a public performance in a way that does or is likely to create a nuisance;
- (b) distribute any printed or written material advertising any product, service or public entertainment in a way that does or is likely to create a nuisance; Any person distributing printed or written advertising material in a public place shall be responsible for the removal of any litter attributable to the distribution of the advertising material;
- (c) set off fireworks or explosive material in or on a public place, or so near thereto in a way that does or is likely to create a nuisance;
- (d) erect or place any structure on, over or under the public place except in compliance with any other Part of the Bylaw;

2.3 OBSTRUCTING PUBLIC PLACES

Except with the prior written permission of the Council, no person shall:

- (a) obstruct any entrance to or exit from a public place;
- (b) place or leave any material or object on a public place that could obstruct the public right of passage or interfere with the free flow of movement on the public place;
- (c) allow any gate or door on property abutting a public place to swing over or across the public place or any part thereof;
- (d) erect, construct or place any building or other structure or erection whatsoever or any part thereof under, upon, over or across any public place;
- (e) carry out any work on any motor vehicle in a public place, except in the case of any accident or emergency when repairs are necessary to allow the vehicle to be removed;

2.4 DAMAGE TO PUBLIC PLACES

Except with the prior written permission of the Council, no person shall in any public place:

- (a) damage, interfere with, destroy or remove any grass plot, flowerbed, tree, shrub or plant, or any inscription or label relating to it;

- (b) pollute, damage, deface or disfigure, apply graffiti, posters or advertising devices to, or interfere with an ornament, statue, building, structure, or facility;

Nothing in this clause shall prevent the Council from supplying or approving the installation of display boards in a public place for the purpose of allowing posters to be displayed announcing forthcoming functions or events;
- (c) cause or permit to be done any act whatsoever by which damage is caused to a public place, or a work or object in, on, over or under the public place;
- (d) damage or interfere with a natural feature, animal or plant;
- (e) use a vehicle or be in control of an animal in a manner so that it damages any part of a public place;
- (f) drive or park a vehicle in a public place except on a road or in an area set aside for the driving or parking of vehicles;
- (g) remove any sand, soil or other naturally occurring material found in a public place;
- (h) open a drain or sewer on, or disturb or remove the surface of, any public place.

2.5 FIRES AND CAMPING

Notwithstanding the requirements of any other clause of this Bylaw, no person shall in any public place:

- (a) light a fire, except at fireplaces specially provided or in an appliance designed for outdoor cooking, and in accordance with any restriction imposed by Council on the lighting of fires;
- (b) camp in an area not set aside for that purpose for a period. In this context, camping shall include the use of any vehicle for sleeping in, whether or not it is specially equipped for sleeping.

2.6 PLACING OF ARTICLES ON AND DAMAGE TO PUBLIC PLACES

No person shall place or leave or cause or permit to be placed or left any material or object, including signage or items for sale or hire, on any public place unless:

- (a) such a person has obtained the prior written permission from the Council;
- (b) such action is taken for the purpose of regular refuse or other collections authorised by the Council or is otherwise authorised by law; or

- (c) such action is allowed pursuant to any Bylaw or the District Plan.

2.7 REINSTATEMENT ON COMPLETION OF AUTHORISED WORKS

A person carrying out authorised works on a public place shall on completion of the works reinstate the place to the satisfaction of the Council.

2.8 ELECTRICAL OR BARBED WIRE FENCING

2.8.1

Except with the prior written permission of the Council, no person shall erect any electrified fencing or barbed wire fencing along the boundary or within one metre of a public place, provided that this sub-clause shall not prohibit:

- (a) the placing of such barbed wire at a height of not less than two metres or electrified fencing not less than three metres from the level of the ground of such public place;
- (b) the placing of such barbed wire or electrified fencing on the side of the boundary line that abuts the land or building and shielded in a manner to prevent access thereto from a public place.

2.8.2

- (a) Clause 2.8 shall not apply within an area zoned “rural” under the District Plan, except when the fence abuts or adjoins a footpath;
- (b) The Council may from time to time specify by resolution conditions that will apply to temporary electric fences.

2.9 SKATING

2.9.1

The Council may from time to time specify by resolution in Schedule 1 of this Bylaw public places where the riding of any skating device is at all or certain times prohibited or restricted to the extent determined by the Council.

2.9.2.

- (a) No person shall ride a skating device in any area or at any time in breach of any prohibition or restriction specified in Schedule 1.
- (b) It shall be an offence to ride a skating device on any footpath in a manner that endangers any person or property.

2.10 TRADING IN PUBLIC PLACES

2.10.1

Except with the prior written permission of the Council, no person shall conduct trade, provide a service to the public, or provide a performance for public entertainment or expose for sale any article or service in a public place.

2.10.2.

The Council may issue a permit to a person to

- (a) conduct trade; or
- (b) provide a service to the public, or
- (c) provide a performance for public entertainment within the District, subject to such conditions as it may determine.

2.10.3.

The Council may from time to time specify by resolution in Schedule 2 of this Bylaw the format of and the information that an applicant for a permit must submit to the Council.

2.10.4

The following are standard terms and conditions that may be made applicable to any permit issued by the Council:

- (a) the personal particulars of the person to whom the permit is issued;
- (b) time and place of the activity that is being allowed;
- (c) duration of the licence;
- (d) location;
- (e) type of activity and the nature of the goods or activity allowed;
- (f) area available for the activity;
- (g) persons entitled to engage in the activity;
- (h) safety and hygiene conditions;
- (i) use of signage;
- (j) use of audible devices as advertisement;
- (k) litter control and cleanliness;
- (l) the display of the permit holders name and address in a conspicuous place;

- (m) site rental.

2.10.5

Every permit holder shall at all times when engaged in the activity for which the Council has issued a permit have the permit in his or her possession and shall show it to the Council on demand.

2.10.6

This bylaw does not apply to

- (a) service delivery vehicles;
- (b) a person who is allowed to conduct trade, provide a service to the public or provide a performance for public entertainment by other legislation or by resource consent.

2.11 ASSEMBLY

No person shall without the prior written permission of the Council:

- (a) participate in any assembly or associate with other persons in a public place so as to impede pedestrians or traffic or to prevent or hinder ready access to shops or premises facing onto the public place; or
- (b) organize, hold or conduct any meeting, gathering, demonstration, parade, procession or competition in a public place so as to impede traffic or cause an obstruction to, or impede, annoy or inconvenience any person.

2.12 AWNINGS AND BLINDS

Except with the prior written permission of the Council, no person shall erect or maintain, or cause to be erected or maintained, an awning over any public place, or hang an awning, blind or screen from a premises or a structure on any public place.

2.13 PROJECTIONS ON PUBLIC PLACES NOT PERMITTED

2.13.1

Except with the prior written permission of the Council, or as may be permitted by other Bylaw, no person shall allow a portico, projecting window, balcony, wall, lamp, door step, cellar door, lamp post, signboard, window shutter, gate post, vegetation or other obstruction or projection of any kind whatsoever in, on, over or under a public place or in such a position as to interfere with or obstruct in any way the free passage of pedestrians or traffic upon any public place.

2.13.2

Clause 2.13.1 shall not apply to a verandah or awning erected pursuant to a requirement of the District Plan.

2.13.3

If any such projection or obstruction as aforesaid has been placed against or in front of any building before the coming into operation of this Bylaw and which is contrary to any Bylaw in force, the Council may upon application approve the continued existence of such projection or obstruction.

