

# Mount Isa City Council

## Subordinate Local Law No. 5 (Parking) 2018

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## Part 1 Preliminary

### 1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 5 (Parking) 2018*.

### 2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No. 5 (Parking) 2013*, which provides for the exercise of local government powers authorised under the *Transport Operations (Roads Use Management) Act 1995*.
- (2) The purpose is to be achieved by providing for—
  - (a) the establishment of traffic areas and off-street regulated parking areas; and
  - (b) the persons who may be issued with a permit to park a vehicle contrary to an indication on an official traffic sign; and
  - (c) the vehicles that can be issued with commercial vehicle identification labels; and
  - (d) the infringement notice penalty amounts for minor traffic offences.

### 3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No. 5 (Parking) 2013* (the *authorising local law*).

### 4 Definitions

Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.

## Part 2 Declaration of parking areas for the TORUM Act

### 5 Declaration of traffic areas-Authorising local law, s 5

- (1) For section 5(1) of the authorising local law, all parts of the local government area are declared to be a traffic area.
- (2) For section 5(2) of the authorising local law, the boundaries of each traffic area are indicated by bold lines circumscribing the hatched areas on the map in schedule 1.

## 6 Declaration of off-street regulated parking areas-Authorising local law, s 6

- (1) For section 6(1) of the authorising local law, each area of land indicated by hatching in the map in schedule 2 is declared to be an off-street regulated parking area.
- (2) For section 6(2) of the authorising local law, the boundaries of each off-street regulated parking area are indicated by bold lines circumscribing the hatched areas on the map in schedule 2.

## Part 3 Parking contrary to parking restriction

### 7 Parking permits issued by local government-Authorising local law, s 7(2)

- (3) This section prescribes—
  - (a) the persons that may be issued with a parking permit mentioned in section 7(1) of the authorising local law; and
  - (b) the circumstances in which the parking permits may be issued.
- (4) A parking permit (a *resident parking permit*) may be issued to a person whose circumstances are as follows—
  - (a) the person resides in a residence situated on a section of road and parking immediately adjacent to the residence is regulated by time; and
  - (b) the issue of the parking permit would not unduly impede the flow of traffic either on the road or in the area; and
  - (c) the residence does not have, and cannot reasonably be provided with, adequate off-street parking; and
  - (d) if the parking permit is granted — there would not be in force more than resident parking permits for the same residence.
- (5) A parking permit (a *community service organisation parking permit*) may be issued to a person whose circumstances are as follows—
  - (a) the person is a community service organisation; and
  - (b) the person will use the parking permit for an activity which is consistent with the objects of the community service organisation; and
  - (c) the activity is undertaken on a section of road where:
    - (i) parking is regulated by time; and
    - (ii) the issue of the parking permit would not unduly impede the flow of traffic either on the road or in the area.
- (6) A parking permit (a *temporary parking permit*) may be issued to allow the holder of the parking permit to park 1 or more vehicles in a designated parking space or spaces for a period specified in the parking permit despite an indication on an official traffic sign to the contrary and despite the fact that paid parking would otherwise apply to the space or spaces.
- (7) A temporary parking permit may only be granted if the local government is satisfied that:

- (a) the applicant is engaged in some temporary activity affecting premises immediately adjacent to the designated parking space or spaces to which the application relates; and
  - (b) it is not reasonably practical for the applicant to carry out the activity unless the designated parking space or spaces to which the application relates are allocated to the applicant's exclusive use for the duration of the activity.
- (8) A parking permit (a ***works zone parking permit***) may be issued to a person if the local government is satisfied that:
- (a) the part of the road to which the application relates is adjacent to a site at which the person is proposing to undertake building or construction work; and
  - (b) the carrying out of the building or construction work is lawful; and
  - (c) having regard to the nature of the building or construction work and the characteristics of the site, it is not reasonably practical for all work activity involving vehicle loading and unloading and associated vehicle movements to be confined within the site.
- (9) A parking permit (a ***local government works parking permit***) may be issued to allow a person to park 1 or more vehicles in a designated parking space or spaces, and for a period specified in the parking permit despite an indication on an official traffic sign to the contrary and despite the fact that paid parking would otherwise apply to the space or spaces if the person is:
- (a) an employee, contractor or agent of the local government; and
  - (b) parking the vehicle or vehicles in the space or spaces:
    - (i) for the purpose of carrying out work for or on behalf of the local government; and
    - (ii) in the course of carrying out his or her duties for or on behalf of the local government.
- (10) A parking permit (a ***visitor parking permit***) may be issued to a person whose circumstances are as follows—
- (a) the person (the ***resident***) resides in a residence situated on a section of road and parking immediately adjacent to the residence is regulated by time; and
  - (b) the parking permit is to be made available by the resident for use by another person who —
    - (i) is visiting or attending at the residence identified in the parking permit; and
    - (ii) intends parking on the section of road immediately adjacent to the residence; and
  - (c) the issue of the parking permit would not unduly impede the flow of traffic either on the road or in the area; and
  - (d) the residence does not have and cannot reasonably be provided with adequate off-street parking; and
  - (e) if the parking permit is granted — there would not be in force more than 2

