

HURUNUI DISTRICT COUNCIL

BYLAW

Hanmer Springs and Gore Bay Alcohol Ban Bylaw 2018



1. TITLE

1.1 This Bylaw is the Hurunui District Council Hanmer Springs and Gore Bay Alcohol Ban Bylaw 2018.

2. COMMENCEMENT

2.1 This Bylaw comes into force on 1 November 2018.

3. PURPOSE

3.1 The purpose of this Bylaw is to prohibit the consumption, bringing or possession of alcohol in the restricted areas listed, thus:

- (a) Protecting, promoting and maintaining public health and safety in public places;
- (b) Minimising the potential for offensive alcohol related behavior causing harm in public places; and
- (c) Protecting the public from nuisance in public places.

4. INTERPRETATION

4.1 In this Bylaw, unless the context requires otherwise:

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

Alcohol ban means a bylaw made under section 147 of the Local Government Act 2002.

Offence means a breach of an alcohol ban.

Public place means a place -

- (a) that is open to or is 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
- (b) does not include licensed premises.

Hanmer Springs is all that area of Amuri Avenue north of the intersection of Leamington Street, to the junction with Jacks Pass Road, west along Jacks Pass Road to Chisholm Crescent, east along Chisholm Crescent to Conical Hill Road and then south to the area known as "The Reserve" bordering Jollies Pass Road and Conical Hill Road. The area south of Jollies Pass Road in front of the public library at the intersection of Amuri Avenue and Jollies Pass Road. Also the Chisholm Reserve and the reserve between Jacks Pass Road and Chisholm Crescent. The above areas are shown on Map A which forms part of this bylaw.

Gore Bay is all public reserves under Council control and public roads within Gore Bay, including the beach and foreshore, but excluding the camp grounds, all of which are shown on Map B which forms part of this bylaw.

Roads include a street, beach, service lanes, accessway, local accessways and parts of roads such as footpaths, verges and berms.

5. RESTRICTIONS OF ALCOHOL

5.1 No person shall:

- (a) bring alcohol into; or
- (b) possess alcohol in; or
- (c) consume alcohol in:

Hanmer Springs or Gore Bay from 7pm on New Year's Eve until 7am the following day.

5.2 It shall also be an offence to possess or consume alcohol in a vehicle while in any specified public place except for the exemptions outlined in section 6, below.

6. EXEMPTIONS FROM THE ALCOHOL BAN BYLAW

6.1 As outlined in section 147(4) of the Local Government Act 2002, this Bylaw does not prohibit, regulate, or control, in the case of alcohol in an unopened container:

- (a) the transport of alcohol from licensed premises that adjoin a public place if it was lawfully bought on those premises for consumption off the premises, and the alcohol is promptly removed from the public place; or
- (b) the transport of the alcohol from outside a public place for delivery to licensed premises that adjoin the public place; or
- (c) the transport of the alcohol from outside a public place to premises that adjoin a public place by, or for delivery to, a resident of those premises or by his or her bona fide visitors; or
- (d) the transport of the alcohol from premises that adjoin a public place to a place outside the public place if –
 - (i) the transport is undertaken by a resident of those premises; and
 - (ii) the alcohol is promptly removed from the public place.
- (e) the consumption of alcohol in outdoor street areas where a licence to occupy the area has been granted by the Council and where the area is licensed under the Sale and Supply of Alcohol Act 2012.
- (f) the possession or consumption of alcohol in Gore Bay camp grounds.

7. BREACH OF THE BYLAW

7.1 Sections 169 and 169A of the Local Government Act 2002 give Police powers of arrest, search and seizure in relation to enforcing this Bylaw. The Police have the power to search any vehicle or container in the possession of a person entering the public place to determine if that container or vehicle contains alcohol. Police must give that person a reasonable opportunity to remove the container or vehicle from the public place.

Every person who commits an offence, knowing that the bylaw is in force, is liable on summary conviction to a fine.

8. REVOCATIONS

8.1 This bylaw revokes and replaces the Hurunui District Hanmer Springs and Gore Bay Alcohol Ban Bylaw 2011.

9. REVIEW OF BYLAW

9.1 This bylaw shall be reviewed by 1 November 2028.

9.2 This bylaw can be reviewed at any time before that date at the discretion of the Council.

ALCOHOL BAN

For all public areas within:

HANMER SPRINGS TOWNSHIP

31ST DECEMBER

7.00PM TO 7.00AM

The area affected is set out in the map below



Exemptions from the alcohol ban:

- The transport of unopened alcohol to and from residences or licenced premises.
- Outdoor Council-licenced street dining in Hanmer Springs where alcohol is being consumed with a meal.

Every person who commits an offence is liable on summary conviction to a fine.
For information relating to the Hanmer Springs and Gore Bay Alcohol Ban Bylaw 2018
reference www.hurunui.govt.nz/forms-and-documents/bylaws/

ALCOHOL BAN

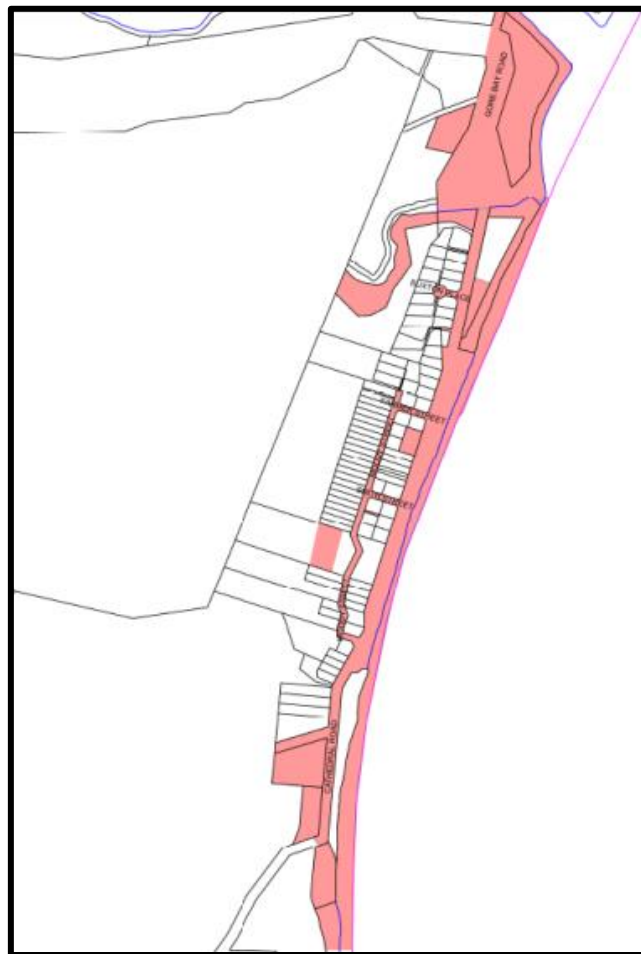
For all public areas within:

GORE BAY TOWNSHIP

31ST DECEMBER

7.00PM TO 7.00AM

The area affected is set out in the map below



Exemptions from the alcohol ban:

- The transport of unopened alcohol to and from residences or licenced premises.
- Gore Bay Camping Grounds

Every person who commits an offence is liable on summary conviction to a fine.
For information relating to the Hanmer Springs and Gore Bay Alcohol Ban Bylaw 2018
reference www.hurunui.govt.nz/forms-and-documents/bylaws/