2.14 ROAD AND BUILDING IDENTIFICATION

2.14.1

Notwithstanding that a building or property is identified by other means, the owner or occupier of every building, or group of buildings forming part of a complex, or of a property shall mark such building complex or property with numbers, being in no case less than 50 mm in height for residential buildings and not less than 150mm in height for all other buildings. Numbers shall be as allocated or approved by the Council and displayed in a position on the building, complex or property so as to be readily visible from the road to which it has frontage.

2.14.2

Numbers required by clause 2.14.1 shall be maintained by the owner or occupier in such a manner so as to readily identify the property at all times.

2.14.3

The Council may alter the number of a building, complex or property when it is necessary or advisable to do so.

2.15 ANIMALS ON PUBLIC PLACES

2.15.1

No person shall take or allow any animal under that person's care or control onto any public place if the Council has by resolution in Schedule 3 of this Bylaw prohibited entry of that type of animal to that public place.

2.15.2

A person in control of an animal on any public place shall ensure that the animal is kept under proper control, with consideration for other persons using the public place.

2.15.3

A person in control of an animal on any public place shall ensure that the animal is kept under proper control to ensure that no damage is caused to the public place, any part thereof or to any object thereon.

2.15.4

A person in control of an animal on any public place shall immediately remove any faeces deposited by that animal and dispose thereof in a sanitary manner.

2.15.5

No person shall:

- (a) Break in, train, clean, shoe, bleed, dress or expose for show, hire or sale any animal on any public place without the prior written approval of the Council;
- (b) Allow any vicious biting animal to stand or be on any public place, unless properly and securely muzzled.

2.15.6

No person shall in a public place, without the prior written approval of the Council tether or otherwise put or place any animal for the purpose of depasturing or grazing.

2.15.6

If any animal is found on any public place, or on any land not separated from any public place by a fence considered by the Council to be sufficient to prevent that animal from accessing or damaging such a public place, without any person having charge thereof, the owner shall be guilty of an offence against this Bylaw, and the animal may be impounded.

2.16 WATER

2.16.1

No person shall:

- (a) Place any obstruction or allow any such obstruction to remain in or upon any watercourse, stream, dam, pond or fountain on any public place which does or is likely to obstruct the free flow of water therein;
- (b) Place, throw or leave any material or thing or substance which is likely to be offensive or create a nuisance in any watercourse, stream, dam, pond or fountain on any public place;

- (c) Pollute or otherwise render unfit for human or animal consumption any water supply on any public place;
- (d) Permit or cause the wastage of water on any public place or permit any water tap to flow for longer periods than may be reasonably required for the filling of utensils for drinking, cooking or washing purposes.

2.17 RESERVES

2.17.1

The Council may fix charges for the entry to a reserve in accordance with the Reserves Act, 1977 and it shall be an offence against this Bylaw to enter a reserve without having paid the proper charge for entry, if a charge is payable.

2.17.2

The Council may close or restrict entry to, or any portion of, a reserve at such times as are considered necessary to prevent damage to, or allow maintenance of the reserve. Such closure shall be advertised by signs at the entrances to the reserve. It shall be an offence against this Bylaw to access a reserve at any time when it is closed to public entry.

2.17.3

- (a) A person committing a breach of the provisions of clause 2.17.2 shall, upon request by the Council, immediately leave the reserve and shall be prohibited from appearing on the reserve for such period as the authorised officer deems fit.
- (b) A person ordered to leave a reserve as provided for in clause (a) shall still be liable to be prosecuted for the breach of this Bylaw.

2.17 LIST OF SCHEDULES PASSED IN TERMS OF CLAUSE 2 OF THIS BYLAW

- (a) Schedule 1 - Restricted areas for skating devices;
- (b) Schedule 2 –Information required for public trading permit
- (c) Schedule 3 - Restricted areas for animals;

3. NUISANCE ON PRIVATE PROPERTY

3.1 PURPOSE

The purpose of clause 3 is to protect the public from nuisance and to protect and promote and maintain public health and safety in relation to activities emanating from private property not controlled by the District Plan or other enactments.

3.2 RESTRICTIONS

No person may:

- (a) burn, or cause or permit to be burnt, any matter or thing in such a manner as to create a nuisance.
- (b) being the owner or occupier of premises use, or permit to be used or to remain on premises a lavatory other than a flush toilet, unless it be so maintained as to prevent the creation of a nuisance;
- (c) so deposit in or discharge, or so cause or permit the deposit or discharge into a stream, watercourse, pond, lagoon, open drain, gutter or channel, any litter, animal or other offensive matter or thing as to create or be likely to create a nuisance;
- (d) being the owner or occupier of premises so cause or permit offensive liquid or matter to remain in or on, or flow from those premises so as to create or be likely to create a nuisance;
- (e) being the owner or occupier of premises, cause or permit a sanitary fixture (as defined in the Building Regulations 1992, Schedule 1, "The Building Code") on those premises to be in such a state or defective condition as to create or be likely so to create a nuisance;
- (f) being the owner or occupier of premises to cause or permit conditions on those premises likely to contribute to the outbreak or spread of disease by the agency of flies, mosquitoes, or other insects, or of rats, mice, or other vermin.

4. CONTROL OVER THE POSSESSION AND CONSUMPTION OF LIQUOR IN PUBLIC PLACES

4.1 PURPOSE

The purpose of clause 4 is to regulate the consumption and bringing into and possession of liquor in specified public places, and for specified days, times and events including the related presence or use of a vehicle.

4.2 DESIGNATION OF SPECIFIED PUBLIC PLACES GENERALLY RESTRICTED

4.2.1

The Council by resolution may specify public places days and times where:

- (a) the consumption of liquor in;
- (b) the bringing of liquor into;
- (c) the possession of liquor in; and
- (d) the presence or use of a vehicle in conjunction with the prohibitions or restrictions in clauses a), b), or c) shall be prohibited or restricted.

4.2.2

The prohibitions or restrictions made under clause 4.2.1 are set out in Schedule 4 of this Bylaw.

4.3 DESIGNATION OF SPECIFIED PUBLIC PLACES RESTRICTED FOR SPECIFIC PERIODS OR EVENTS

The Council may by resolution and pursuant to Section 170(3) of the Local Government Act 2002, specify a public place where, the period when, and the date upon, or the events in relation to which a member of the police may, immediately and without further notice, exercise the power under Section 169(2)(a) of the Local Government Act 2002 to search a container or a vehicle.

4.4. OFFENCES PROHIBITED IN SPECIFIC PUBLIC PLACES

4.4.1

Every person commits an offence and is liable on summary conviction who:

- (a) brings liquor into;
- (b) possesses liquor in; or
- (c) consumes liquor in; any specified public place or during any specified period or event.

4.4.2

It is an offence to possess or consume liquor in a vehicle while in any specified public place, or during any specified period or event.

4.5 SPECIAL LICENCES

This Bylaw does not limit any individual or organisation (corporate or otherwise) from obtaining a Special Licence pursuant to Section 73 of the Sale of Liquor Act 1989, in which case clauses 4.2.1, 4.4.1 and 4.4.2 shall not apply.

4.6 DISPENSATION

4.6.1

- (a) The Council may, on application by any person grant a waiver, dispensation or licence to do or refrain from doing anything which would otherwise be in breach of clause 4 of this Bylaw for the purpose of enabling possession and/or consumption of liquor in a public place at the time of any special event.
- (b) Such a waiver, dispensation or suspension of operation of any part of clause 4 of this Bylaw shall be granted only in respect of specific time periods and specific locations associated with the special event, to enable better enjoyment of the event by members of the public.

