

KELLS TOWN COUNCIL

PARKING PLACES BYE-LAWS, 2010

Long Title: Kells 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) and having consulted with the Commissioner of the Garda Síochána, hereby makes the following Bye-Laws:-

- Citation:** 1. These bye-laws may be cited as the Kells Town Council Parking Places Bye-Laws, 2010.
- Commencement:** 2. These bye-laws shall come into operation on the 1st July, 2010
- Area of Application:** 3. These bye-laws apply to the on street parking places as defined in the first schedule attached hereto.
- Revocation/Repeals:** 4. All previous Parking Places Bye-laws are hereby revoked.
- Interpretation:** 5. In these Bye-Laws:
- "the Act of 1994" means the Road Traffic Act, 1994 (No. 7 of 1994);
- "disabled persons permit" means a permit issued under article 43 of the Regulations of 1997;
- "goods vehicles" has the meaning assigned to it in article 3 of the Regulations of 1997;
- "parking bays" has the meaning assigned to it in Article 18 of the Signs Regulations of 1997;
- "public road" has the meaning assigned to it by Section 2 (1) of the Roads Act 1993 (No. 14 of 1993);
- "street" means a public road;
- "local authority" means the Kells Town Council;
- "the Regulations of 1997" means the Road Traffic (Traffic and Parking) Regulations 1997 (S.I. No. 182 of 1997);

“the Signs Regulations of 1997” means the Road Traffic(Signs) (Amendment) Regulations 1997 (S.I. No. 181 of 1997);

“information plate” means an information plate accompanying traffic sign RUS018, which indicates the period during which a valid Pay & Display Parking Ticket must be displayed, the maximum parking period, and the fee for a Pay & Display Parking Ticket.

Parking System: (Pay and Display Ticket Parking)

6. “Pay and Display Parking Ticket” means a parking ticket issued by the Local Authority by means of a pay and display parking ticket machine which contains the following particulars.

- (a) the words “Kells Town Council”
- (b) the fee paid in respect of the ticket
- (c) the date and time of issue of the ticket
- (d) the time of expiry of the ticket
- (e) the street or place where the ticket is issued

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

“Pay and Display Parking Ticket Machine” means a machine provided by the Local Authority capable of automatically delivering a pay and display parking ticket when the appropriate parking fee prescribed by these Bye-Laws is inserted into the machine.

“Pay & Display Ticket parking place” means a place on a public road where parking of vehicles is subject to the exhibition of a valid Pay & Display Parking Ticket in accordance with these bye-laws and which is indicated by traffic sign no. RUS018 authorised by the Signs Regulations of 1997, accompanied by an information plate and traffic sign no. RRM016 as per Article 20 of the Signs Regulations of 1997.

Obligation to Display Valid Pay & Display Parking Ticket in a Pay & Display Ticket Parking Place

7.(1)

- (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 operational 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 and,
 - (c) the pay and display parking ticket shall be exhibited in accordance with subparagraph (b) of this paragraph for so long as the vehicle is parked in that Pay & Display parking place.
- (2) Where a vehicle being parked in a Pay & Display Ticket parking place is a goods vehicle being so parked solely for the loading or unloading of goods, paragraph (1) of this bye-law shall not apply until the expiration of 30 minutes after the commencement of the parking.
- (3) Where a vehicle which had been parking in a Pay & Display Ticket parking place for a period less than the maximum parking period indicated in accordance with bye-law 8 of these bye-laws for that Pay & Display Ticket parking place, is subsequently lawfully parked in another Pay & Display Ticket parking place on that same day, it shall not be necessary subject to compliance with paragraph (1) (b) and (1) (c) of this bye-law to comply with paragraph (1) (a) of this bye-law.

Period of parking in Pay & Display Ticket Parking Place

- 8 (1) A vehicle parked in a Pay & Display Ticket parking place shall be so parked in accordance with the provision relating to parking times specified in this bye-law for that Pay & Display Ticket parking place and indicated by means of an authorised information plate accompanying traffic sign number RUS018 authorised by the Signs Regulations of 1997.
- (2) The provisions relating to parking times for a Pay and Display parking place referred to in paragraph (1) of this bye-law and to be indicated by means of an authorized information plate are the hours of the day during which Pay and Display ticket parking shall operate and the maximum period for which a vehicle may park in a Pay and Display parking place.

- (3) The maximum period of parking in a Pay & Display ticket parking place between the hours of 9.00 and 18.00 hours is two hours.
- (4) Where a vehicle which has been lawfully parked in a Pay & Display Ticket parking place is subsequently parked in another Pay & Display Ticket parking place the period to which the subsequent parking is restricted by paragraph (1) of this bye-law shall be reduced by a period equal to the period from the time indicated on the Pay & Display Parking Ticket to the time when the subsequent parking commenced.

Interference with a Pay & Display parking ticket machine and a Pay and Display Parking Ticket

9. (1) Where a vehicle is parked in a Pay & Display Ticket parking place in compliance with these bye-laws a person shall not interfere with a Pay & Display Parking Ticket exhibited in the vehicle;
 - (2) A person shall not damage a Pay & Display Parking Ticket Machine;
 - (3) A person who is not an agent of the Local Authority, a member of the Garda Síochána in uniform, an authorised person or a traffic warden, shall not interfere with a Pay & Display Parking Ticket Machine;
 - (4) A person shall not insert into a Pay & Display Parking Ticket Machine any coin or object other than a coin or coins required to pay the fee prescribed by bye-law (13) of these bye-laws.

