

Comhairle Bhaile Charraig na Siúire

CARRICK ON SUIR TOWN COUNCIL



Draft Parking Places Bye-Laws, 2012

DECEMBER 2012

CARRICK-ON-SUIR TOWN COUNCIL

DRAFT PARKING PLACES BYE LAWS 2012

The Carrick-on-Suir Town Council (hereinafter referred to as “The Council”) in exercise of the powers vested in them by Section 36 of the Road Traffic Act, 1994, (No. 7 of 1994) have prepared the following Bye-Laws:-

PART 1

PRELIMINARY

- Short Title:** 1. These Bye-Laws may be cited as the Carrick-on-Suir Town Council Parking Places Bye-Laws, 2012
- Commencement:** 2. These Bye-Laws shall come into operation on March 1st 2012
- Area of Application:** 3. These Bye-Laws apply to the area comprising the administrative area of Carrick-on-Suir Town Council.
- Interpretation:** 4. In these Bye-Laws:
- “**Agent/Agents**” means any person employed by Carrick On Suir Town Council or any person authorised by the Council to carry out functions under these Bye-laws
- “**Authorised Person**” has the meaning assigned to it by Section 103(8) (inserted by the Road Traffic Act 1968)(No. 25 of 1968) of the Road Traffic Act, 1961.
- “**Appropriate Fee**” means the fee, prescribed in these Bye-Laws, for the ticket parking area, as appropriate in which the vehicle is parked.
- “**Buffer Area**” means an area between two parking bays
- “**Business Hours**” means with respect to any Monday, Tuesday, Wednesday, Thursday, Friday or Saturday which is not a holiday, the period commencing at 9:00 a.m. and terminating at 6:00 p.m. indicated on
- (i) an information plate accompanying traffic sign number RUS 018 authorised by the Signs Regulations of 1997 in the ticket parking area where the vehicle is parked or
 - (ii) the appropriate pay and display parking ticket machine located on the public road in which the vehicle is parked or on an adjacent public road, where indicated on an information sign.

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“Disabled Drivers Parking Bay” means a space intended for the parking of a mechanically propelled vehicle on which is displayed a Disabled Persons Permit granted in respect of such vehicle.

“Disabled Persons Parking Permit” means a permit granted in accordance with Article 43 of the Regulations of 1997

“Goods Vehicle” has the meaning assigned to it in Article 4 of the Regulations of 1997.

“Holiday” has the meaning assigned to it in Article 4 of the Traffic and Parking Regulations of 1997.

“Information Plate” means a plate accompanying a traffic sign which, indicates the period during which the restrictions or prohibition indicated by such traffic sign applies.

“Loading Bay” means that portion of a road indicated by means of a traffic sign on which at certain times a vehicle other than goods vehicle being used by loading or unloading shall not be parked.

“Owner” means a resident by whom a vehicle is habitually kept and used.

“Parking Bay” means a car parking space intended for the parking of one mechanically propelled vehicle

“Parking Place” means a place on a public road, which is a ticket-parking area.

These Bye-Laws shall apply to Parking Places listed in the attached Schedules of these Bye-Laws

“Parking Ticket” means a parking ticket issued by the Council by means of a parking ticket machine, which indicates the date of issue of the ticket and the time at which it ceases to be valid.

“Parking Ticket Machine” means a machine capable of automatically delivering a parking ticket when the fee prescribed by these Bye-Laws is inserted into the machine.

“The Regulations of 1997” means the Road Traffic (Traffic & Parking) Regulations 1997 (S.I. No. 182 of 1997).

“The Signs Regulations of 1997” means the Road Traffic (Sign) Regulations, 1997 (S.I.No.181 of 1997)

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“Ticket Parking Place” means a place on a public road where the parking of vehicles is subject to the exhibition of a prepaid parking ticket.

“Traffic Warden” has the meaning assigned to it by Section 2 of the Local Authorities (Traffic Wardens) Act, 1975 (No. 14 of 1975).

“Valid Pay and Display Parking Ticket” means a pay and display parking ticket, which has not expired.

“Valid Resident’s Parking Disc” means a resident’s parking disc which relates to a particular street or streets and to a period which has not expired and which is issued by the Council in respect of the street on which the vehicle is parked.

“Vehicle” means a

- (a) a passenger vehicle with passenger accommodation for not more than twelve persons excluding the driver and not drawing a trailer or other vehicle.
- (b) a goods vehicle whose unladen weight does not exceed 3 tonnes and not drawing a trailer or other vehicle.