4.6.2

- (a) In considering any application as provided for in clause 4.6.1(a), the Council shall obtain and consider a response to the request from New Zealand Police, including the reason for that response.
- (b) When any such waiver, dispensation or suspension is granted, public notice of the waiver, dispensation or suspension shall be given by public notice at least 14 days prior to the commencement of the period when the waiver, dispensation or suspension commences.

4.6.3

The applicant may be required to pay the Council a fee or charge to cover any actual and reasonable costs associated with the public notice, processing the application or obtaining a police response to the application under clause 4.6.

4.7 LIST OF SCHEDULES PASSED IN TERMS OF CLAUSE 4

- (a) Schedule 4 - Designation of specified public places generally restricted for the possession or consumption of liquor;

5. CONTROL OF SIGNAGE

5.1 SCOPE

The purpose of clause 5 is to enhance the visual amenity and civic values of public places for the benefit of the public.

5.2 EXEMPTION TO THIS BYLAW

This bylaw does not apply to

- (a) traffic, direction, information and naming signs erected by or with the approval of the Council;
- (b) signs indicating hazardous substances used at hazardous facilities;
- (c) signs erected pursuant to any statute or regulation;
- (d) signs which require a resource consent; and
- (e) signs placed during an emergency as part of an effort to save or protect life or health or prevent injury, or to prevent serious damage to property.

5.3 GENERAL RESTRICTION ON THE PLACING OF SIGNS

No person shall place, erect or display:

- (a) a sign that does not meet the prescribed minimum standards applicable to signs in that category as prescribed in Schedule 5 of this Bylaw.
- (b) a poster on any building or structure without the permission of the owner or the occupier of that building or structure unless it is a designated poster board;
- (c) a sign identified in this Bylaw as requiring a building consent before that building consent is issued;
- (d) a sign which explicitly or implicitly:
 - (i) is discriminatory or advocates discrimination based on one or more of the prohibited grounds of discrimination set out in the Human Rights Act 1993;
 - (ii) is objectionable within the meaning of the Films, Videos and Publications Classification Act 1993;
 - (iii) is offensive, threatening or insulting; or
 - (iv) incites or counsels any person to commit any offence.

5.4 PROHIBITION OF SIGNAGE WITHOUT A PERMIT

- (a) No sign may be placed, erected or displayed:
 - (i) without the prior written permission of the Council; or
 - (ii) unless in accordance with the District Plan; or
 - (iii) unless in accordance with a resource consent.

- (b) No sign shall be placed, erected or displayed that does not meet any conditions applicable to it.

5.5 SIGNS AFFECTING TRAFFIC SAFETY

No sign shall be placed, erected or displayed in a public place where it adversely affects the safety of members of the public or of traffic by:

- (a) obstructing the view of any corner, bend, intersection, pedestrian crossing, vehicle crossing, traffic sign or traffic signal;
- (b) distracting unduly or be likely to distract unduly the attention of road users;
- (c) resembling or is likely to be confused with any traffic sign or signal;
- (d) giving rise to excessive levels of glare, using flashing or revolving lights or reflective materials that may interfere with a road users vision;
- (e) invite drivers of vehicles to turn so close to a turning point that there is no time to signal and turn safely;
- (f) constituting or be likely to constitute in any way a danger to road users.

5.6 SIGNS ON OR OVER ROADS, FOOTPATHS AND PUBLIC PLACES

Without the prior written permission of the Council no sign shall be placed, erected or displayed where it restricts access to any right of way or to any public place to which vehicles or pedestrians have a right of access.

5.7 MINIMUM STANDARDS FOR SIGNS

5.7.1

The Council may from time to time determine and amend by resolution categories of signs and may determine the minimum standards that apply to signs in these categories.

5.7.2

The categories of signs and the minimum standards that apply to signs shall be prescribed in Schedule 5 of this Bylaw

5.8 MINIMUM STANDARD OF SIGNAGE FOR BROTHELS AND COMMERCIAL SEXUAL SERVICES

5.8.1

In addition to the minimum standards prescribed in clause 5.8 for signs, no person may erect, place or display on or in any building or structure a sign that advertises advertising brothels or commercial sexual services and which:

- (a) displays any information other than the name of the person who conducts the business or the registered name of the business; or
- (b) displays words or images or models (human or mannequin) which in the opinion of Council, are sexually explicit, lewd or otherwise offensive; or
- (c) exceeds 1 metre x 0.3 metres in size (or of other dimensions, but of equivalent surface area); or
- (d) is illuminated by flashing lights or contains neon lighting.

5.8.2

"Sign" includes every advertising device or display of advertising matter intended to attract attention and that advertises a brothel or commercial sexual services.

5.9 MAINTENANCE OF SIGNS

5.9.1

It shall be the responsibility of the sign owner and the owner of the property on which the sign is placed, erected or displayed to ensure that any sign and its supporting structure shall be maintained in good order and condition and shall at all times comply with the prescribed minimum standards of this Bylaw and with any permit conditions that may apply.

5.9.2

Where in the opinion of the Council, a sign does not comply with this Bylaw and remedial work is required, the Council may issue a notice requiring specified remedial work to be carried out on any sign within one month of the service of the notice.

5.9.3

Where any person has been requested to pull down, alter or remove any non-complying, unsafe, or unauthorised sign, that sign shall not be altered or replaced unless the altered or replacement sign complies with this Bylaw.

5.10 POWERS TO REMOVE NON-COMPLYING SIGNS

- (a) The provisions of the Introductory Bylaw 2001 are applicable to the removal of signs erected in breach of the provisions of clause 5.

- (b) Subject to evidence to the contrary, it may be presumed that a sign erected in breach of this Bylaw has been erected by or on behalf of the person deriving the benefit thereof.

5.11 REMOVAL OF SIGNS

It shall be the responsibility of the holder of a permit to remove all signs upon the expiry of the permit or the period allowed for the display of the sign.

5.12 EXISTING SIGNS

Where a sign exists which has been lawfully erected prior to the passing of this Bylaw but does not comply with the requirements of clause 5, the Council may upon application determine conditions for the continued display of thereof.

5.13 LIST OF SCHEDULES PASSED IN TERMS OF CLAUSE 5

Schedule 5 - Minimum standards for signs;

Annexure A – Standard Conditions applicable to signs on Verandas on Business and Industrial Zoned Land.

Annexure B- Standard Conditions applicable to Sandwich Board Signs

Annexure C – Standard Conditions applicable to Temporary Signs

Annexure D – Signs subject to Building Consents

6. KEEPING OF ANIMALS (EXCLUDING DOGS)

6.1 SCOPE

The purpose of clause 6 is to protect promote and maintain public health by:

- (a) regulating the keeping of pigs, poultry and bees; and
- (b) limiting the nuisance created by the keeping of other animals.

6.2 DETERMINATION OF NUMBERS OF ANIMALS ALLOWED TO BE KEPT

The Council may from time to time determine by resolution as prescribed in Schedule 6 of this Bylaw the maximum number of animals of particular species permitted to be kept on any property in the District.

6.3 PIG KEEPING

6.3.1

No person shall keep any pigs on any property in the urban area without the prior written permission of the Council.

6.3.2

Without the prior written permission of the Council, no person shall keep more than the number of pigs prescribed in Schedule 6 on any property outside the urban area.

