

**FAR NORTH DISTRICT COUNCIL
BYLAWS**

CONTROL OF VEHICLE CROSSINGS 2010

Issued: 26 May 2010

To come into force: 1 July 2010

For the purpose of: Regulating the use, construction and maintenance of vehicle crossings giving access from public roads to properties located within the Far North District, by requiring compliance with the Far North District Council's construction and maintenance standards for vehicle crossings.

INDEX

Clause

2601	Introduction
2602	Interpretation
2603	Use of Vehicle Crossings
2604	Application required.
2605	Existing Vehicle Crossings
2606	General requirements for construction of vehicle crossings
2607	Maintenance of vehicle crossings
2608	Temporary vehicle crossings
2609	Redundant or excessive vehicle crossings
2610	Right of Appeal
2611	Changes to Schedules
	First Schedule - Application form and Permit
2612	Offences and Penalties

2601 INTRODUCTION

2601.1 The purpose of this Part of this Bylaw is to regulate the use, construction and maintenance of vehicle crossings giving access from public roads to properties located within the Far North District, by requiring compliance with the Far North District Council's construction and maintenance standards for vehicle crossings *Purpose of Bylaw*

2601.2 This Part of this Bylaw applies to all types of vehicle crossings, including those in residential (urban), commercial, industrial and rural areas, where such crossings give access from public roads to properties located within the Far North District. *Scope of bylaw*

2602 INTERPRETATION

2602.1 **“Chief Executive”** means the Chief Executive Officer of the Council and includes any person to whom the duties of the Chief Executive have for the time being been delegated. *Meaning of “Vehicle Crossing”*

“Council” means the Far North District Council and any officer authorised to exercise the authority of the Council.

“Vehicle Crossings” means a vehicular entrance formed to provide access to any premises from the carriageway of the public street or road fronting those premises, and includes any crossing constructed over a footpath, kerb, berm, water channel, or drain.

“Vehicle and Motor Vehicle” shall have the same meanings as in section 2 (1) of the Land Transport Act 1998.

2603 USE OF VEHICLE CROSSING

2603.1 No person shall drive, ride, propel, or wheel any motor vehicle, across any footpath, kerb, berm, water channel or drain in any public place otherwise than upon and by means of a vehicle crossing properly constructed under the provisions of this Bylaw or heretofore constructed in accordance with all Bylaws of the Council in force at the time of such construction. *Requirements to use a Vehicle Crossing*

2604 APPLICATION REQUIRED

2604.1 No person shall construct, reconstruct, or relocate a vehicle crossing without first making application to the Chief Executive for a permit to do so and without first making payment of such fees as may be prescribed by resolution of the Council from time to time. *Application to construct, repair, reconstruct or relocate vehicle crossing*

- 2604.2 Every person making application for a permit to construct, repair, reconstruct, or relocate a vehicle crossing shall pay a fee as prescribed in Council's Fees and Charges Schedule *Inspection fee payable*
- 2604.3 A permit for the construction, repair, reconstruction or relocation of a vehicle crossing shall be valid for six months, during which time the work shall have been completed, to the satisfaction of the Chief Executive. *Duration of Approval*
- 2604.4 If construction, repair, reconstruction, or relocation of a vehicle crossing has not completed within six months of the date of issue of the permit, the permit shall be deemed to have expired and the permit holder shall be required to apply for a fresh permit and pay another fee before construction, repair, reconstruction or relocation can commence or be continued. *Expiry of Permit*
- 2604.5 All applications to construct a Vehicle Crossing shall be accompanied by a Temporary Traffic and Safety Plan. *Temporary Traffic Plan required*
- 2604.6 If a RAPID or Street number does not already exist, all applications for the construction of a Vehicle Crossing shall also be accompanied by an application for such numbering, and all fees shall be paid in accordance with Council's Fees and Charges Schedule *RAPID or Street number to be provided.*
- 2605** **EXISTING VEHICLE CROSSINGS**
- No vehicle crossing existing at the time this Part of this Bylaw came into force shall be altered, repaired, reconstructed, or relocated, except in accordance with the provisions of this Bylaw. Before any existing vehicle crossing is altered, repaired, reconstructed or relocated, an application, along with the plans and specifications should be submitted to the Chief Executive for approval. *Existing Vehicle crossing – repair or relocation*
- 2606** **GENERAL REQUIREMENTS TO CONSTRUCT A VEHICLE CROSSING**
- 2606.1 Except with the permission of the Chief Executive no vehicle crossing shall be constructed that does not comply with the requirements of the Council's current Engineering Standards and Guidelines for vehicle crossings *Crossings to be constructed to Council requirements*
- 2606.2 Every vehicle crossing is to be constructed in such a way that any water or metal discharged over the crossing is controlled appropriately and does not present a nuisance or cause damage to *Control of discharge*

public property.

