



Alcohol Bylaw 2024

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1 Alcohol Bylaw

- 1.1 This Bylaw is the Tararua Alcohol Bylaw 2024, as reviewed from the Tararua Alcohol Bylaw 2018.
- 1.2 This Bylaw is made under section 145 of the Local Government Act 2002 and any amendments.

2 Commencement

- 2.1 This Bylaw comes into force on XXXXXXXXX
- 2.2 This Bylaw applies to the district of Tararua District Council.

3 Purpose

- 3.1 The purpose of this bylaw is to enhance safety and the public enjoyment of public places within the District by providing for alcohol control in public places to reduce alcohol related harm.

***Explanatory notes:** The provisions of the Local Government Act 2002 (**Act**) provide explicit details about what this type of bylaw can control. Generally, any transporting of alcohol in unopened containers within an alcohol control area is permitted, subject to certain conditions. See section 147 of the Act for further details.*

Alcohol ban areas do not apply to licensed premises, which can include situations where a special license has been issued for a specific event. Licensed premises can include areas of public places such as footpaths.

Under the Act only constables (New Zealand Police Officers) can take enforcement action under this Bylaw. Constables have powers of arrest, search and seizure under the Act and they can also issue infringement notices.

4 Interpretation

- 4.1 In this bylaw, unless context requires otherwise:

Act means the Local Government Act 2002.

Alcohol has the meaning given to it by section 5(1) of the Sale and Supply of Alcohol Act 2012.

Bylaw means the Tararua Alcohol Bylaw 2024.

Council means the Tararua District Council or any officer authorised to exercise the authority of Council.

District means the district of Tararua District Council.

Licensed Premises has the meaning given by section 5(1) of the Sale and Supply of Alcohol Act 2012.

Public Place means a public place as defined under section 147(1) of the Local Government Act 2002, being a place that is open to, or being used by, the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from it; but does not include licenced premises.

Alcohol Ban Area means the public place(s) specified in the Schedule to this Bylaw, and/or any place so designated for a particular event or time as provided under clause 6 of this Bylaw. For the avoidance of doubt this does not include privately owned and controlled premises within the boundaries of the area described; or any part of a public place for which an alcohol licence has been issued under the Sale and Supply of Alcohol Act 2012.

5 Permanent Alcohol Ban Areas

- 5.1 The places listed in **Schedule One** are designated Alcohol Ban Areas in respect of which the consumption of alcohol, the bringing of alcohol into and the possession of alcohol in those places is prohibited on the days of the week and during the hours prescribed for each place.

6 Temporary Alcohol Ban Areas

- 6.1 Council may from time to time, by resolution, make an alcohol ban prohibiting, regulating or controlling the consumption, bringing into, or possession of alcohol in any public place for specified events or for one or more specified periods.
- 6.2 A temporary alcohol ban made under this clause will be publicly notified at least 7 days in advance of the specified event or period.

7 Exceptions

- 7.1 Any person (including a Council employee) may apply to Council for prior written permission for any activity that would otherwise be in breach of this Bylaw.
- 7.2 On application, Council may issue a consent to any person to allow the consumption, bringing in and/or possession of alcohol in a public place within an Alcohol Ban Area.
- 7.3 Council may prescribe conditions for any consent, which must be adhered to at all times. Such conditions could include the duration of the consent; the exact location of the consent; and the maximum number of people the consent applies to.

7.4 Council may, by resolution, prescribe a fee for receiving and processing an application and issuing a consent; and/or determine situations when consent fees may be remitted, refunded or waived.

7.5 A consent may be cancelled by Council at any time.

Explanatory note: *exceptions for events with special licences do not require consent under this clause, as they are excluded from the definition of public places that applies to this Bylaw.*

8 Offences

8.1 A person breaches this Bylaw when they breach a provision in this Bylaw.

8.2 Every person who breaches this Bylaw commits an offence and is liable to pay the maximum fine as set out in the Act.

Explanatory note: *Penalties are prescribed under the Local Government (Alcohol Ban Breaches) Regulations 2013.*

The infringement fee for breaching an alcohol ban is currently \$250.

9 Enforcement Powers

9.1 The Police may use their powers under then Act to enforce this Bylaw.

10 Repeals, Savings and Transitional Provisions

10.1 The Tararua Alcohol Bylaw 2018 is repealed on commencement of this Bylaw.

This Bylaw was made by the Tararua District Council on XXXX 2024.