6.3.3

No person shall keep any pigs in a manner that:

- (a) is a nuisance; or
- (b) creates conditions injurious to health; or
- (c) is offensive; or
- (d) pollutes any water as defined in the Resource Management Act 1991.

6.3.4

Except with the prior written permission of the Council, no person shall construct or allow any pigsty to remain or any pigs to be at large or to range at less distance than 50 metres from any dwelling, dairy, or any wholly or partly occupied building, or any street or public place or any place used for the preparation, storage, or sale of food for human consumption, or from any boundary of any adjoining property

6.4 POULTRY KEEPING

6.4.1

No poultry caged or otherwise shall be kept in the urban area except in a properly constructed poultry house covered in with a rainproof roof and provided with a floor of concrete or other approved material with a surrounding nibwall, to which a poultry run may be attached.

6.4.2

No poultry house or poultry run shall be erected or maintained so that any part of it is within 10 metres of any dwelling, factory, or any other building, whether wholly or partially occupied, or within 2 metres of the boundary of adjoining premises.

6.4.3

Except with the prior written permission of the Council no person shall keep:

- (a) more than the number of head of poultry prescribed in Schedule 6 in any poultry house or poultry run on any property in the urban area;
- (b) more than the head of poultry prescribed in Schedule 6 on any property outside the urban area.

6.4.4

Every poultry run of whatever size shall be enclosed to confine the poultry within the poultry run.

6.4.5

Notwithstanding anything hereinbefore contained, no person shall keep poultry on any property so as to cause or be likely to cause a nuisance or any condition injurious to health or offensive because of the overcrowding of the property with such poultry or because of the state of repair of the poultry house or poultry run.

6.4.6

If a nuisance is created as a result of any poultry house or poultry run or the keeping of poultry, the Council may serve a notice on the owner or the keeper of the poultry house, poultry run or poultry requiring that person to abate the nuisance and the nuisance shall be abated in accordance with the notice.

6.5 BEE KEEPING

6.5.1

Except with the prior written permission of the Council, no person shall keep bees or cause or permit bees to be kept at or on any property in the urban area.

6.5.2

Every person keeping bees or causing or permitting bees to be kept on private property must ensure that:

- (a) the bees do not create nor are likely to create a nuisance or cause distress to any person; and
- (b) the bees are not kept in such conditions that create or are likely to create a nuisance or cause distress to any person.

6.6 GENERAL NUISANCE CREATED BY ANIMALS

Every person keeping an animal on private property must ensure it is kept in a manner that the animal does not create nor is likely to create a nuisance to any person.

6.7 SHELTER FOR ANIMALS

No suffering shall be caused to an animal by the manner of its shelter or keeping.

6.8 LIST OF SCHEDULES PASSED IN TERMS OF CLAUSE 6

(a) Schedule 6 - Determination of numbers of animals allowed to be kept;

7. FOOD HYGIENE

7.1 SCOPE

7.1.2

The purpose of clause 7 is to set requirements so that all premises, where food is prepared for sale, employ staff who are adequately trained in food hygiene. This clause further allows the Council to close premises that are unsanitary.

7.1.2

The aim of this Bylaw is to ensure that safe food is available in all food premises throughout the District.

7.2 COMPULSORY TRAINING FOR FOOD HANDLERS

7.2.1

The Council may from time to time determine by resolution as prescribed in Schedule 7 of this Bylaw the standards of training required for staff that handles food.

7.2.2

All food premises are required to have a complement of food handler staff trained to the standard required under Schedule 7 of this Bylaw.

7.2.3

It shall be the duty of the occupier of every food premise to ensure that new, temporary, or replacement staff are trained to the standard required under Schedule 7 of this Bylaw.

7.2.3

In clause 7 of this Bylaw “occupier” shall mean the owner of the food premises or any person or persons, occupying the premises and includes any supervisor, food handler, manager or agent acting or apparently acting in the general management or control of the food premises.

7.2.4

Every food premise shall have at least one person employed in a supervisory and staff training capacity who is trained to the standard required under Schedule 7 of this Bylaw, provided that the Council may grant an exemption or partial exemption where full compliance may be unreasonable having regard to the site and the nature of the premises.

7.2.5

In the case of food premises which consist of separate departments or sections, each of which functions more or less in isolation from the others, at least one person shall be appointed to act in a supervisory position within each separate department or section.

7.2.6

The occupier of every food premise shall ensure that adequate records are kept relating to staff training under Schedule 7 and that copies of all certificates gained by staff are kept on the premises for perusal by the Council upon request.

7.3 CLOSURE OF PREMISES

7.3.1

Where any food premise or part of any food premises or any appliance, fitting or fixture or other equipment on any food premises by reason of their situation, construction, disrepair, or state are in such a condition that any food in the food premises may become unfit for human consumption, the Council may serve a notice in writing on the occupier of the premises requiring that person:

- (a) To cease to use the premises as food premises, or to clean or reconstruct, or to repair the premises, or part of the premises; or
- (b) To cease to use, or to clean, reconstruct, or repair any appliance, fittings, fixture or other equipment on those premises:

in accordance with the requirements and within the time specified in the notice.

7.3.2

Where an occupier has been directed to cease to use any food premises the occupier shall not recommence use of those food premises until permission has been given in writing by the Council.

7.4 LIST OF SCHEDULES PASSED IN TERMS OF CLAUSE 7

- (a) Schedule 7 - Standards of training required for staff that handles food;

8. SAFETY REQUIREMENTS FOR HOSTELS, ETC

8.1. SCOPE

8.1.1

The purpose of clause 8 is to enable the Council to monitor the operation of hostels, guest houses, boarding houses, private hotels, motels and residential clubs, except where these are licensed under the Sale of Liquor Act 1989 or other enactment to ensure that conditions do not arise that may threaten the health and safety of tenants, neighbours or the community at large.

8.1.2

Clause 8 of this Bylaw sets operational and management criteria for those premises defined as hostels with regard to safety, ventilation, sanitary conditions and overcrowding.

8.1.3

This clause addresses issues which are not covered in the Building Act 1991. It applies to all buildings defined as hostels but it is considered that it will not be regarded as onerous by owners/landlords who maintain their premises at a reasonable standard. The thrust of clause 8 of this Bylaw is toward low cost budget accommodation.

8.2 COMPLIANCE

8.2.1

The Council may from time to time determine by resolution as prescribed in Schedule 8 of this Bylaw operational and management criteria for hostels with regard to safety, ventilation, sanitary conditions and overcrowding.

8.2.2

No person shall let for occupation any hostel which does not comply with clause 8 of this Bylaw.

8.3 APPOINTMENT OF MANAGER

8.3.1

Any person who lets for occupation any hostel shall appoint a manager. In any case where no manager is appointed the person who lets the premises for accommodation shall be deemed to be the manager for such premises. If the manager does not permanently reside on the premises a resident manager who resides on the premises shall also be appointed with all the powers and responsibilities of the manager. In this bylaw "manager" includes "resident manager".

8.3.2

The requirement to appoint a resident manager for a hostel shall not apply in any case where the Council is satisfied that this would be unreasonable or impractical having regard to the particular circumstances.

