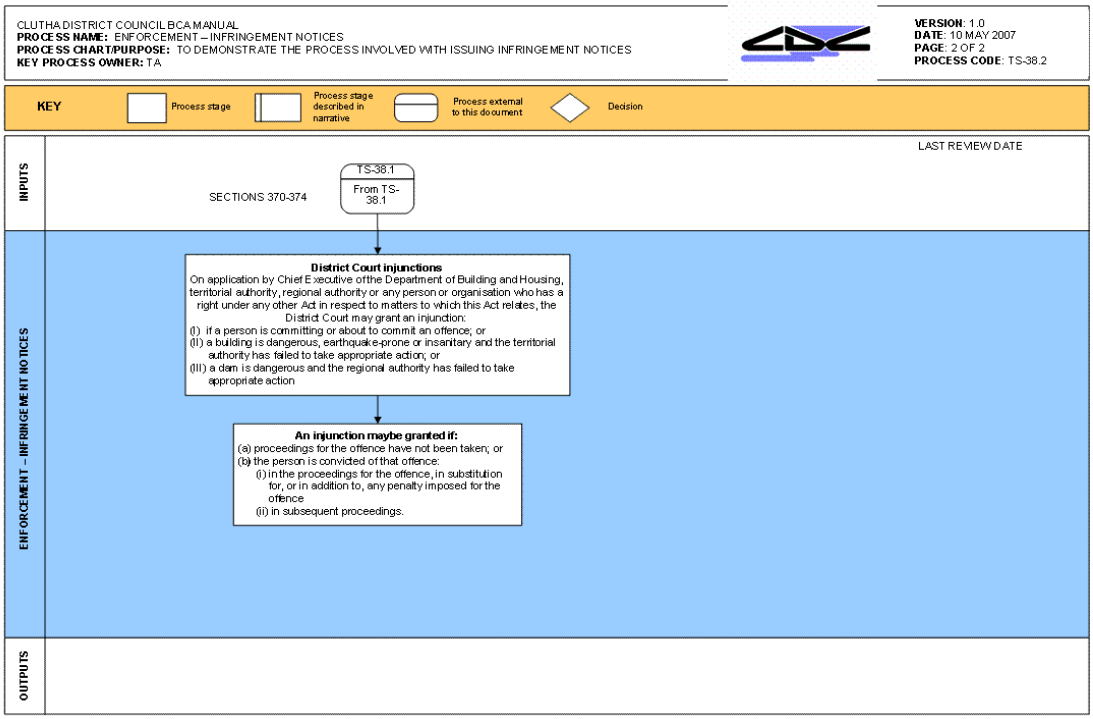
CLUTHA DISTRICT COUNCIL BCA MANUAL
PROCESS NAME: ENFORCEMENT – INFRINGEMENT NOTICES
PROCESS CHART/PURPOSE: TO DEMONSTRATE THE PROCESS INVOLVED WITH ISSUING INFRINGEMENT NOTICES
KEY PROCESS OWNER: TA
VERSION: 1.0
DATE: 10 MAY 2007
PAGE: 2 OF 2
PROCESS CODE: TS-38.2
KEY
Process stage
Process stage described in narrative
Process external to this document
Decision
LAST REVIEW DATE
INPUTS
SECTIONS 370-374
TS-38.1
From TS-38.1
ENFORCEMENT – INFRINGEMENT NOTICES
District Court injunctions
On application by Chief Executive of the Department of Building and Housing, territorial authority, regional authority or any person or organisation who has a right under any other Act in respect to matters to which this Act relates, the District Court may grant an injunction:
(I) if a person is committing or about to commit an offence; or
(II) a building is dangerous, earthquake-prone or insanitary and the territorial authority has failed to take appropriate action; or
(III) a dam is dangerous and the regional authority has failed to take appropriate action
An injunction maybe granted if:
(a) proceedings for the offence have not been taken; or
(b) the person is convicted of that offence:
(i) in the proceedings for the offence, in substitution for, or in addition to, any penalty imposed for the offence
(ii) in subsequent proceedings.
OUTPUTS