

**HAMILTON TRAFFIC AND SIDEWALKS ORDINANCE 1988 AMENDMENT  
ORDINANCE 2002**

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**CORPORATION OF HAMILTON**

**BR 63 / 2002**

**HAMILTON TRAFFIC AND SIDEWALKS ORDINANCE 1988 AMENDMENT  
ORDINANCE 2002**

In exercise of the powers conferred upon the Corporation of Hamilton by section 38 of the Municipalities Act 1923 and by Section 13 of the Road Traffic Act 1947, and every other power the Corporation hereunto enabling, the following Ordinance is hereby made—

**Citation**

1 This Ordinance may be cited as the Hamilton Traffic and Sidewalks Ordinance 1988 Amendment Ordinance 2002.

**Interpretation**

2 In this Ordinance—

“article” means article of the Ordinance;

“the Ordinance” means the Hamilton Traffic and Sidewalks Ordinance 1988

**New Definitions**

3 The following definitions are inserted in Article 2 of the Ordinance—

“City car park” means any property owned or leased by the Corporation for the parking of vehicles and includes fee car parks;

“fee car park” means any car park designated as a fee car park in Schedule 1 of the Municipalities (Hamilton Pay and Display Parking) Ordinance 1986;

“pay parking area” means those streets or parts of streets designated as pay parking streets in Schedule 1 of the Hamilton Pay and Display Voucher Parking Ordinance 1995;

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“service vehicle parking area” means an area allotted or set aside by the Corporation on a street or in a City car park for the exclusive purpose of parking of goods vehicles which have been issued service vehicle parking permits and is designated as such by public notice or by traffic signs;

“service vehicle parking permit” means a parking permit device of a type and design approved and issued by the Corporation for a goods vehicle;

“special goods vehicle parking area” means an area allotted or set aside on a street or in a City car park by the Corporation for the parking of goods vehicles which have been issued a special goods vehicle parking permit and is designated as such by public notice or by traffic signs;

“special goods vehicle parking permit” means a parking permit device of a type and design approved and issued by the Corporation for a goods vehicle;

**Amends definitions**

4 The following definitions are amended in article 2 of the Ordinance as follows—

- (i) by the insertion of the word “a Saturday” between the words “than” and “a” in the definition of “loading hours”;
- (ii) by the addition of words “or any City car park” after the words “or near any street” in the definition of “traffic sign”;

**Rescinds and replaces article 7**

5 Article 7 is rescinded and the following paragraph is substituted—

“7 No person shall park, or permit or cause any vehicle or part of any vehicle to be parked:

(1) on any street or City car park in such position or in such manner so as to obstruct the entrance to any other street, entrance, private drive or City car park;

(2) on any street or sidewalk or in any City car park in such manner as to be likely to cause danger to other persons using the street or sidewalk or City car park;

(3) on any street, sidewalk, City car park or other property which is closed to traffic by order of the Corporation under the Road Traffic Act 1947.”

**Rescinds and replaces article 10(1)**

6 Article 10(1) of the Ordinance is rescinded and the following paragraph is substituted—

“10 (1) The Corporation may erect or place traffic signs restricting the parking of certain or all classes of vehicles on any street or part of any street, or in any City car park or part of any City car park, and may erect signs limiting the length of

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time vehicles, or certain classes of vehicles, may be parked on any street or part of any street, or in any City car park or part of any City car park;”

**Rescinds and replaces article 11**

7 Article 11 is rescinded and the following paragraph is substituted—

“11 (1) No Vehicle other than a goods vehicle may be stopped or parked in a loading zone during loading hours;

(2) No goods vehicle other than a shipping container may be parked in a loading zone during loading hours for more than one hour;

(3) Within a pay parking are no goods vehicle other than a shipping container may be stopped or parked in any loading zone during loading hours for more than ten (10) minutes except while the goods vehicle is being loaded or unloaded, and in the event that a goods vehicle is parked in any loading zone for a period in excess of ten (10) minutes without any visible signs of goods being loaded or unloaded from the goods vehicle then it shall be presumed that the vehicle is being neither loaded nor unloaded;

(4) No vehicle other than a goods vehicle issued with a service vehicle parking permit shall be parked in a service vehicle parking area;

(5) No vehicle other than a goods vehicle issued with a special goods vehicle parking permit shall be parked in a special goods vehicle parking area;

(6) Nothing in this article shall be deemed to permit anything prohibited by any other article of this Ordinance.”

**Rescinds and replaces article 13**

8 Article 13 of the Ordinance is rescinded and the following paragraph is substituted—

“13 No vehicle shall be stopped or parking in any street or in any City car park in such a manner so as to cause an interruption of traffic.”

**Rescinds and replaces article 19**

9 Article 19 of the Ordinance is rescinded and the following paragraph is substituted—

“19 No public carriage shall be parked in any street or in any City car park other than in an area designated for the parking of such vehicles.”

**Amends article 28**

10 Article 28 of the Ordinance is amended as follows—

(i) in sub-section (a) by the addition of the words “or in any City car park” after the words “in any street”;

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- (ii) in sub-section (b) by the insertion of the words “or in any City car park” between the words “in any street” and “any vehicle”;
- (iii) in sub-section (f) by the addition of words “or in any City car park” after the words “in any street”;
- (iv) in sub-section (l) by the inserting of the words “or in any City car park” between the words “street” and “except”;
- (v) in sub-section (m) by the addition of the words “or in any City car park” after the words “in any street”;
- (vi) in sub-section (n) by the addition of the words “or in any City car park” after the words “in any street”;
- (vii) in sub-section (o) by insertion of the words “or in any City car park” between the words “in any street” and “payment for reward”;
- (viii) in sub-section (p) by the insertion of the words “or in any City car park” between the words “in any street” and “with other persons”;
- (ix) in sub-section (q) by the insertion of the words “or in any City car park” between the words “in any street” and “any radio”;
- (x) in sub-section (t) by the insertion of the words “or in any City car park” between the words “on any street” and “save with”;
- (xi) in subjection (v) by the addition of the words “or in any City car park” after the words “to any street”.

**Rescinds and replaces article 31(1)**

11 Article 31(1) is rescinded and the following is substituted—

“31 (1) When a contravention of Articles 7 or 28(b) of this Ordinance occurs then whether any proceedings are taken against the driver or not the vehicle concerned may be removed by any police officer, or by any Corporation employee or agent so instructed by the Corporation to such place as the police officer, Corporation employee or agent thinks fit; and no liability shall attach to any authorised person so moving the vehicle or causing it to be moved for any damage or loss occasioned thereby.”

**Commencement**

12 This Ordinance shall come into operation on such date as is to be appointed by the Corporation by notice published in the Gazette.

Passed by the Corporation of Hamilton, this 3rd day of December 2002

By Order  
Secretary  
Corporation of Hamilton