8.4 RESPONSIBILITIES OF MANAGER

8.4.1

The owner or manager of a hostel shall:

- (a) Maintain all of the building and all appliances, fixtures and fittings in the building in good repair and in a clean and hygienic condition and cause all rooms, passages, stores, floors, ceilings, windows, doors and walls of the building to be kept clean and free from vermin;
- (b) Cause every yard or court or other open space to be kept at all times in good order and thoroughly clean, and free from any accumulation of refuse, or foul matter or undesirable growth and shall as often as necessary wash all paved surfaces in such yard or court or other open space;
- (c) Ensure that all parts of the premises are adequately lit and ventilated at all times;
- (d) Provide a suitable storage area in an approved location where rubbish bags or rubbish containers can be stored prior to their placement for collection on rubbish collection day and maintain any rubbish storage areas in a clean and tidy condition;

- (e) Provide and maintain in good repair and efficient working order any artificial lighting, emergency lighting, fire alarms, fire detection devices and fire extinguishers or any other feature as may be required by the Building Regulations 1992 (including the New Zealand Building Code) or a Compliance Schedule under Section 44 of the Building Act 1991 for the hostel.

8.4.2

The manager or resident manager shall cause:

- (a) All the bed-linen, bedclothes, bedding, bedsteads and all soft furnishings provided to guests to be thoroughly cleaned as often as is necessary to maintain these items in a clean and wholesome condition and free from vermin;
- (b) All refuse to be removed at least daily from every room in the hostel;
- (c) Every room which is used as a bedroom to be furnished with the approved beds sufficient for all occupants but not exceeding the limits of schedule 8 of this Bylaw. A sufficient supply of clean bed linen and bedding shall be available for every guest in each bedroom in cases where they are not required to provide their own. Every bedroom shall have adequate clothes storage facilities for the number of guests, and suitable curtain or window coverings for privacy;
- (d) Towels to be supplied for each guest at least weekly and to every newly-arrived guest. All bed linen and bedclothes supplied to guests shall be removed as soon as convenient after a bedroom has been vacated. All such bedclothes and the bed from which the bedclothes have been removed shall be thoroughly aired.

8.4.3

The manager or resident manager of a hostel shall not:

- (a) Except in the case of an emergency, use or permit to be used in any part of the premises any lighted candles, or any lamp, or heater supplied with kerosene, mineral or other oil or spirit for lighting or heating purposes unless such candle, lamp or heater is constructed, protected, and secured as not to involve risk of fire to the building or its contents;

- (b) Store or keep, or allow to be stored or kept, any kerosene, mineral or other oil, spirit, matches or any explosive or flammable substances in any cupboard or other place situated under any staircase or near any fire escape, balcony leading to a fire escape or fire exit;
- (c) Cause or permit any obstruction to be placed in any flight of stairs, passage, or other means of escape. All doors in connection with such means of escape shall be maintained so that they can be readily opened in the direction of exit travel without the use of a key;
- (d) At any time permit a greater number of persons to be accommodated in any bedroom in the hostel than the number assessed in accordance with schedule 8 of this Bylaw;
- (e) Permit any room that is not approved for use as a bedroom to be occupied or used for that purpose;
- (f) Permit equipment for the cooking or heating of food to be provided or used in any room except a kitchen.

8.5 KITCHEN STANDARDS

Every hostel shall have a kitchen and a dining room to the following minimum standards for the preparation of meals for guests or where guests can provide their own individual meals:

- (a) All floors, walls and ceilings in the kitchen shall be properly constructed, kept in good repair, and finished to provide smooth, impervious, easily cleanable surfaces. All walls and ceilings shall be finished in a light colour.
- (b) All parts of the kitchen and dining room shall be adequately lit by daylight and artificial lighting as the circumstances require, to facilitate cleaning and inspection.
- (c) All parts of the kitchen and dining room shall be adequately ventilated.
- (d) All parts of the kitchen and dining room shall be maintained in a clean, hygienic and tidy condition, free from foul odours and vermin.
- (e) The kitchen shall be provided with a sufficient number of sinks and other sanitary fittings reasonably necessary for the cleansing of crockery, utensils and appliances used in the preparation, service and consumption of food. Every such sink shall be supplied with a piped supply of hot and cold water.

- (f) A wash-hand basin supplied with piped hot and cold water shall be located within the kitchen or within close proximity to the kitchen. The wash-hand basin shall be supplied with soap, a nail brush and hand-drying equipment.
- (g) All benches, shelves, tables, cupboards, appliances and equipment shall be constructed and finished so that they are capable of being easily cleaned.
- (h) Adequate means of preparing food and of cooking food, both by boiling and by baking, sufficient for the numbers of guests, shall be provided in the kitchen.
- (i) Adequate refrigerated and frozen storage shall be provided sufficient for the numbers of guests, for the storage of perishable and readily perishable foods. All refrigerated storage shall operate at 4⁰C or below and frozen storage at -18⁰C or below.
- (j) Adequate space for the storage of food shall be provided, so placed, fitted and ventilated as to protect the food from flies, dust, and other contamination and from the direct rays of the sun.
- (k) Adequate tables and chairs and utensils in the dining room for the consumption of food.

8.6 EXEMPTIONS

Where the Council is satisfied that compliance with the requirements of clause 8 of this Bylaw would be unreasonable or impractical, an exemption in respect of any particular requirements may be granted in whole or in part, with such modifications and subject to such conditions including such time limitations as are desirable in the circumstances.

8.7 LIST OF SCHEDULES PASSED IN TERMS OF CLAUSE 8

- (a) Schedule 8 - Operational and management criteria for hostels with regard to safety, ventilation, sanitary conditions and overcrowding;

In compliance with the provisions of the Local Government Act, 2002 and the Bylaws Act, 1910, this Part of the Bylaw is passed by the Matamata-Piako District Council on 11th June 2008 and confirmed by the Council on 11th June 2008.

THE COMMON SEAL of the MATAMATA-PIAKO DISTRICT COUNCIL was affixed on this 17th day of June in the presence of

Alvin. Vance .

Mayor

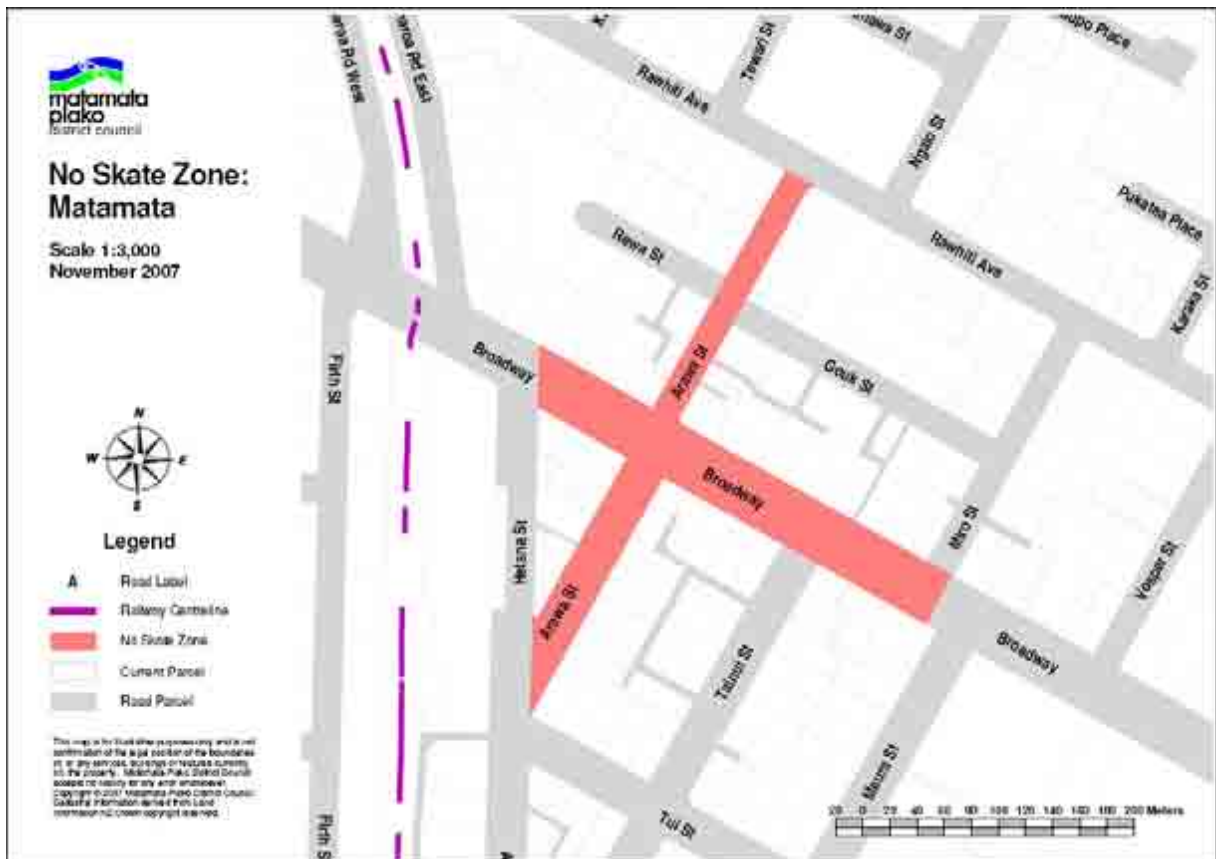
A handwritten signature in cursive script, appearing to read "J. M. Press", enclosed within a large, loopy oval flourish.