THE COMMON SEAL of the TARARUA DISTRICT COUNCIL was hereto affixed by resolution of the said Council in the presence of:

_____ Mayor

_____ Chief Executive

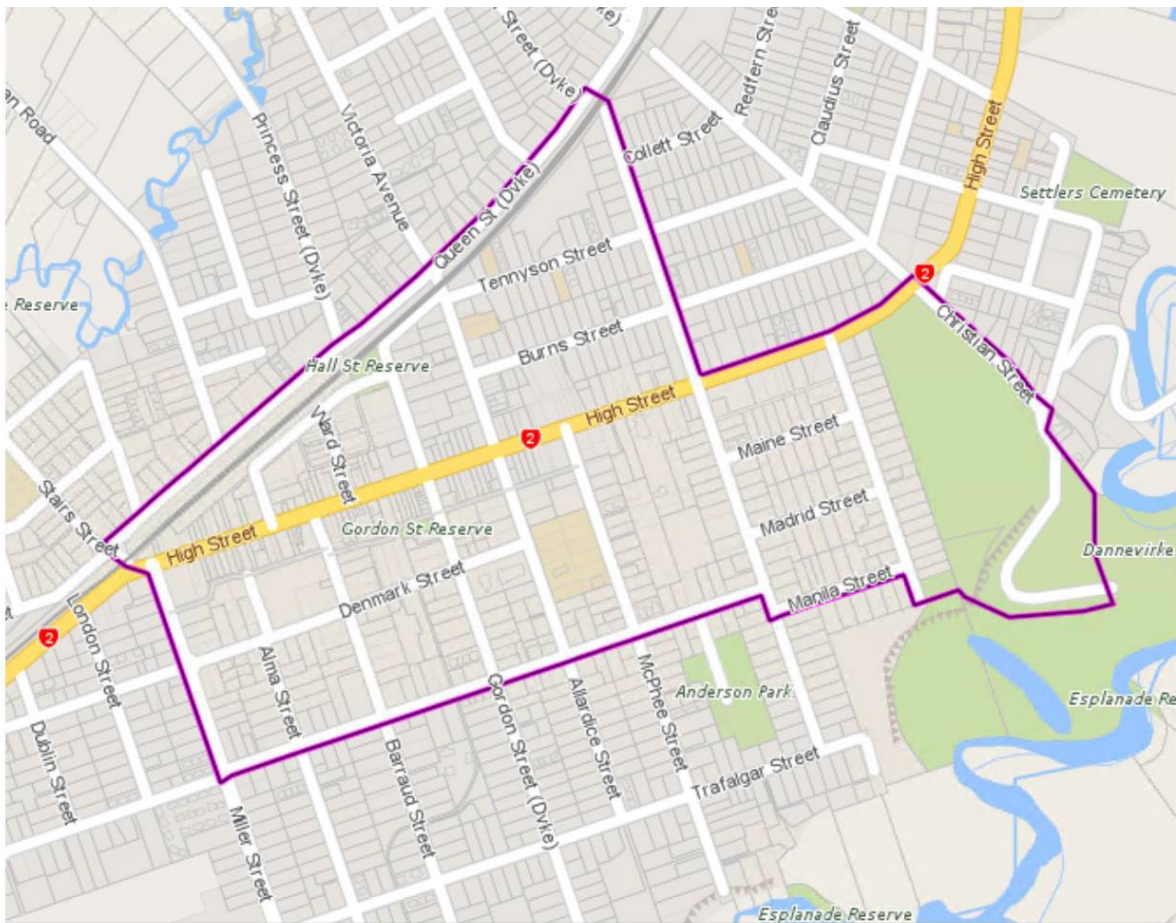
SCHEDULE 1

PERMANENT ALCOHOL BAN AREAS

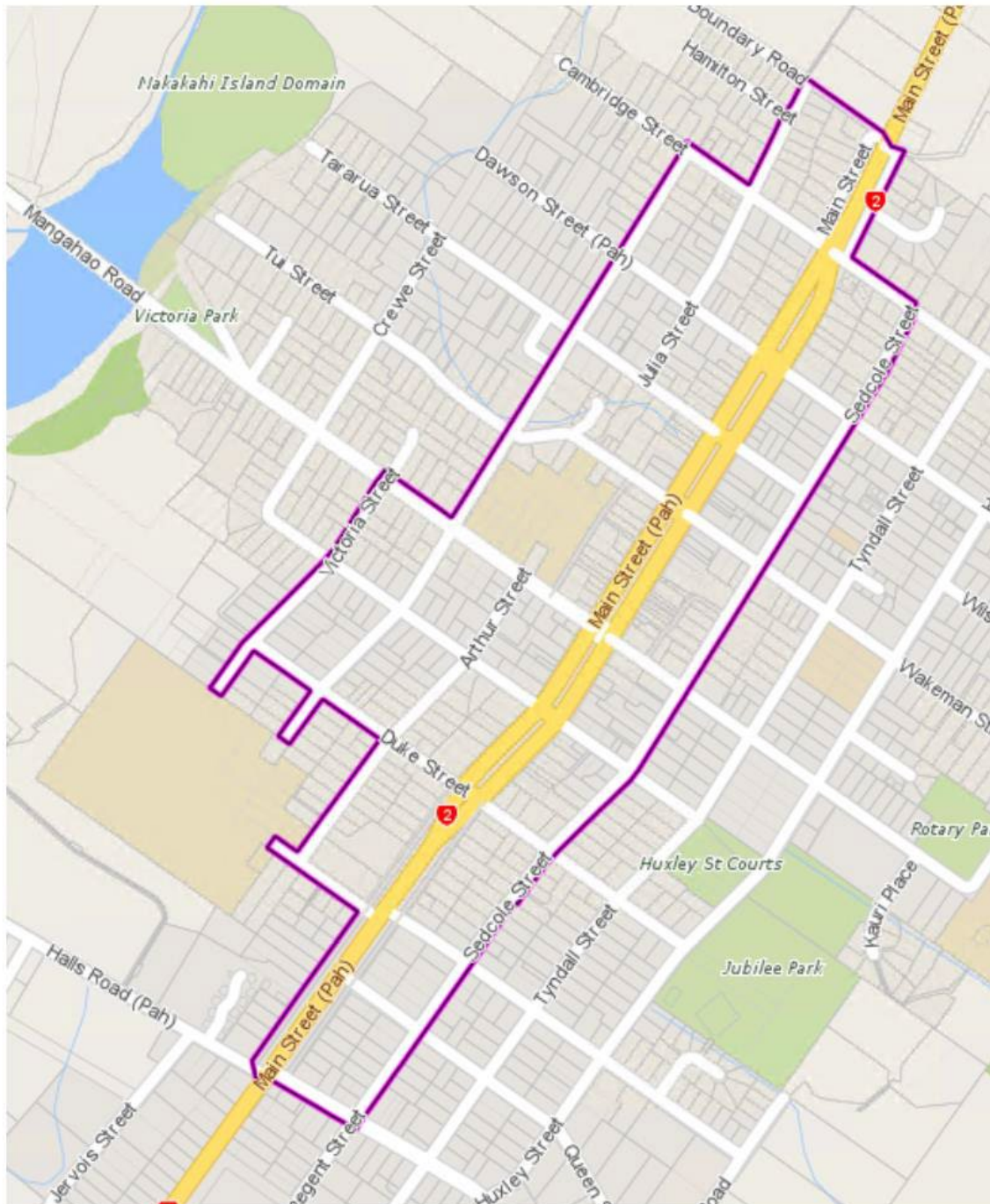
Place	Period
<p>Dannevirke Central Business District</p> <p><i>All areas bounded by and including Miller Street, Queen Street, Swinburn Street and Waterloo Street.</i></p> <p><i>High Street from Swinburn Street to Christian Street, Christian Street from High Street to George Street, Manila, Madrid, Maine and York Streets and the Dannevirke Domain with the exception of the Camping Ground.</i></p> <p><i>(As delineated on the attached map marked Map A).</i></p>	<p>24 hours per day, seven days per week.</p>
<p>Pahiatua</p> <p><i>All areas bounded by and including Victoria Street from Tararua College to Mangahao Road, Mangahao Road from Victoria Street to Albert Street, Albert Street from Mangahao Road to Cambridge Street, Cambridge Street from Albert Street to Julia Street, Julia Street from Cambridge Street to “Boundary Road”, “Boundary Road” (Lot 2 DP 52391 and Lot 5 DP 77025) from Julia Street to Main Street, Main Street from “Boundary Road” to Paterson Street, Paterson Street from Main Street to Sedcole Street, Sedcole Street from Paterson Street to Tiraumea Road, Tiraumea Road from Sedcole Street to Main Street, Main Street from Tiraumea Road to Churchill Street, Churchill Street from Main Street to Tararua College, Arthur Street from Churchill Street to Duke Street, Duke Street from Arthur Street to Victoria Street including Albert Street south towards Tararua College.</i></p> <p><i>(As delineated on the attached map marked Map B)</i></p>	<p>24 hours per day, seven days per week.</p>

<p>Akitio Beach</p> <p><i>All public streets, reserves and beachfront areas from the Akitio Bridge to the southern end of the Esplanade reserve.</i></p> <p><i>(As delineated on the attached map marked Map C)</i></p>	<p>From 12 noon on 24 December in any year to 7 am on 3 January of the following year at all times.</p>
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MAP A: Dannevirke



MAP B: Pahiatua



MAP C: Akitio