Removal of vehicle from Pay & Display Ticket Parking Place

10. A vehicle parked in a Pay & Display Ticket parking place at a time other than the time or times indicated in accordance with bye-law 8 of these bye-laws shall be removed from the Pay & Display Ticket parking place when a period of Pay & Display Ticket parking indicated as aforesaid commences, unless at such commencement and during the remainder of the period of parking, a valid Pay & Display Parking Ticket is exhibited in the interior of the vehicle in accordance with bye-law 7 (1)(b) of these bye-laws, and bye-law 7(1)(c) of these bye-laws shall apply from such commencement in respect of such parking.

Prohibition on certain parking inside an hour of leaving a Pay & Display Ticket Parking Place

11. A vehicle which had been parked in a pay and Display ticket parking place shall not be parked again in a Pay and Display parking place on the public road in which that Display and Display parking place is situated until at least one hour after the vehicle last vacated that Pay and Display parking place.

Issue of Pay & Display Parking Tickets

12. Pay & Display Parking Tickets shall be issued by a local authority.

Parking Fees

13. The fee for a Pay & Display Parking Ticket for parking in a Pay & Display Ticket Parking place shall be that as stated on the authorised information plate or such other fee as may be determined by the Local Authority.

Method of payment of parking fees

14. Where a Pay & Display Parking Ticket is obtained from a Pay & Display Parking Ticket machine, the fee shall be paid by the insertion of the appropriate amount in the machine as required by bye-law 13 of these bye-laws.

Conditions for parking in Pay & Display Ticket Parking Place

15. A vehicle which is parked in a Pay & Display Ticket parking place in accordance with these bye-laws shall, where parking bays are provided at that Pay & Display Ticket parking place, be parked within the area comprising the parking bay.

Disabled persons permits

16. Where a disabled person holds a "disabled persons permit" issued under Article 43 of the Regulations of 1997, bye-law 7 and bye-law 10 of these bye-laws shall not apply to a specified vehicle parked for the convenience of the person to whom the permit was granted.

Residents permits: Definitions

17. "owner" means a resident by whom a vehicle or vehicles are habitually kept and used;

"resident" means a person whose normal residence is at premises situated in a street containing a Pay & Display Ticket parking place;

"resident's parking permit" means a document issued by a local authority for the purposes of bye-laws 18 to 24 and containing the particulars specified in bye-law 19;

"valid resident's parking 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 in which the permit is displayed is parked;

"vehicle" means a private motor car, a station wagon or a passenger vehicle having accommodation for not more than seven passengers excluding the driver.

Non-Application of bye-laws

18. These bye-laws (except bye-law 15) shall not apply to the parking of a vehicle in a Pay & Display Ticket parking place if there is displayed, in accordance with bye-law 20 of these bye-laws, in the vehicle when it is parked, a valid resident's parking permit which relates to the street in which that Pay & Display Ticket parking place is situated.

Particulars of resident's parking permit

19. A resident's parking permit shall contain the following particulars:-
- (a) the name of the local authority by whom it is issued;
 - (b) the registration number of the vehicle or vehicles in respect of which it is issued;
 - (c) the date of issue;
 - (d) the period to which it relates, including the date of expiry;
 - (e) the street or streets to which it relates;
 - (f) a copy of the signature of the officer of the local authority issuing it.

Permission to park vehicle displaying resident's parking permit

20. The display, in accordance with bye-law 21 of these bye-laws of a valid resident's parking permit in 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 a Pay & Display Ticket parking place in a street to which the permit relates.

Display of valid resident's parking permit

21. 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

Interference with resident's parking permit

22. Where a vehicle displaying a resident's parking permit is parked in a Pay and Display Ticket parking place a person shall not interfere with the permit

Issue of resident's parking permit

23. (1) A resident's parking permit shall be issued by a Local Authority in respect of the parking of a vehicle in a Pay & Display Ticket parking place in the functional area of such a Local Authority.

(2) A resident's parking permit shall be issued by a local authority in respect of the vehicle or vehicles of which the resident is the owner and shall be valid for a period of one year from the date of issue, in respect of that vehicle or those vehicles and for the street and streets to which the permit relates. This paragraph shall not be construed as enabling a resident who owns more than one vehicle to be issued with more than one resident's parking permit.

Return and transfer of resident's parking permit.

24. (1) Where, during the period to which a resident's parking permit relates, the resident to whom it is issued ceases to reside at the address specified on the permit or ceases to be an owner by disposing of the vehicle or vehicles to which the permit relates, he shall return it to the local authority by whom the permit was issued and where the resident has not disposed of all the vehicles to which the permit relates, the local authority, shall delete the make and registration number of the vehicle or vehicles which the resident has disposed of and return the permit to the resident.

(2) Where during the period to which a resident's parking permit relates, the resident to whom it is issued disposes of the vehicle or vehicles to which the permit relates and substitutes another vehicles or vehicles for the vehicle or vehicles disposed of, he or she shall return the permit to the Local Authority by whom the permit was issued which, shall either insert the make and registration number of the substituted vehicle or vehicles on the permit and return the permit of the vehicle or vehicles which the resident now owns and such new permit shall be valid for the period specified.

Other Exemptions.

25. These bye-laws shall not apply to:

(a) a vehicle being used in connection with the removal of an obstruction to traffic, 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, electricity or telephone line or the provision of a traffic sign.

(b) a fire brigade vehicle, an ambulance or a vehicle being used by a member of the Garda Síochána in the performance of his/her duties as such member

Made and adopted under the common seal of Kells Town Council

this _____ day of _____ 2010

Cathaoirelach

Town Clerk

Town Manager