PART II

PAY & DISPLAY TICKET PARKING

5. Parking in Pay and Display Ticket Parking Places:

- (1) The following provisions shall apply during business hours to the parking of a vehicle in a ticket parking place.
 - (a) subject to paragraph (2) of this Bye-law, a vehicle which is parked in a ticket parking place during business hours shall, where parking bays are provided at that ticket parking place be parked within the area comprising a parking bay.
 - (b) A vehicle shall not be parked in a buffer area.
 - (c) A vehicle parked in a ticket parking place, at any time which, is not during business hours shall be removed from the ticket parking place when a period of business hours commences, unless at such commencement and during the remainder of the period of parking, a valid pay and display parking ticket is exhibited in the interior of the vehicle in accordance with these Bye-Laws, and shall apply from such commencement in respect of such parking.
 - (d) Where a vehicle being parked in a ticket parking place during business hours is a goods vehicle being so parked solely for the loading or unloading of goods, paragraph (a) of Bye-Law 7 shall not apply until the expiration of 30 minutes after the commencement of the parking.

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- (2) Notwithstanding paragraph (1)(a) of this Bye-Law, a vehicle parked in a parking bay during business hours may project into an adjoining buffer area if the length of the vehicle prevents it being parked wholly in accordance with paragraph (1)(a) of this Bye-Law.

6. **Vehicle which may be parked in pay and display ticket parking place.**

Mechanically propelled vehicles only, of the following classes, may be parked in a ticket parking place during business hours;

- (a) a passenger vehicle with passenger accommodation for not more than seven passengers excluding the driver and not drawing a trailer or other vehicle,
- (b) a goods vehicle whose unladen weight does not exceed 3 tonnes and not drawing a trailer or other vehicle.
- (c) a goods vehicle, other than a vehicle described in paragraph (b) of this bye-law, which is parked while goods are being actively loaded in or on to it or unloaded from it, for a period not exceeding 30 minutes from the commencement of parking.

7. **Obligation to display a valid parking ticket.**

- (a) A valid pay and display parking ticket shall be displayed as specified in this bye-law on the interior of a vehicle lawfully parked in a pay and display ticket parking place during business hours.
- (b) The valid pay and display parking ticket shall be so exhibited in the interior of the vehicle that a person outside the vehicle can ascertain when the parking ticket ceases to be valid.

8. **Manner and time of payment of parking fee**

- (1) A pay and display parking ticket shall be purchased from an appropriate pay and display parking ticket machine.
- (2) The fee for the pay and display parking ticket shall be payable by means of any combination of valid coins.
- (3) Payment by cash shall be made by inserting the appropriate fee for the parking time required into the appropriate parking ticket machine and following the instructions on the parking ticket machine in order to obtain a valid pay and display parking ticket.

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9. **Parking Fees**

The scale of charges and the periods to which they apply shall be as determined from time to time by resolution of the Council.

10. **Period of Parking in Ticket Parking Place**

(a) A vehicle parked in a ticket parking place during business hours shall not be so parked for a period longer than the maximum period for which parking is permitted on that day in that ticket parking place as indicated on the appropriate pay and display parking ticket machine located on the public road in which the vehicle is parked or on an adjacent public road, where indicated on an information sign.

(b) A vehicle which has been parked in a disc parking area shall not be parked again in the public road in which that disc parking area is situated, or on an adjacent public rd, until at least two hours after the vehicle last vacated that public road.

PART III

PARKING PERMITS FOR RESIDENTS

11. **Definitions**

In this part of these Bye-Laws:-

“**acceptable evidence**” means the following

- (i) A current insurance certificate confirming that the vehicle is normally kept by the resident at the residents address in the ticket parking place to which the disc will relate
- (ii) (a) A vehicle licensing certificate or a registration book confirming that the resident applying for a residents parking disc is the registered owner of the vehicle in respect of which the application for a residents parking disc is being made and that the vehicle is registered at the residents address in the ticket parking place to which the disc will relate
or
(b) Where the applicant is not the registered owner of the vehicle in respect of which the application for a residents parking disc is being made, the vehicle licensing certificate or a registration book for the vehicle, satisfactory documentary evidence from the registered owner that the vehicle is normally kept by the applicant at the residents address in the ticket parking place to which the disc will

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relate and evidence from the Revenue Commissioners that a vehicle owned by the registered owner is normally kept by the applicant

or

(c) A driving or provisional licence in the name of the resident applying for the residents parking disc addressed to the applicant at his/her address in the ticket parking place to which the residents parking disc will relate

or

(d) Any other information which may be requested by Carrick on Suir Town Council.

- (iii) Utility bills, bank statements or other documentation, acceptable to Carrick on Suir Town Council, addressed to the applicant at his/her address in the ticket parking place to which the residents parking disc will relate to

“owner” means a resident by whom a vehicle is habitually kept and used.

