

SKATEBOARD BAN BYLAW 2018



The Local Government Act 2002 allows the Council to control a public nuisance by introducing a bylaw. This bylaw is made pursuant to Section 145 of the Local Government Act 2002, for the purpose of promoting public safety and the effective regulation of pedestrian and traffic movements on roads, footpaths and public places within the central business district of Gore.

1. Title, purpose and commencement

This bylaw shall be known as the Gore District Council Skateboard Ban Bylaw 2018 and is made for the control of skateboarding in public places.

This bylaw shall come into force on 1 May 2018.

2. Repeal

The Gore Skateboard Ban Bylaw 2008, is hereby replaced from the date this bylaw comes into force.

3. Dispensing power

It shall be lawful for the Council in any particular case or cases, by resolution to dispense with any of the following requirements of this Bylaw.

4. Interpretation

In this bylaw, unless the context otherwise requires:

Council means the Gore District Council.

Footpath means so much of any street as is laid out or constructed by authority of the Council primarily for pedestrian, and includes any area of land owned or controlled by the Council which is set aside for the convenience of pedestrians generally, as a square, place, plaza or public access way.

Officer means any person appointed as an Enforcement Officer under the Local Government Act 2002 but also includes a Police Officer.

Ride or skateboard means having either one or both feet or any other part of the body of any person, on the skateboard when it is moving.

Skateboard means any recreational wheeled device controlled or propelled by gravity, by the muscular energy of the rider, or by an electric or combustion engine including but not limited to: longboards, non-motorised scooters, roller skates, in-line skates or similar recreation devices. The definition does not include any wheelchair, baby or invalid carriage.

5. Acts prohibited

- (1) No person shall ride any skateboard on any road, pavement or in any public place within the “Skateboard Ban Area” shown on the attached map.
- (2) This bylaw shall not restrict or prevent the use of any wheelchair, pushchair, pram, trolley, cart or other device constructed for and used for the purpose of assisting transportation of disabled persons, young children or personal effects.

6 Offence

Every person who breaches this bylaw commits an offence and is liable on summary conviction to the penalty set out below.

7. Penalty for breach of Bylaw

Any person convicted of an offence against this bylaw is liable, on conviction, to a fine not exceeding \$20,000.

8. Enforcement

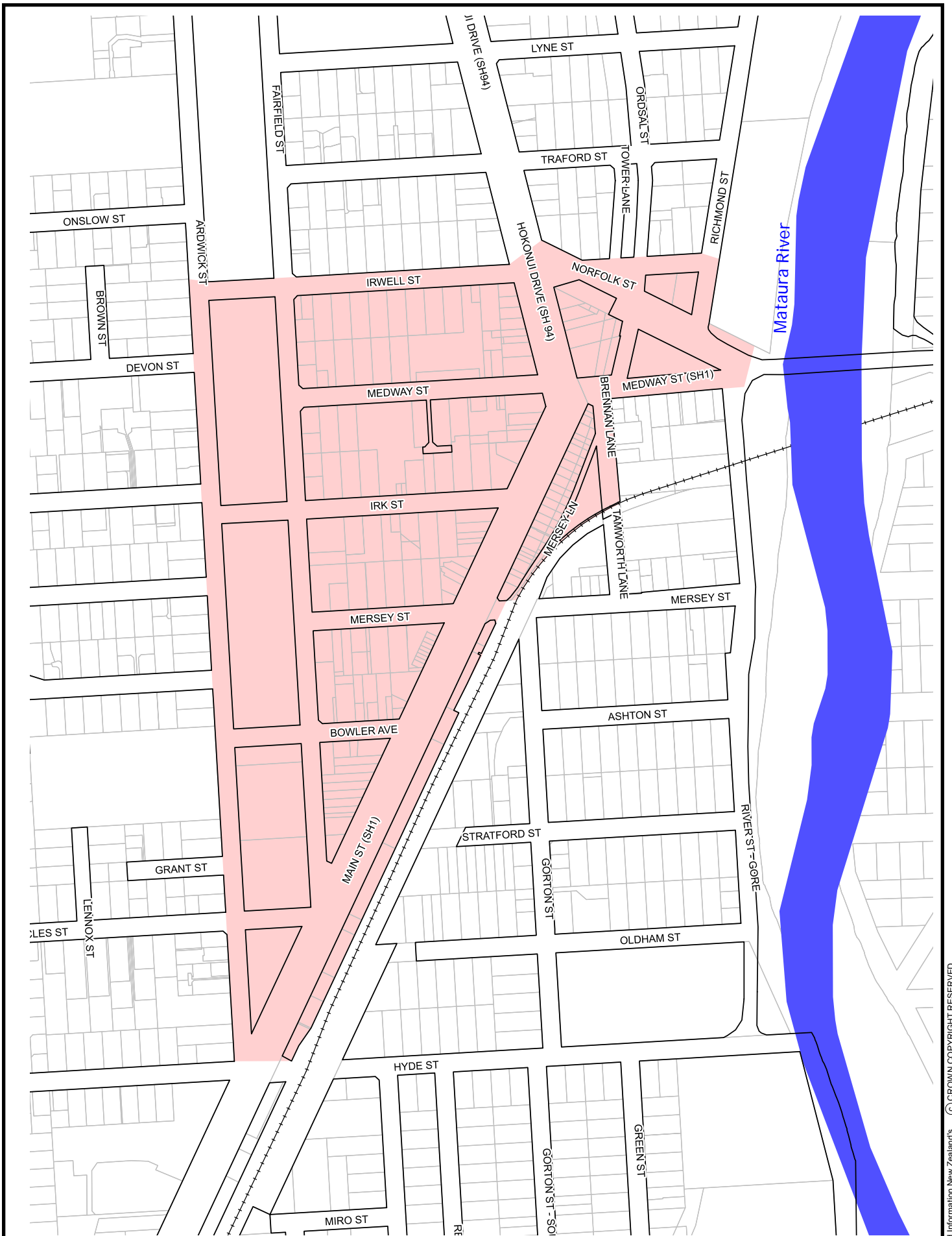
- (1) An officer may impound at the Council’s offices or a Police Station any skateboard used in breach of this bylaw by a person who has previously been personally requested to refrain from using the skateboard in breach of the bylaw, and has been advised of this power to impound the skateboard.
- (2) Upon payment of a fee of \$20 any impounded skateboard will be returned to the identified owner after the expiry of five (5) working days.
- (3) If an impounded skateboard remains unclaimed and the impounding fee unpaid after the expiry of six (6) months from the date of impoundment, the owner will be served notice that the skateboard shall be destroyed within 15 working days of the date of the said notice unless payment of the impounding fee is made within the 15 working day notice period.

The foregoing bylaw was duly adopted at a meeting of the Gore District Council held on the 10 April 2018 and ordered to come into force on the 1st day of May 2018.

The COMMON SEAL of the GORE DISTRICT COUNCIL was hereunto affixed this 10th day of April 2018, in the presence of:

_____ **Tracy Hicks, Mayor**

_____ **Stephen Parry, Chief Executive**



SKATEBOARD BAN AREA

Scale 1:4000

**GORE DISTRICT COUNCIL
SKATEBOARD BAN BYLAW 2018**

DATE: FEB 2018
REF: 1679.wor

