



**THE MASTERTON AND SOUTH  
WAIRARAPA DISTRICT COUNCILS'  
CONSOLIDATED BYLAW 2012**

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**PART THREE**

**TRADING IN PUBLIC PLACES**

## **Masterton District Council**

The Consolidated Bylaws 2012  
comprising parts one to eighteen  
were adopted at the Council Meeting  
held on Wednesday 14<sup>th</sup> August 2013.

The Consolidated Bylaws 2012 came into force  
throughout the Masterton and South Wairarapa  
Districts on the 1<sup>st</sup> September 2013

## **South Wairarapa District Council**

The Consolidated Bylaws 2012  
comprising parts one to six and  
parts eight and nine and  
parts eleven to sixteen  
were adopted at the Council Meeting  
held on Wednesday 31<sup>st</sup> July 2013.

The Consolidated Bylaws 2012 came into force  
throughout the Masterton and South Wairarapa  
Districts on the 1<sup>st</sup> September 2013

# THE MASTERTON AND SOUTH WAIRARAPA DISTRICT COUNCILS' CONSOLIDATED BYLAW 2012

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## Part 3 – TRADING IN PUBLIC PLACES

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**New Zealand Legislation**  
Local Government Act 2002  
Fisheries Act Part IV: 1983

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## **FOREWORD**

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This Bylaw draws on New Zealand Standards 9201 series Trading in Public Places Bylaw. The NZS 9201 series are Model General Bylaws covering various matters under local authority jurisdiction. Local authorities are empowered under the Local Government Act 2002 to make bylaws.

Reference should be made to the Masterton and South Wairarapa District Council Consolidated Bylaw 2012: Part 1 *Introductory* for any other definitions not included in this Part.

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## **1 SCOPE**

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### **1.1**

The general purpose of this Part of the Bylaw is:

- a) To regulate the conduct of persons selling goods on streets, roads, footpaths and other public places; and
- b) To regulate the conduct of persons using vehicles to sell goods and services to the general public.

### **1.2**

This Bylaw is made pursuant to section 145 of the Local Government Act 2002 and its amendments.

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## **2 LICENCE REQUIRED**

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No person, in any public place, shall engage in the sale of goods of any description whatsoever (except as provided in clause 9, Exemptions), without having first obtained a licence or permission from Council.

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## **3 APPLICATION**

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Every person who wishes to sell goods in a public place shall make written application to obtain a licence to the authorised officer of Council. The information to be supplied by the applicant may include any of the following, but not be restricted to:

- a) Name and address of the applicant;
- b) Name and address of the person(s) selling the goods;
- c) The location/site;
- d) The telephone number of the applicant;
- e) The type of goods for sale;
- f) The time sought for selling;
- g) The type of vehicle(s) and registration numbers if applicable;
- h) Evidence of good character.
- i) Copy of any other licence which the applicant may be required to obtain under provision of any Act Regulation or Bylaw

j) Proposed signage

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## **4 LICENCE DETAILS**

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### **4.1**

The authorised officer in granting any licence may impose conditions. The conditions imposed may include, but not be restricted to, any of the following:

- a) Time and place;
- b) Duration of the licence;
- c) Location;
- d) Types of goods for sale;
- e) Area available for sale;
- f) Persons entitled to sell;
- g) Safety and hygiene requirements;
- h) Signage additional to that allowed in the Public Places Bylaw;
- i) Use of musical chimes or other audible devices for attracting customers;
- j) Litter, cleanliness;
- k) Avoidance of nuisances, annoyance or danger to any person;
- l) Name and address to be conspicuously displayed;
- m) Site rental;
- n) Payment of a bond.
- o) Liability insurance

### **4.2**

In a public place, no person may sell goods within the areas defined in the First Schedule.

### **4.3**

The Council may from time to time by resolution publicly notified, amend the First Schedule to add, delete or amend the areas to which the provision of this bylaw shall apply.

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## **5 FEES**

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Council may from time to time by resolution publicly notified prescribe fees for licences and/or site rentals. Fees may differ for any class of licence as prescribed.

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## **6 PRODUCTION OF LICENCE**

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### **6.1**

Every licence holder shall at all times when engaged in the sale of goods, carry a licence and show the licence to any authorised officer on demand.

### **6.2**

Every licence holder shall, notwithstanding the conditions of the licence, upon being requested to do so by an authorised officer alter his/her position for sales to any other position as indicated by the authorised officer.

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## **7 CONDITIONS OF LICENCE**

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An offence under this Part of the Bylaw is committed by any person who trades in a way that is outside of any of the conditions of the licence.

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## **8 LICENCE NOT TRANSFERABLE**

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No licence issued under this part of the Bylaw shall be transferable to any other person.