Chief Executive

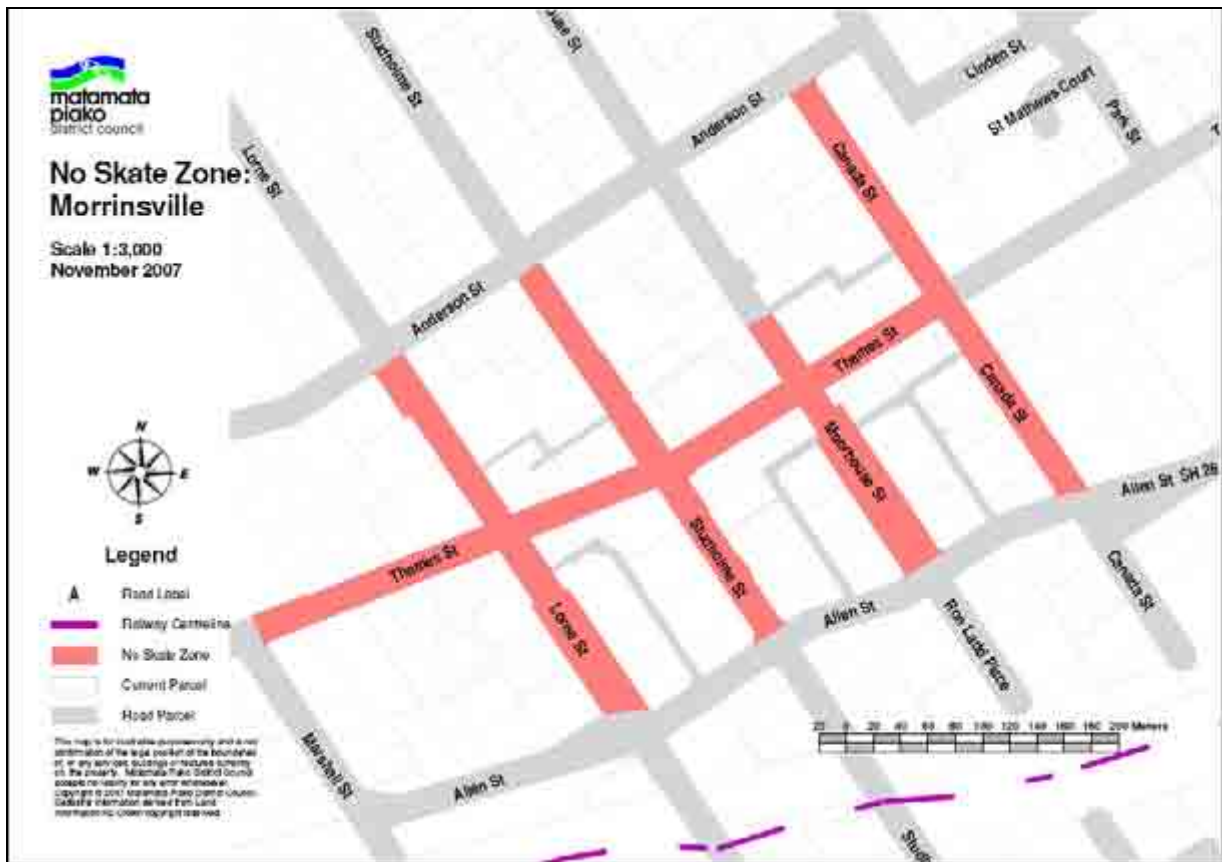
SCHEDULE 1 - RESTRICTED AREAS FOR SKATING DEVICES

The Council specifies the following public places where the riding of any skating device is at all times prohibited. The prohibited areas are as described and as indicated on the maps in accordance with the legend.

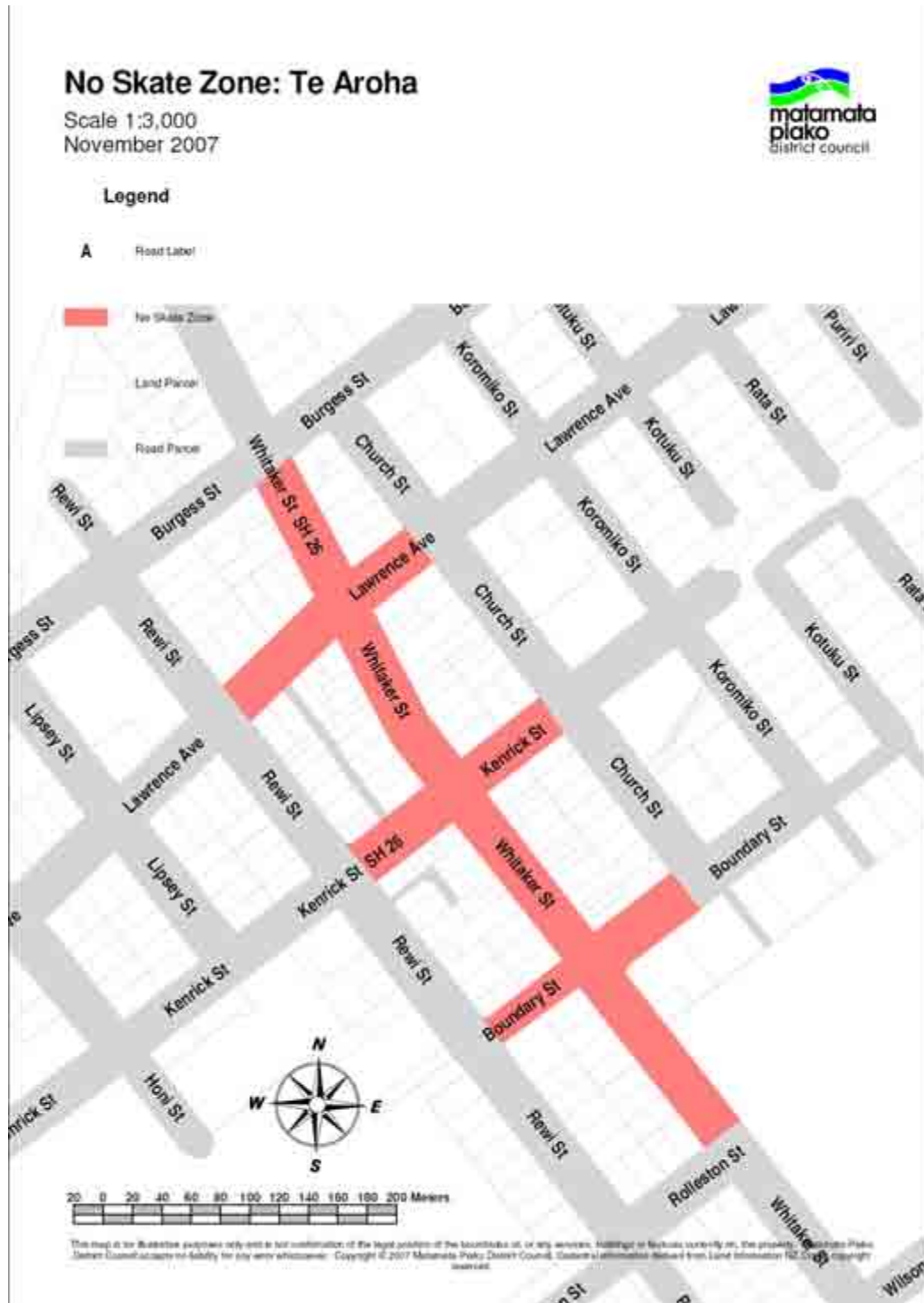
1. Matamata Prohibited Area
 - 1.1 Arawa Street from Rawhiti Street to Hetana Street;
 - 1.2 Broadway from Hetana Street to Miro Street;