## **8 Commercial vehicle identification labels-Authorising local law, s 8(2)**

- (1) For section 8(2) of the authorising local law, this section prescribes the vehicles that may be issued with a commercial vehicle identification label.
- (2) A vehicle may be issued with a commercial vehicle identification label if the vehicle—
  - (a) is used for carrying on a business that requires the regular use of loading zones; and
  - (b) is—
    - (i) a horse drawn vehicle constructed, fitted or equipped for the carriage of goods; or
    - (ii) a motor vehicle (excluding any car or motorbike) constructed, fitted or equipped for the carriage of goods; or
    - (iii) a motor vehicle constructed, fitted or equipped for the carriage of persons.
- (3) Also, a vehicle may be issued with a commercial vehicle identification label if a commercial vehicle identification label is displayed on the vehicle and—
  - (a) the vehicle on which the label is displayed is the vehicle specified on the label; and
  - (b) the date specified on the label has not passed.

## **Part 4 Minor traffic offence infringement notice penalties**

### **9 Infringement notice penalty amounts-Authorising local law, s 9**

For section 9 of the authorising local law, the infringement notice penalty amount for an offence mentioned in column 1 of schedule 3 is the corresponding amount stated in column 2 of schedule 3.

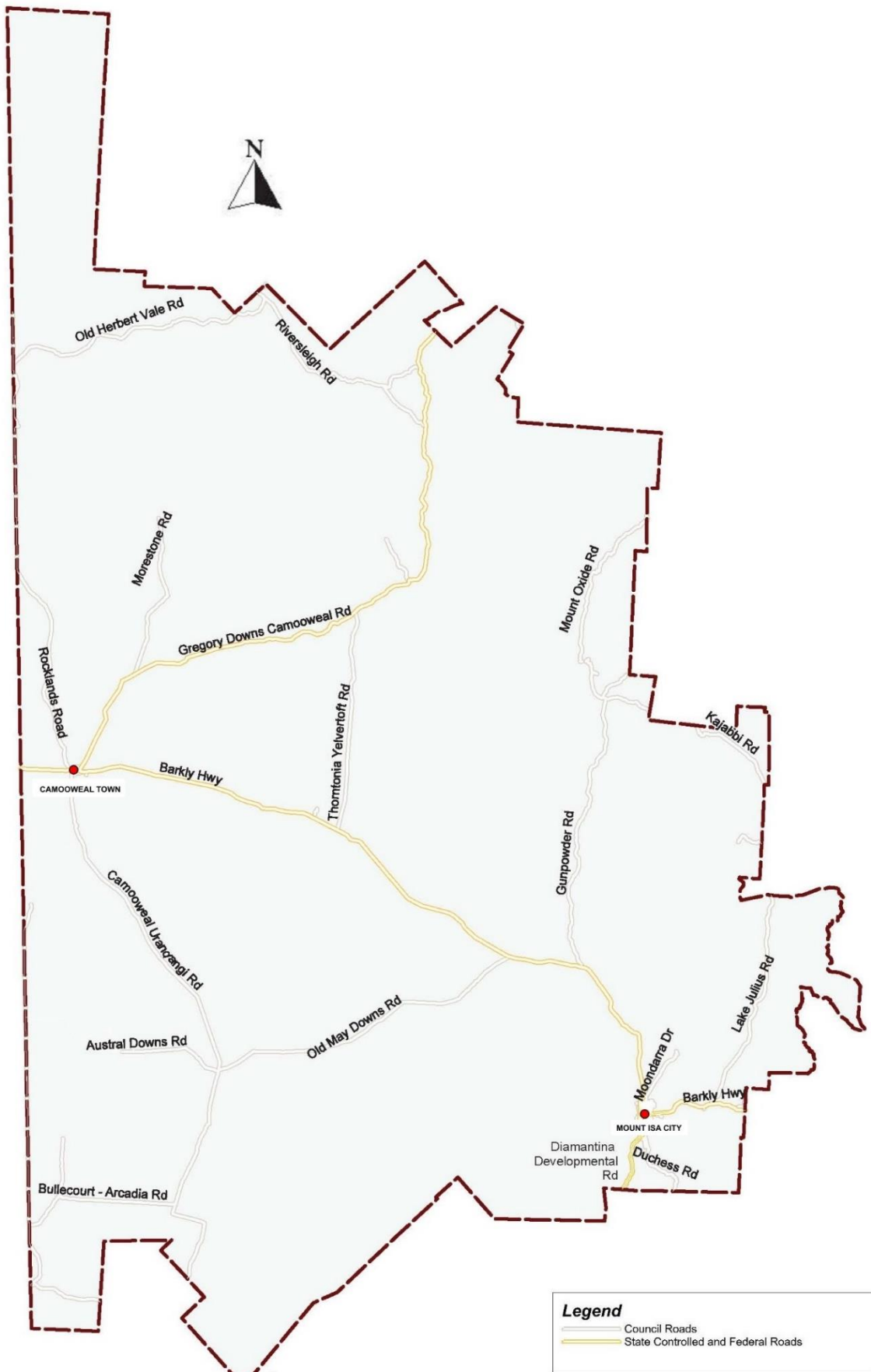
## **Part 5 Miscellaneous**

### **10 Repeal**

This subordinate local law repeals *Subordinate Local Law No. 5 (Parking) 2013*.