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## **9 EXEMPTIONS**

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The exemptions allowed under this Part of this Bylaw are as follows:

- a) Selling or disposal by commercial fishermen of limited quantity of fish in the vicinity of a fishing vessel as specified in section 67 (2), Part IV of the Fisheries Act 1983;
- b) Service delivery vehicles including milk vendors;
- c) Any market, stall or stand which has current approval.

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## **10 POWER TO AMEND BY RESOLUTION**

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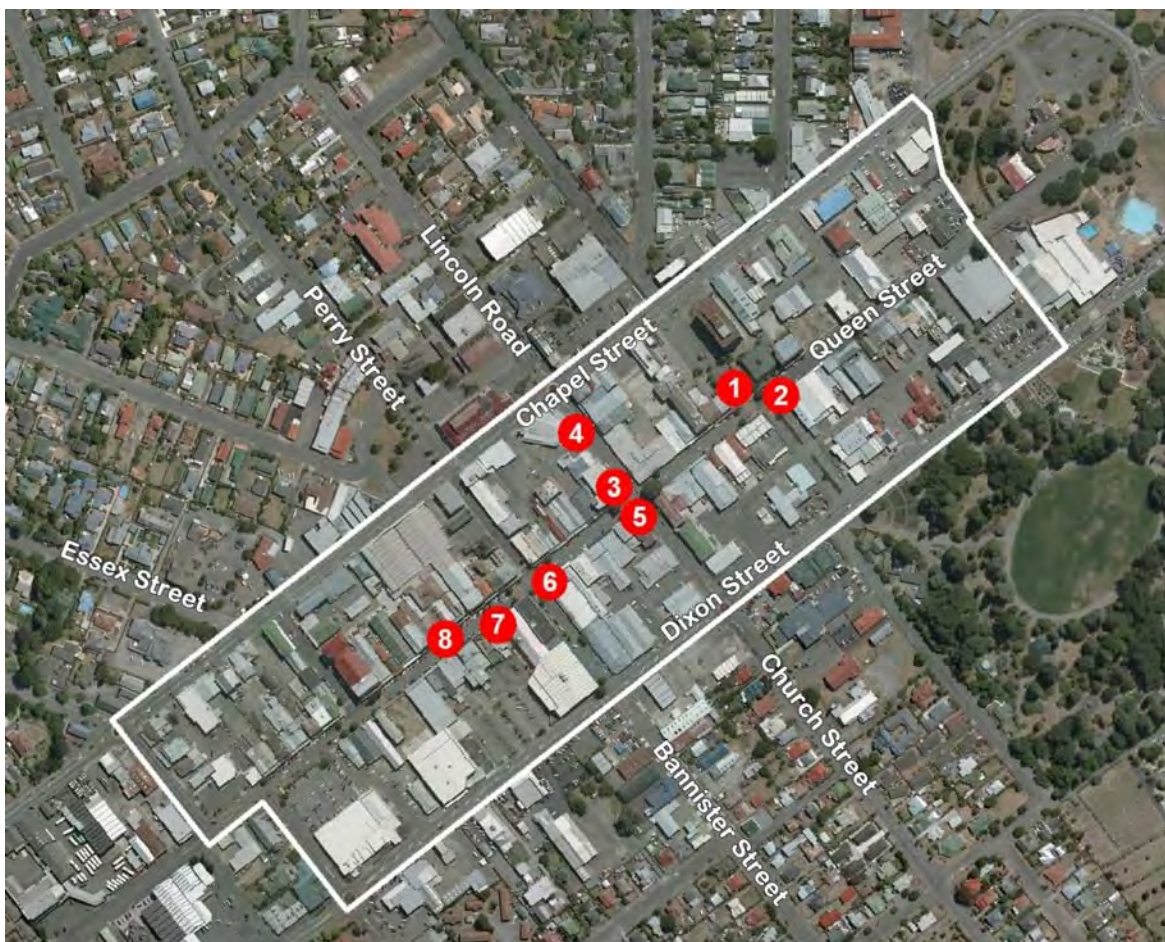
The Council may from time to time by resolution publicly notified:

- a) Add schedules
- b) Make additions or deletions from the schedules
- c) Substitute new schedules

## FIRST SCHEDULE

### Exempted stall sites within Masterton CBD

- Site 1: Library Square on Queen Street, not obstructing paths
- Site 2: Corner of Queen St and Park Avenue outside 53 Queen St,
- Site 3: Corner of Lincoln Road and Queen Street, under awning of 122 Queen St
- Site 4: Pie cart stand at National Bank, Lincoln Road
- Site 5: Corner of Church Street and Queen Street – outside AA
- Site 6: Corner of Bannister Street and Queen St, outside ANZ
- Site 7: Paper plus Alleyway, red pavers, avoiding seating area of Flat White Fiction
- Site 8: Paving area, approx 200 Queen Street













## Exempted Stall Sites – South Wairarapa District Council

### Martinborough

Exempted stall sites within Martinborough CBD

**4 licenses** are available for trading in four car parking spaces around (and adjacent to) the central square (dashed lines indicate area). Approved traders may choose the first available space when they arrive for the day.



