

WAITAKERE CITY COUNCIL

BYLAW NO. 8 1990

BARBED WIRE FENCES

The Waitakere City Council, HEREBY MAKES BY SPECIAL ORDER the following bylaw pursuant to the powers contained in the Local Government Act 1974 and any other Act or Authority in any way enabling the Council in that behalf:-

1 SHORT TITLE

The short title of this bylaw shall be the Waitakere City Council Bylaw No. 8 1990 - Barbed Wire Fences.

2 COMMENCEMENT

This bylaw shall come into force on the 13th day of March 1990.

3 INTERPRETATION

"FARM LAND" shall have the means ascribed to those words by Section 2 of the Rating Powers Act 1998.

"FENCE" shall have the meaning ascribed to it from the Fencing Act 1978.

"RURAL AREA" means all that area of the City classified for rural uses under the provisions of the Council's District Scheme prepared under the authority of the Town & Country Planning Act 1997.

"URBAN AREA" means all the remaining area of the City not classified for rural uses.

4 ERECTION

No person shall erect or cause to be erected on any property in an urban area any fence comprised either partly or wholly of barbed wire.

5 REPAIR

No person shall renew or repair or join or be concerned in renewing or repairing in whole or in part any existing fence by the use of bared wire unless the barbed wire is placed at a height of not less than 2 metres in accordance with Clause 4.

6 WAIVER

Notwithstanding anything to the contrary contained in Clauses 4 and 5 where the erection of a barbed wire fence is necessary, or desirable, to prevent the straying of stock from farmland within the urban area the Council may in writing under the hand of the Chief Executive Officer permit the erection of such fence subject to such conditions as may be specified in the permission.

7 PROHIBITION NEAR FOOTPATH

No person shall erect or cause to be erected any barbed wire fence along or within 1 metre of any boundary line between any land or building on the one side or any formed footpath in any public place on the other side where the said land is situated in the rural area.

8 OFFENCES

- (a) Every person who shall execute or do or permit, suffer, or allow to be executed or done, any work or thing contrary to any of the foregoing provisions of this clause commits an offence.
- (b) Every person who shall execute or do or permit, suffer, or allow to be executed or done, any work or thing contrary to any of the foregoing provisions of this clause and who shall not after service upon him of a notice in writing in that behalf under the hand of the Chief Executive Officer, pull down and remove within the time stated in such notice, such work or thing as aforesaid, commits an offence.

The Common Seal of the)
WAITAKERE CITY COUNCIL)
was hereunto affixed pursuant)
to a resolution of Council passed)
on 28 February 1990, in the)
presence of:)

PRINCIPAL ADMINISTRATIVE OFFICER

MANAGER: FINANCE AND ADMINISTRATION