# Schedule 1 Declaration of traffic area

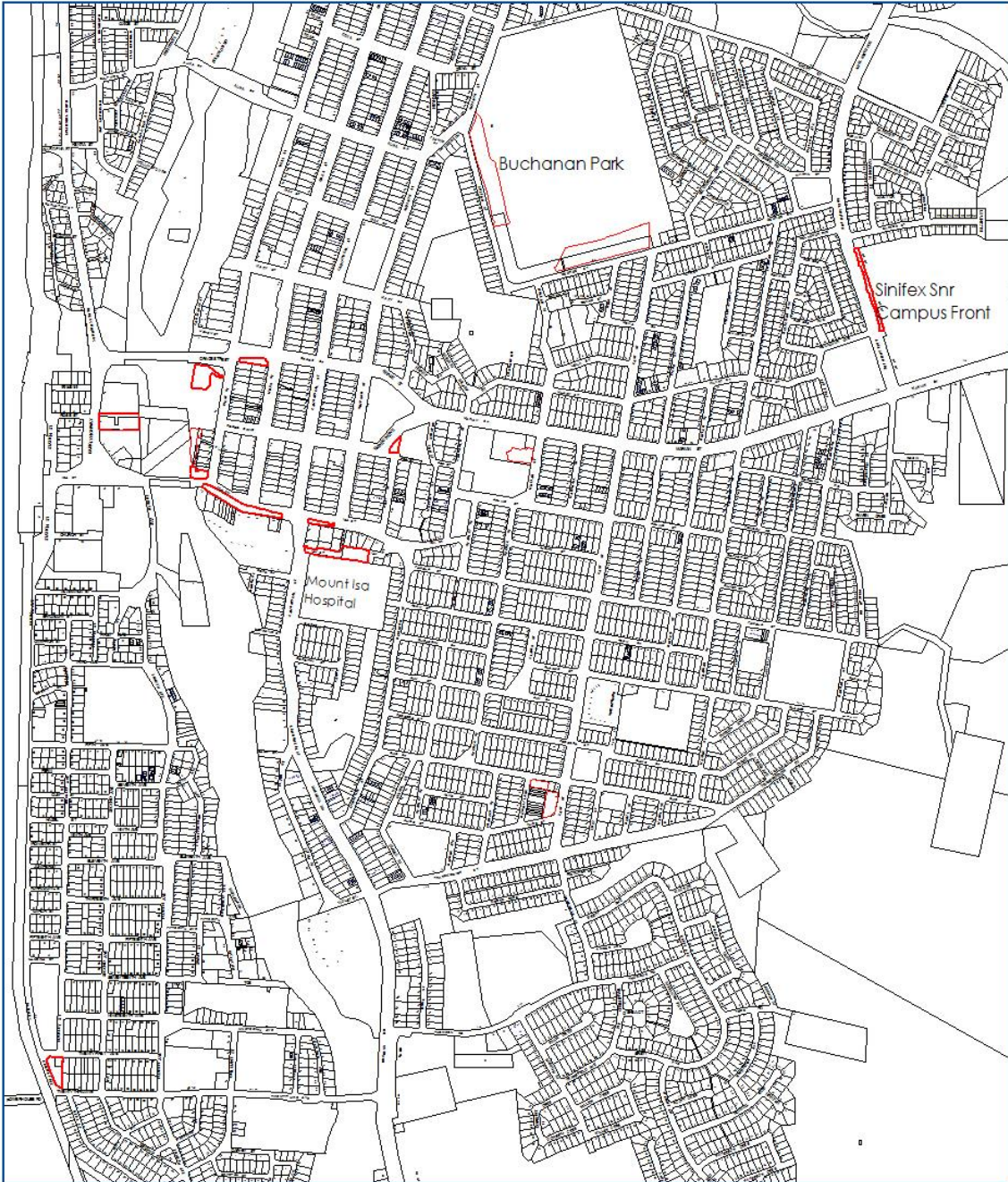
## Section 5



# Schedule 2 Declaration of off-street regulated parking