“resident” means a person who satisfies the Council that his/her normal dwelling place is at premises situated in a street in a pay and display parking place.

“permit” means a document issued by a local authority for the purpose of Bye-Laws containing the particulars specified in Bye-Law 12.

“valid permit” means a resident’s parking permit which relates to a particular street or streets and to a period which has not expired and which is issued by the local authority in whose functional area the vehicle on which the permit is displayed and parked.

“vehicle” means a

- (a) a passenger vehicle with passenger accommodation for not more than twelve persons excluding the driver and not drawing a trailer or other vehicle
- (b) a goods vehicle whose unladen weight does not exceed 3 tonnes and not drawing a trailer or other vehicle.

12. Particulars of Resident’s Parking Permit

A resident’s parking permit shall contain the following particulars:-

- (a) name of the local authority by whom it is issued
- (b) the registration number of the vehicle in respect of which it is issued.
- (c) The date of issue
- (d) The street /streets or nominated car park to which it relates
- (e) The period to which it relates, including the date of expiry
- (f) The signature of the officer of the local authority issuing it.

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13. **Permission to Park Vehicle Displaying Resident's Permit**

The display, in accordance with Bye-Law 14 of a valid resident's parking permit on the vehicle in respect of which the permit was issued, shall permit the owner of the vehicle (or any person using it with his/her consent) to park it without limitation as to time in an area specified in the bye-laws and/or in a street to which the permit relates."

14. **Display of Resident's Parking Permit**

A valid resident's parking permit shall be so displayed in the interior of the vehicle in respect of which it is issued that it can be read from outside the vehicle.

15. **Issue of and Fee for Residents Parking Permit**

(1)A resident's parking disc may be issued by the Council or its agents in respect of the parking of a vehicle in a ticket parking place.

(2)A resident's parking disc may be issued by the Council or its agents in respect of one vehicle of which the resident is the owner where the Council are satisfied, following production of acceptable evidence that the applicant is resident in a street in the ticket parking place to which the disc will relate and that the vehicle is normally kept at the residents normal dwelling place in that street. The residents parking disc shall be granted for a period of one year from the date of issue, in respect of that vehicle and for the ticket parking place to which the disc relates.

(3)The fee for a resident's parking disc shall be as determined from time to time by resolution of the Council.

16. **Issue of Replacement Residents Parking Disc;**

Where the Council are satisfied that a valid residents parking disc has been lost, destroyed or stolen the Council or its Agents shall issue a replacement to the owner on payment of a fee of €5.00 and such replacement disc shall be substituted for the original disc and the original disc shall be void.

17. **Return of Residents Parking Disc;**

Where, during the period to which a resident's parking disc relates, the holder ceases to reside at the address notified at the time of issue of the disc or ceases to be an owner by disposing of the vehicle to which the disc relates, he shall return the resident's parking disc to the Council or its agents.

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18. **Transfer of Parking Disc;**

If the holder of a resident's parking disc for a vehicle replaces that vehicle with another the Council or its agents may, following the surrender of the original disc, issue a resident's parking disc in respect of the new vehicle which shall be valid for the remainder of the period specified on the original disc.

19. **Display of a Void Residents Parking Disc;**

It shall be an offence to display a void residents parking disc.

PART IV

VISITORS PARKING PERMITS

Definitions

20 In this Part –
“**visitors parking permits**” means a disc or document, or a combination of both, having marks or symbols capable of indicating the year, date and time when the disc, document or combination becomes a valid parking disc and containing inter alia the following particulars;

- (a) the words visitors parking disc and
- (b) the ticket parking place to which it relates

“**valid visitors parking permits**” means a visitors parking disc which –

- (a) has been issued by the Council or its agents
- (b) has been perforated or otherwise marked as appropriate to the particular type of parking disc so as to indicate clearly the year, month, day in the month, hour of the day and (to the nearest following five-minute period) minute of the hour of the commencement of a period of parking of the vehicle in which the parking disc is exhibited in accordance with these bye-laws and
- (c) indicates no other year, month, day, hour or minute, and
- (d) indicates that the vehicle is so parked for a period, not exceeding a continuous period of 24 hours from the time parking commenced
- (e) has been issued in respect of the ticket parking place in which the vehicle is parked
- (f) is being displayed by a visitor

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“resident” means a person who satisfies Carrick on Suir Town Council that his/her normal dwelling place is at premises situated in a street in a ticket parking place.

“vehicle” means a

- (a) a passenger vehicle with passenger accommodation for not more than twelve persons excluding the driver and not drawing a trailer or other vehicle
- (a) a goods vehicle whose unladen weight does not exceed 3 tonnes and not drawing a trailer or other vehicle.