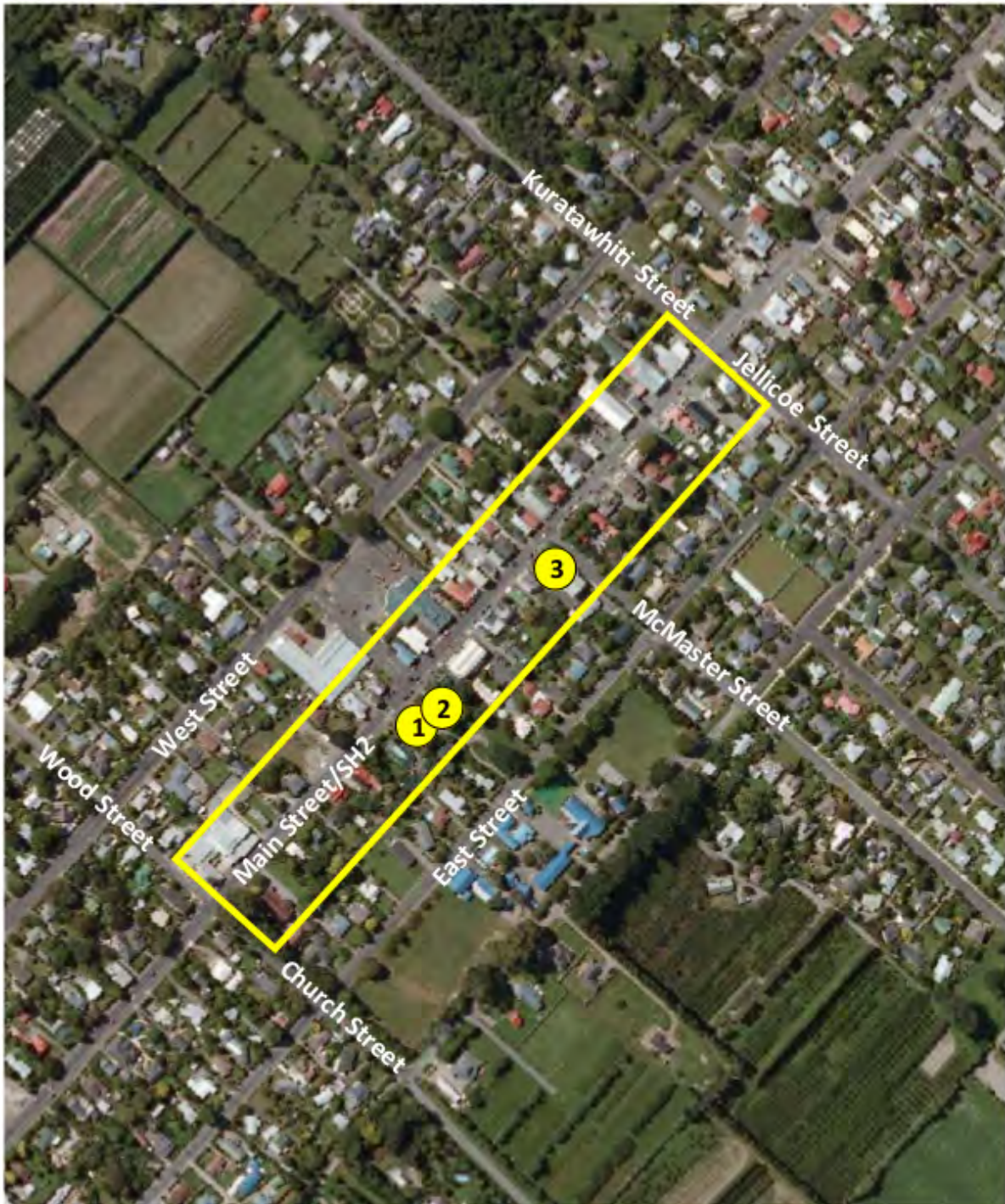


## Greytown

Exempted stall sites within Greytown CBD

**Site 1 & 2:** Main Street entrance to Stella Bull Park, north of Old Library building and not obstructing footpath.

**Site 3:** Greytown Town Centre courtyard (some special conditions apply) .





## Featherston

Exempted stall sites within Featherston CBD

**Site 1 and 2:** Cherry Tree Garden facing Fitzherbert Street, not obstructing footpath.

**Site 3:** Grassy area in front of Fell Museum and Information Centre, near pedestrian crossing and not obstructing footpath.