areas

## Section 6

### Off Street Parking



Mount Isa City Council

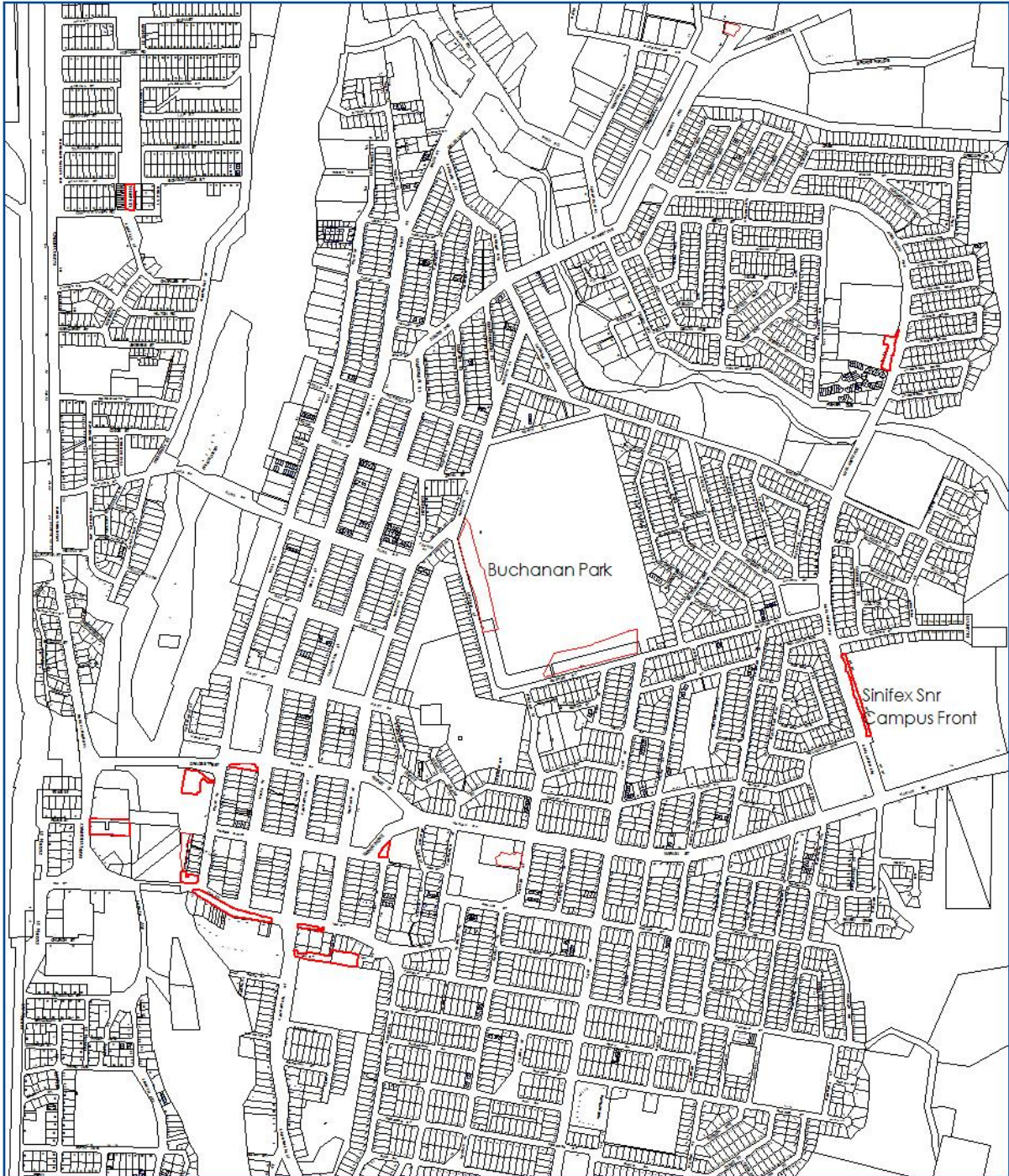
Imagery as at 26/05/2017 | Printed on 20/03/2018

