

**NELSON CITY COUNCIL
CAMPING BYLAW
20/5/2011**

(No 220)

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1. INTRODUCTION

- 1.1. This Bylaw shall be known as the "Nelson City Council Camping Bylaw No.220".
- 1.2. This Bylaw is made under the authority of sections 145 and 146 of the Local Government Act 2002.
- 1.3. This Bylaw was made at the Ordinary Meeting of the Nelson City Council held on 19 May 2011 and shall come into force on the 20th day of May 2011, and shall apply to the whole of the Nelson City Council District.
- 1.4. The purpose of this Bylaw is to protect the public from nuisance, and to protect, promote and maintain public health and safety by providing for the management, regulation and restriction of camping within the Nelson City Council District.

2. REPEALS

- 2.1. The following Bylaws are hereby repealed:
 - (a) The Nelson City Bylaw 211/2006 – Reserves Bylaw – section 13.
 - (b) The Nelson City Bylaw 207/2004 – Parking and Vehicle Control Bylaws – section 11.0.

3. DEFINITIONS

Camp or **Camping** - Means any overnight camping at any public place:

- in a building, tent, or other structure; or
- in a boat, or a car, campervan, caravan, or other vehicle; or
- sleeping or staying overnight outdoors.

Council - Means the Nelson City Council.

Licensed camping ground - Means a camping ground that is the subject of a current certificate of registration under the Camping Ground Regulations 1985.

Litter - Shall have the same meaning as defined in the Litter Act, 1979.

Enforcement Officer or Officer - Shall mean an Enforcement Officer appointed pursuant to Section 177 of the Local Government Act, 2002.

Overnight camping - Means camping between the hours of 8pm and 9am.

Public place - Means any place that is under the control of Nelson City Council and that is open to, or being used by, the public (whether or not there is a charge for admission); and

- includes any part of a public place; and
- includes a legal road, formed or unformed, which is under the control of Nelson City Council

4. PROHIBITION OF CAMPING

- 4.1. A person must not camp in any public place, except as provided for in Clause 4.2 of this Bylaw.
- 4.2. Clause 4.1 does not apply if the person is camping:
 - (a) at a licensed camping ground; or
 - (b) on a reserve where camping has been authorised by a permit issued by the Council.
- 4.3. Every person camping as permitted by Clause 4.2 of this Bylaw shall ensure that the area on which that person camps or upon which that person's camper vehicle is situated remains clean and tidy and free of all litter or waste of any kind.

5. COUNCIL MAY REVOKE PERMITTED CAMPING

- 5.1. Any Enforcement Officer of the Council may direct a person camping in accordance with permission granted under clause 4.2 to leave the area at which he or she is camping if the officer believes on reasonable grounds that the person:
 - (a) has acted in a manner likely to be a nuisance to, offend or annoy other people; or
 - (b) is causing reasonable public health and safety concerns; or
 - (c) has damaged or is likely to cause damage to the area or any property on the site, whether that property belongs to Council or any other person; or
 - (d) has stayed at the site, or within the permitted area for longer than permitted by this Bylaw.
- 5.2. If a person is given a direction under clause 5.1, his or her permission to camp is revoked as from the date and time that the direction is given, and that person shall leave the site upon which they are camping immediately, and shall be prohibited from returning to that area for such period as the officer deems fit.
- 5.3. A person ordered to leave any area pursuant to Clause 5.2 of this Bylaw shall remain liable for any breach of this Bylaw.

6. OFFENDERS REQUIRED TO GIVE NAMES

- 6.1. Any Enforcement Officer may require any person who commits a breach of this Bylaw to give their full name and address.
- 6.2. Any person commits a breach of this Bylaw who:
 - (a) Does or causes to be done, or knowingly permits or suffers to be done anything whatsoever contrary to or otherwise than as provided by this Bylaw; or
 - (b) Refuses or neglects to comply with any notice, instruction or direction given to him / her under this Bylaw; or
 - (c) Fails to give their full name and address as required by Clause 6.1 of this Bylaw or otherwise obstructs or hinders any officer in the performance of any duty to be discharged by that officer under or in exercise of any power conferred upon them by this Bylaw or the enabling enactments.

7. PENALTIES

- 7.1. Every person who breaches this Bylaw commits an offence under section 239 of the Local Government Act 2002, and is liable to a summary conviction to the penalty set out in section 242(4) of that Act (being a fine not exceeding \$20,000).