- 2606.3 Any vehicle crossing in an urban area that has only been partly constructed shall be lighted every night between sunset and sunrise until the construction is fully completed. *Lighting of incomplete constructions*

2607 MAINTENANCE OF VEHICLE CROSSINGS

- 2607.1 Every vehicle crossing shall at all times be maintained in good repair to the satisfaction of the Chief Executive. This would also include the property owner carrying out at least one clean out of the culvert per annum, prior to the winter season commencing *Crossing to be well maintained*
- 2607.2 If at any time, in the opinion of the Chief Executive, a vehicle crossing is unsafe or in a state of disrepair, the Chief Executive may, by written notice addressed to the owner or occupier of the property to which the crossing gives access, require the owner or occupier, to remove, repair, or reconstruct the crossing within the time period specified in the notice. If the recipient of a notice fails to comply with that notice within the prescribed time, the Council may arrange for such removal, repair or reconstruction to be carried out and may charge the owner or occupier for the full costs of such work, including administration costs *Crossings unsafe or in a state of disrepair*

2608 TEMPORARY VEHICLE CROSSING

- 2608.1 No person shall take or drive, or permit, a motor vehicle to cross any footpath or water channel during the course of construction or other work, on an adjoining property, or to deliver or collect buildings or materials used in connection therewith except with the prior written approval of the Chief Executive and subject to such terms and conditions as may be imposed, which may include the provision of a temporary crossing. *Temporary crossings*
- 2608.2 All temporary crossings constructed in an urban area as defined in clause 2608.1 shall be lighted every night between sunset and sunrise, until the temporary crossing is removed, and the street channels shall be kept clear of obstacles. *Lighting of Temporary Crossing*

2609 REDUNDANT OR EXCESSIVE VEHICLE CROSSINGS.

- 2609.1 Where the Council is satisfied that any crossing is redundant, or is in excess of the reasonable requirements of the owner or occupier of the property, the Chief Executive may serve notice upon the owner or occupier that Council will *Redundant or excessive crossings*

remove such crossing at the expense of the Council.

2610 **RIGHT OF APPEAL**

2610.1 Any person who has received a notice requiring that person to repair, reconstruct or relocate a vehicle crossing, shall have the right to appeal to the Council, which may confirm, reverse or modify any such requirement. Appeals shall be made in writing and lodged with the Council within 28 days of the date of issue of the requirement appealed against. *Right to appeal*

2611 **CHANGES TO SCHEDULES**

2611.1 The Council may from time to time, by resolution, make alterations to the Schedules of this Part of this Bylaw. *Changes schedules to*

2612 **OFFENCES AND PENALTIES**

2612.1 Any person who does anything in breach of any provision of this bylaw commits an offence and on summary conviction shall be liable to a fine not exceeding \$20,000. *Offences Penalties and*



Vehicle Crossing Permit Application Form

Application form to be complete in full

Applicant's name:	
Mailing address:	
Phone numbers:	
Fax No:	
Site Location Address:	
Existing Footpath Construction, e.g. Concrete/slab/tarseal:	
Legal Description:	
Valuation Number:	

Checklist:

Does the application include a site plan showing any other crossings at the site?	Yes	No
Does the application show the approximate location of the nearest street/road intersections	Yes	No
Does the application include the appropriate fee for a new crossing or expired permit?	Yes	No
Does the property have a RAPID or street number?	Yes	No
If NO, is an application for RAPID or street number included with Vehicle Crossing application?*	Yes	No

**If NO ask applicant to apply)*

Applicant's Signature

Date

OFFICE USE ONLY

Receipt number:

Date:

Application number:



Far North
District Council

Permit to Construct or Repair a Vehicle Crossing

Permit Approval Number:	
--------------------------------	--

Approval is given to _____ (**Applicant's name**) _____ for the construction/repair/reconstruction/relocation of a vehicle crossing providing access from: _____ (**road/street name**), _____ (**town name**) to the property located at: _____ (**address**), legally described as: _____ (**text**).

The permit is issued subject to the construction or repair work complying with Council's Engineering Standards for Vehicle Crossings and the following conditions;-

1. Construction as per plans submitted (approved copy **attached**).
2. Construction to be inspected by Council Officer on completion.
3. etc
4. etc

Note:

This approval is valid for six months from the date of issue. In the event of failure to complete within the six months, the permit will be deemed to have expired.

A further application will need to be submitted for re-approval before the work can be commenced or completed. In the event of an application being cancelled by the applicant, a portion of the fee will be refunded, however a fee will be withheld for administration costs.

Signed on behalf of the Far North District Council:

Signature

Date

Title: _____