**DISCLAIMER**

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## Off Street Parking



Mount Isa City Council

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### Schedule 3      Infringement notice penalty amounts for certain minor traffic offences

Section 9

	<i>Transport Operations (Road Use Management) Act 1995 provision</i>	<b>Column 1 Minor traffic offence</b>	<b>Column 2 Infringement notice penalty amount</b>
1	106 (1) (a) (i)	Parking a vehicle in a designated parking space.	.5 penalty unit
2	106 (1) (a) (ii)	Parking a vehicle in a designated parking space unless the person has done what is required by an authorised system that applies in relation to the space.	.5 penalty unit
3	106 (1) (b)	Parking a vehicle in a designated parking space for a longer time than the maximum time indicated on the official traffic sign installed for the space.	.5 penalty unit
4	106 (1) (c)	Parking a vehicle in a designated parking space if another vehicle is parked in the space.	.5 penalty unit
5	106 (1) (d)	Parking a vehicle in a designate parking space so that the vehicle is not wholly within the space.	.5 penalty unit
6	167	Stopping on a length of road or in an area to which a no stopping sign applies.	.5 penalty unit
7	169	Stopping at the side of a road marked with a continuous yellow edge line.	.5 penalty unit
8	170 (1)	Stopping in an intersection.	.5 penalty unit
9	170 (2)	Stopping within 20m of an intersection with traffic lights unless permitted by a sign.	.5 penalty unit
10	170 (4) (a)	Stopping within 10m of an intersection without traffic lights unless permitted by a sign.	.5 penalty unit

	<b><i>Transport Operations (Road Use Management) Act 1995 provision</i></b>	<b>Column 1 Minor traffic offence</b>	<b>Column 2 Infringement notice penalty amount</b>
11	172 (1)	Stopping within 20m before a pedestrian crossing that is not at an intersection otherwise than as permitted by a sign.	.5 penalty unit
12	172 (1)	Stopping within 10m after a pedestrian crossing that is not at an intersection otherwise than as permitted by a sign.	.5 penalty unit
13	176 (1)	Stopping on a road contrary to a clearway sign.	.5 penalty unit
14	179 (1)	Stopping an authorised vehicle in a loading zone.	.5 penalty unit
15	179 (2) (b)	Authorised driver stopping in a loading zone for longer than permitted by a sign.	.5 penalty unit
16	181	Unauthorised driver stopping in a works zone.	.5 penalty unit
17	182 (1)	Stopping an unauthorised vehicle in a taxi zone.	1 penalty unit
18	183 (1)	Stopping an unauthorised vehicle in a bus zone	1 penalty unit
19	183 (1)	Stopping a bus in a bus zone contrary to a bus zone sign	1 penalty unit
20	185 (1)	Stopping an unauthorised vehicle in a permit zone.	1 penalty unit
21	186 (1)	Stopping in a mail zone	1 penalty unit
22	189 (1) (a)	Stopping on a two way road between the centre of the road and another vehicle parked at the side of the road.	1 penalty unit
23	191	Stopping on a road so as to obstruct traffic	1 penalty unit
24	197 (1)	Stopping on a bicycle path, footpath, shared path or dividing strip or a nature strip adjacent to a length of road in a built-up area unless permitted by a sign.	1 penalty unit
25	198 (2)	Stopping on or across a driveway unless dropping off	.5 penalty unit

	<i>Transport Operations (Road Use Management) Act 1995 provision</i>	<b>Column 1 Minor traffic offence</b>	<b>Column 2 Infringement notice penalty amount</b>
		or picking up, passengers.	
26	199	Stopping near a post-box.	.5 penalty unit
27	202	Stopping contrary to a motorbike parking sign.	.5 penalty unit
28	203 (1)	Stopping contrary to a people with disabilities parking sign.	2 penalty unit
29	205 (1) (a)	Parking for longer than the period indicated on a permissive parking sign.	.25 penalty unit
30	208 (1)	Parking on a two way road other than parallel and as near as practicable to the far left side of the road.	.5 penalty unit
31	208 (1)	Parking within 3m of a continuous dividing line or dividing strip unless permitted by a sign.	.5 penalty unit
32	210 (1)	Angle parking - failing to properly position the vehicle	..25 penalty unit
33	211 (2)	Parking otherwise than completely within the confines of a parking bay	.25 penalty unit
34	Part 12	Other parking offences provided for in Part 12 (Restrictions on stopping and parking)	1 penalty unit