2. Morrinsville Prohibited Area
 - 2.1 Lorne Street from Allen Street to Linden Street;
 - 2.2 Studholme Street from Allen Street to Linden Street;
 - 2.3 Canada Street from Allen Street to Linden Street;
 - 2.4 Thames Street from Canada Street to Marshall Street.
 - 2.5 Moorhouse Street from Allen Street across Thames Street to the corner of the service lane on the eastern side of Moorhouse Street that leads through to Canada Street (approximately 40 metres from the corner of Moorhouse and Thames Streets).



- 3. Te Aroha Prohibited Area
 - 3.1 Whitaker Street from Burgess Street to Rolleston Street;
 - 3.2 Lawrence Avenue from Church Street to Rewi Street;
 - 3.3 Kenrick Street from Church Street to Rewi Street;
 - 3.4 Boundary Street from Church Street to Rewi Street;



SCHEDULE 2 - INFORMATION REQUIRED FOR PUBLIC TRADING PERMITS

An applicant for a permit to shall apply to conduct trade, provide a service to the public, or provide a performance for public entertainment or expose for sale any article or service in a public place by written application in the prescribed form supplying the following information:

- (a) Name, address and telephone number of the applicant;
- (b) Name and address of the person conducting trade, providing a service, providing a performance for public entertainment or exposing for sale an article or service in a public place.
- (c) The location/site number;
- (d) The type of goods or service or performance for which a permit is required;
- (e) The time sought for engaging in the activity;
- (f) The type of vehicle and registration number, if applicable;
- (g) Evidence of good character of the applicant and the person that will conduct trade, provide a service to the public, provide a performance for public entertainment or expose for sale any article or service in a public place.

SCHEDULE 3 - DETERMINATION OF RESTRICTED AREAS FOR ANIMALS IN PUBLIC PLACES

The Council has prohibited entry of the following type(s) of animal to the following public place(s):

No determination by Bylaw

SCHEDULE 4 - DESIGNATION OF SPECIFIED PUBLIC PLACES GENERALLY RESTRICTED FOR THE POSSESSION OR CONSUMPTION OF LIQUOR

Note: *This bylaw is introduced pursuant to the specific empowering provisions of the Local Government Act 2002 that provide for bylaws for liquor control purposes. This bylaw does not repeat or paraphrase those statutory provisions, and accordingly those provisions should be read in conjunction with this bylaw. In particular, the following provisions are noted:*

- *Section 147 empowers the Council to make this bylaw. It also defines 'liquor' and 'public place'. In addition, s147 (3) sets out a number of specific exemptions when the bylaw will not apply with respect to the transportation of unopened bottles or containers.*
- *Section 169 provides the Police with powers of search and seizure, without warrant, to enforce the bylaw. The Police are responsible for enforcing the bylaw.*
- *Section 170 sets out certain conditions imposed on the Police powers of search under s169 such as informing the person in possession of liquor they have the opportunity to remove it from the public place.*
- *This bylaw has no effect on any other Police powers of search, seizure and arrest or any other statutory offences.*

In addition Council requires the monitoring of this bylaw to be undertaken by the police and the reporting of this to Council on an annual basis.

The Council specifies the following public places, days and times where:

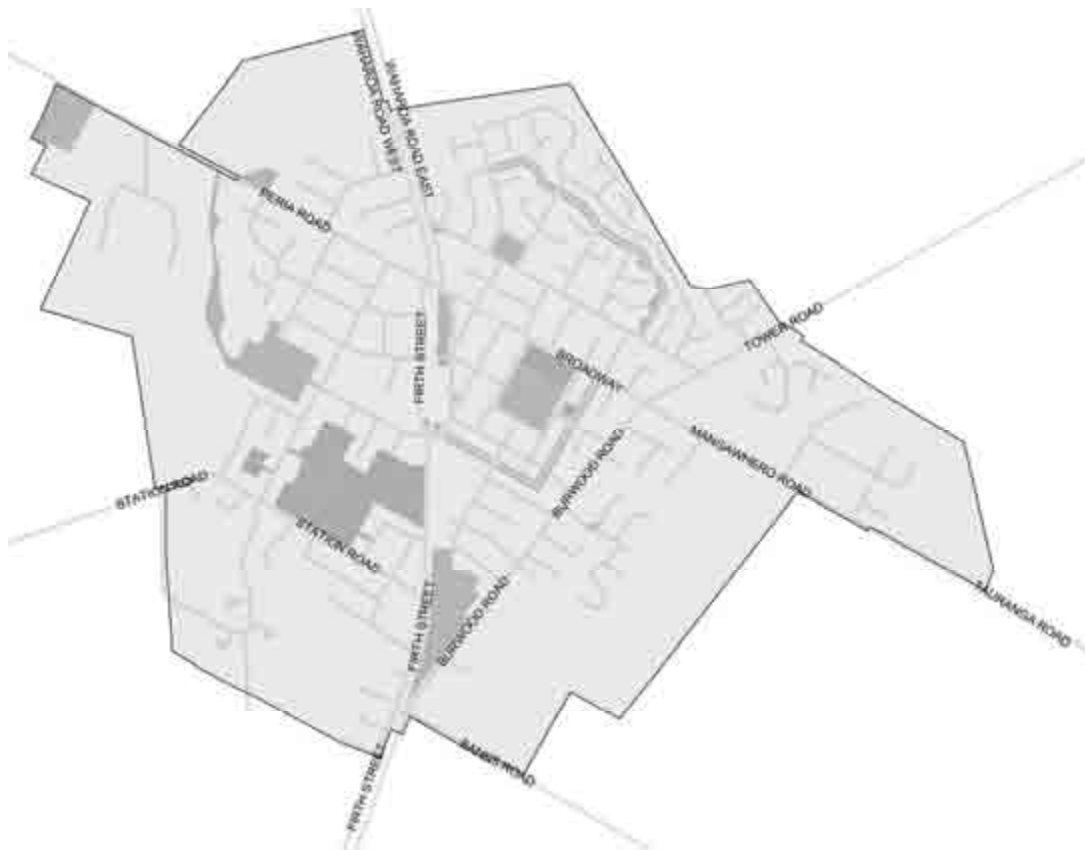
- (a) the consumption of liquor in;
- (b) the bringing of liquor into;
- (c) the possession of liquor in; and
- (d) the presence or use of a vehicle in conjunction with the prohibitions or restrictions in clauses (a), (b), or (c);

shall be prohibited or restricted:

