

MACKENZIE DISTRICT COUNCIL

**LIQUOR BAN BYLAW 2005 –
MARKET PLACE, TWIZEL**

Pursuant to the powers contained in the Local Government Act 2002, and any other authority enabling the Council in that behalf, the Mackenzie District Council proposes to create the following bylaw:

1. SCOPE:

The Bylaw is made under the authority of Section 147 of the Local Government Act 2002.

The purpose of this bylaw is to enhance public safety, lessen petty crime, to minimize the potential for offensive behaviour in public places, and to reduce the incidence of alcohol related offences of a violent and/or destructive nature by providing for liquor control in Market Place.

2. INTERPRETATION

In this bylaw unless the context otherwise requires:

“**Act**” means the Local Government Act 2002.

“**Council**” means the Mackenzie District Council.

“**Liquor**” has the meaning given to such term in the Sale of Liquor Act 1989.

“**Public Place**” means:

- a) any place that is:
 - i. under the control of the council; and
 - ii. open to, or being used by the public, whether or not there is a charge for admission; and
- b) includes:
 - i. a road, whether or not the road is under the control of the Council
- c) does not include:
 - i. any part of a place for which a liquor licence has been issued in accordance with the Sale of Liquor Act 1989; or
 - ii. any place in any building that is owned or occupied by the Council.

“**Offence**” has the same meaning given to such term in Section 169(1) of the Act.

3. APPLICATION OF THIS BYLAW

- 3.1 This liquor ban bylaw applies to the public place known as Market Place, Twizel. The area includes the Tasman Road car park, the skateboard park, the children's playground and events centre.
- 3.2 This ban applies at all times.
- 3.3 The following acts are prohibited in Market Place:
- a) consumption of liquor (unless there is a licence for occupation);
 - b) bringing liquor into the area;
 - c) possessing liquor, excluding
 - i. taking unopened vessels from a bottle store, or to a 'byo', through the public place;
 - ii. taking liquor to or from a dwelling through a public place, where in either case the liquor is promptly removed from the public place;
 - d) in conjunction with the activities prohibited under paragraphs (a) to (c), the presence or use of a vehicle.
- 3.4 This bylaw does not prohibit the activities described in section 147 (3) of the Local Government Act 2002.

4 PENALTIES

- 4.1 Any person convicted of an offence against this Bylaw is liable on summary conviction for a fine not exceeding \$20,000.

Schedule One : Twizel Liquor Ban Zone, is attached hereto.