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|---|-----|---|
| Non-application of Bye-laws 5 to 10 Of the bye-laws | 21. | Bye-laws 5 to 10 of these bye-laws shall not apply to the parking of a vehicle in a ticket parking place if there is displayed, in accordance with bye-law 22 of these bye-laws, in the vehicle when it is so parked, a valid visitors parking disc |
| Display of a Visitors parking disc | 22. | (1) A Visitors parking disc shall be displayed in the following manner <ul style="list-style-type: none">(a) separate distinct perforations or markings as appropriate to the particular type of parking disc indicating the year, month, day in the month, hour of the day and (to the nearest following five-minute period) minute of the hour when the parking commences shall be made on a parking disc at the commencement of the parking;(b) the valid visitors parking disc shall be so exhibited in the interior of the vehicle that a person outside the vehicle can ascertain by reference to the perforations or markings when the parking commenced,(c) the valid visitors parking disc shall be exhibited in accordance with paragraph (b) of this bye-law so long as the vehicle is parked in that disc parking place |
| Permission to park vehicle displaying visitors parking disc | 23. | The display in accordance with bye-law 22 of a valid visitors parking disc on a vehicle, shall permit the vehicle to be parked not in excess of 24 hours from commencement of parking in a parking place listed in the second schedule attached to these bye-laws in the ticket parking place to which it relates. |
| Interference with visitors parking disc | 24. | Where a vehicle displaying a visitors parking disc is parked in a parking place a person shall not interfere with the visitors parking disc |

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Issue of, and fee for Visitors parking disc	25.	<p>1. Visitors parking discs may be issued by the Council or its agents to each resident in a ticket parking place listed in the second schedule to these bye-laws in respect of the parking of vehicles which are not normally kept in that place and which require to be parked temporarily in a ticket parking place for a purpose which is ancillary to the use of the residents dwelling.</p> <p>2. The total number of visitors parking discs which may be issued to each resident in a ticket parking place including those issued in accordance with bye law 15 is 50 in any 12 month period.</p> <p>3. The fee for each visitors parking disc, other than those issued under byelaw 15 shall be €1.00</p> <p>4. A visitors parking disc shall only be valid for use in the ticket parking place to which the disc relates.</p>
Offences	26	<p>(a) It shall be an offence for a resident</p> <ul style="list-style-type: none">(i) to sell a visitors disc to any person or(ii) to sell or otherwise dispose of a visitors disc to a person other than a visitor <p>(b) It shall be an offence to display an invalid visitors parking disc</p>

PART V

Miscellaneous

Non Application of Bye Laws 5 to 10

27. Bye-laws 5 to 10, of these bye laws shall not apply to –
- (a) a vehicle being used in connection with the removal of an obstruction to traffic, the removal of a vehicle pursuant to section 97 of the 1961 Road Traffic Act as amended, the immobilisation and release of vehicles the maintenance, improvement or reconstruction of a public road, the provision, alteration or repair of a main drain, pipe or apparatus for the supply of gas, oil, water or electricity or of a telephone line or the provision of a traffic sign,
 - (b) a fire brigade vehicle, an ambulance, doctor on duty, or a vehicle being used by a traffic warden, an authorized person or a member of the Garda Siochana or the

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Defence Forces in the performance of his/her duties as such member.

- (c) A vehicle in which a valid disabled persons permit is displayed and which is parked for the convenience of the person to whom that permit was granted if the permit is prominently displayed on the vehicle when that vehicle is parked in a ticket parking place.

These Bye-Laws shall be known as the Carrick-on-Suir Town Council Parking Places Bye-Laws 2012.

The Carrick on Suir Town Council (Parking Places) Bye-Laws 2006 are hereby revoked.

Made and Adopted under the Common Seal of the Carrick-on-Suir Town Council this

_____ day of _____ 2012.

Present when the Common Seal of the Council was affixed hereto:

Mayor

Town Manager

Town Clerk

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FIRST SCHEDULE

STREETS OR PORTION OF STREETS TO WHICH ONE HOUR PARKING ONLY APPLIES

Name of Street

Main Street
Barrack Lane
Sean Kelly Square
Fair Green Market Green Side

SECOND SCHEDULE

**STREETS OR PORTION OF STREETS TO WHICH TWO HOUR PARKING & RESIDENTS
PARKING ONLY APPLIES (24 Hrs. Parking – 7 Days per week)**

Name of Street

Castle Street
William Street
Town Wall
Church Street
Pearse Square
New Lane
Ormond Court
Castle View
Parkside
Greenside
Markievicz Terrace
O'Mahoney Avenue
Ash Park
Town Wall
Stable Lane
Kickham Street
New Street