Matamata

All public places including roads and reserves are included in the prohibition at all times within areas of the township listed below -

- Within the 50 kilometre speed limit areas of Matamata township,
- Within the 70 kilometre speed limit of Waharoa Road West,
- Within the 70 kilometre speed limit of Mangawhero Road,
- Within the 70 kilometre speed limit of Firth Street beginning at Haig Road,
- Within the 70 kilometre speed limit of Burwood Road, and
- Within the 70 kilometre speed limit of Banks Road.



Morrinsville

All public places including roads and reserves are included in the prohibition at all times within areas of the township listed below -

- Within the 50 kilometre speed limit areas of Morrinsville township,
- Within the 70 kilometre speed limits of Thames Street,
- Within the 70 kilometre speed limit of West Street,
- Within the 80 kilometre speed limit of Avenue Road South beginning at the Waitakaruru Stream,
- Within the 70 kilometre speed limit of Avenue Road North, and
- Within the 70 kilometre speed limit of Snell Street.



Te Aroha

All public places including roads and reserves are included in the prohibition at all times within areas of the township listed below -

- Within the 50 kilometre speed limit areas of Te Aroha township, and
- Within the 70 kilometre speed limit of Grattan Road, and
- Within the 70 kilometre speed limit of Bosson Road beginning at the Aroha View Avenue intersection.



Waharoa

All public places including roads and reserves are included in the prohibition at all times within areas of the township listed below -

- Within the 50 kilometre speed limit areas of Waharoa township



In compliance with the provisions of the Local Government Act, 2002 and the Bylaws Act, 1910, this Part of the Bylaw is amended by the Matamata-Piako District Council on 24th June 2009 and confirmed by the Council on 24th June 2009.

THE COMMON SEAL of the MATAMATA-PIAKO DISTRICT COUNCIL was affixed on this 30th day of June 2009 in the presence of



Mayor



Chief Executive

SCHEDULE 5 - MINIMUM STANDARDS FOR SIGNS

Annexure A - STANDARD CONDITIONS APPLICABLE TO SIGNS ON VERANDAHS ON BUSINESS AND INDUSTRIAL ZONED LAND.

All signs located on verandas over roads or public places on business and industrial zoned land shall be:

- a) No closer than 2.4 metres to the footpath beneath the sign;
- (b) Set back at least 500mm from an imaginary vertical line from the road kerb;
- (c) If located on the veranda fascia, not more than 900mm in depth, or protrudes more than 200mm from the fascia;
- (d) If located under the veranda, at right angles to the fascia line, and limited to one per site;
- (e) If located on top of the veranda, fixed to the building and limited to one per site; and
- (f) Advertise only businesses, services and products located on the site of the sign.

Annexure B - STANDARD CONDITIONS APPLICABLE TO SANDWICH BOARD SIGNS

Sandwich board signs may be placed on public land outside the business to which they relate in any business or industrial zone and shall:

- (a) Only advertise services or products available from the business to which they relate.
- (b) Be placed adjacent to the kerb, on the footpath or berm immediately in front of the business to which they relate.
- (c) Have a maximum area of 1.2m² and a maximum width of 1.0 metre.
- (d) Be placed so as to cause the least interference to footpath traffic movement.
- (e) Be limited to one sign per business.

Annexure C - STANDARD CONDITIONS APPLICABLE TO LIGHTING OF SIGNS

1. Subject to clause 2 and 3 below, no illuminated sign shall produce more than 1000 cds/m² for signage areas less than 10.0m² and not more than 800 cds/m² for areas equal to or greater than 10.0m² (cds/m² = candelas per square metre).
2. No illuminated sign located in a rural environment shall produce more than 600cds/m² for signage areas less than 10.0m², and 400cds/m² for signage areas equal to or greater than 10.0m².
3. Any sign the face of which is at a 90° axis to the road or within 20.0m of a road and 20° of either side of a driver's line of sight, or at road intersections, shall conform to the lower luminance levels required for rural areas.
4. With the exception of neon signs, the lighting filament used to light any sign shall not be visible from ground level except where approved by the Council.

Annexure D - SIGNS SUBJECT TO BUILDING CONSENT

The following signs and their supporting structures may require a building consent prior to their erection:

1. Free standing signs where the maximum height is 3.0 metres or more above ground level, or where the sign area exceeds 2.0m²;
2. Signs suspended clear of any building where the total weight of the sign and supports exceeds 50kg or where the sign area exceeds 2.0m²;
3. Signs attached to the face of any building where the total weight of sign and supports exceeds 50kg;
4. Veranda signs where the total weight of signs and supports exceeds 50kg but is less than 250kg or is supported at less than four locations;
5. All banners with a surface area exceeding 12.0m²;
6. All flags with a surface area exceeding 4.5m².

SCHEDULE 6 - DETERMINATION OF NUMBERS OF ANIMALS ALLOWED TO BE KEPT

The Council specifies the following maximum number of animals of the indicated species permitted to be kept on any property within the indicated zone, as determined by the District Plan:

No determination by Bylaw

SCHEDULE 7 - STANDARDS OF TRAINING REQUIRED FOR STAFF THAT HANDLES FOOD

1. Certificate Levels for Food Handlers

Food Handlers shall hold a certificate in food hygiene that includes a qualification meeting the New Zealand Qualifications Authority Unit Standard 167, Unit Standard 168 or greater.

2. Exemption

The Council may exempt Food Handlers from the requirement to hold a certificate listed above in lieu of some other suitable qualification.

**SCHEDULE 8 - OPERATIONAL AND MANAGEMENT CRITERIA FOR HOSTELS
WITH REGARD TO SAFETY, VENTILATION, SANITARY CONDITIONS AND
OVERCROWDING**

1. Number of Persons Permitted to Sleep in a Bedroom

Area of bedroom	Number of persons
Under 4.5m ²	Nil
4.5m ² or more but less than 6m ²	$\frac{1}{2}$ in an existing building but nil in a new building
6.0m ² or more but less than 10m ²	1
8.0m ² or more but less than 10m ²	$1\frac{1}{2}$
10m ² or more but less than 12m ²	2
12m ² or more but less than 14m ²	$2\frac{1}{2}$
14m ² or more but less than 17m ²	3
17m ² or more but less than 20m ²	$3\frac{1}{2}$
20m ² or more	4 persons and 1 additional person for each additional complete 5m ²

NOTE-

1. For the purposes of this schedule an existing building means a building existing prior to 10 October 1947 being the date when the Housing Improvement Regulations 1947 came into force.
2. For the purposes of this schedule $\frac{1}{2}$ a person means a child who has attained the age of one year and is under 10 years of age.