



TULLAMORE TOWN COUNCIL

(PARKING AREAS AND CAR PARK) (No. 2) BYE-LAWS 2006

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The TOWN COUNCIL OF TULLAMORE (hereinafter referred to as "the Council") in exercise of the powers vested on them by Section 36 of the Road Traffic Act, 1994 (No.7 of 1994), Road Traffic Act 1961 and Road Traffic Act 1968 and all other powers it enabling and, having consulted with the Commissioner of the Garda Siochana, hereby makes the following Bye-Laws: -

PART 1 - PRELIMINARY

1. These Bye-Laws shall be known as the Tullamore Town Council (Parking areas and Car Park) (No. 2) Bye-Laws, 2006.
2. These Bye-Laws shall come into operation at a date to be determined by Tullamore Town Council.
3. These Bye-Laws apply to the area comprising the Urban District of Tullamore.
4. Tullamore (Parking areas) Bye Laws 2003 are hereby revoked.
5. In these Bye-Laws:

"The Act of 1994" means the Road Traffic Act, 1994 (No.7 of 1994) as amended.

"Business hours" means the period from 9.30 a.m. to 5:30 p.m. each weekday, and Saturday other than a holiday as may be determined by the Council from time to time. .

"Conditions for parking" A vehicle parked in a disc parking area in accordance with these bye laws shall, where parking bays are provided at that parking area be parked within the area comprising a parking bay. Such vehicle must be a mechanically propelled vehicle and with seating capacity for not more than seven persons including the driver.

"Disabled persons parking bay" has the meaning assigned to it in Section 3, Article 4 of the Road Traffic (Traffic) and Parking Regulations, 1997.

"Disabled persons parking permit," means a permit issued under Article 43 of the Road Traffic (Traffic) and Parking Regulations, 1997.

"Disc parking area" has the meaning assigned to it in Article 3 of the Road Traffic (Signs) Regulations, 1997.

"Goods vehicles" has the meaning assigned to it in Article 4 of the Road Traffic (Signs) Regulations, 1997. It is namely a vehicle used exclusively for the carriage of goods or burden in the course of trade or business and taxed as a goods vehicle.

"Holiday" means Good Friday or any day that is a public holiday for the purpose of the Organisation of Working Time Act 1997 (No. 20 of 1997).

“Loading bay” has the meaning assigned to it under Article 42(1) of the Road Traffic (Traffic) and Parking Regulations, 1997.

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

“Parking bay” has the meaning assigned to it in article 3 of the Road Traffic (Signs) Regulations, 1997 and identified by means of road markings as described in Section 3 of the said Regulations.

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

“Pay and display” means a machine capable of automatically delivering a parking disc when the fee prescribed these Bye-Laws is paid.

“Public road” means a road over which a public right of way exists and responsibility for the maintenance of which lies with the local authority.

“Resident” means a person whose normal residence is at premises situated in a street containing a disc parking area;

“Resident’s parking permit” means a document issued by Tullamore Town Council for the purposes of Bye-Laws 20 to 28 of these Bye Laws and containing the particulars specified in Bye-Law 21 of these Bye-Laws.

“The Regulations of 1997” means the Road Traffic (Traffic and Parking) Regulations, 1997 (S.I. No. 182 of 1997) as amended.

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

“Traffic Warden” has the meaning assigned to it by Section (2) of the Local Authorities Traffic Wardens Act, 1975 (No. 14 of 1975) as amended by S.I. 395 of 1997.

“Valid parking disc” means a parking disc which has been issued by the local authority in whose functional area the vehicle is parked or, indicates that the vehicle is so parked for a period not exceeding the period for which it may be parked in a disc parking area in accordance with these Bye-Laws and as indicated by a sign (RUS 018) accompanied by an information plate and in accordance with conditions or parking. Obligation to display valid parking disc in disc parking area.

“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 on which the disc 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.

PART 11

6. Parking in a disc parking area

Where a vehicle is parked in a disc parking area during business hours the following shall be displayed in accordance with the provisions set out in this bye-law:

(A) A “valid parking disc” in the following manner shall be exhibited in accordance with paragraph (A) (i) and (A) (ii) of this bye-law for so long as the vehicle is parked in that disc parking area.

- (i) the valid 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, and,
- (ii) a valid parking disc shall be displayed for every hour or part thereof during which the vehicle is parked in a disc parking area.

OR

(B) A “parking disc” in the following manner.

- (i) A parking disc issued in respect of the vehicle shall be so exhibited in the interior of the vehicle that a person outside the vehicle can ascertain by reference to the parking disc when the parking disc ceases to be valid and the parking disc shall be so exhibited for so long as the vehicle is parked in a disc parking area.
- (ii) the parking disc shall be exhibited in accordance with paragraph (B) (a) of this bye-law for so long as the vehicle is parked in a disc parking area.
- (iii) Where a parking disc is exhibited on a vehicle parked in a disc parking area during business hours the vehicle shall not be so parked for longer than the period between the time the disc is issued and the time it ceases to be valid.

7. A vehicle parked in a disc parking area during business hours shall not be so parked for longer than the period indicated as the maximum parking period for that disc parking area by means of an authorised information plate accompanying traffic sign number RUS 018 authorised by the Road Traffic (Signs) Regulations of 1997.

8. Where a vehicle which had been lawfully parked in a disc parking area is subsequently lawfully parked in another disc parking area within the same town, the period to which the subsequent parking is restricted by bye-law 7 of these bye –laws shall be reduced by a period equal to the period from the time indicated on the parking disc to the time when the subsequent parking commenced.

9. Where a vehicle is parked in a disc parking area during business hours a person shall not interfere with a parking disc exhibited in the vehicle.

10. A vehicle parked in a disc parking area at a time which is not during business hours shall be removed from the disc parking area when a period of business hours commences, unless at

11. **Prohibition on certain parking inside an hour of leaving disc parking area**

A vehicle which had been parked in a disc parking area for the maximum parking period referred to in Bye-law 7 of these Bye-laws shall not be parked again in a disc parking area in the public road or carpark in which that disc parking area is situated until at least one hour after the vehicle last vacated that disc parking area.

12. **Manner of payment, amount of payment and related period of parking**

Where a parking disc is obtained from a disc parking machine, the fee shall be paid by the insertion of the appropriate amount in the machine as required under this section.

Parking discs shall be issued by a local authority.

- (A) i) The fee for a parking disc shall be one euro (€1.00) in areas set out in schedule 5, 6, 7, 8 and 9a of the parking bye-laws schedule. The maximum period of parking in this area shall be one hour.

The hourly rate will be pro rata reduced as follows for a period less than one hour.

30 minutes - 50c

1 Hour - 1.00c

No further 'pro rata' reductions will be allowed.

- ii) The fee for a parking disc shall be two euro fifty cent (€2.50) per day in areas set out in the parking bye-laws schedule.

13. A vehicle which is parked in a disc parking area during business hours shall, where parking bays are provided at that disc parking area, be parked within the area comprising a parking bay and shall comply with "conditions of parking" (as defined in Part I)

14. **Motor Cycles and pedal cycles prohibited from parking in disc parking areas**

A motor cycle or a pedal cycle shall not be parked during business hours in a disc parking area.

15. **Parking in a disabled persons parking bay**

A person shall not park a mechanically propelled vehicle in a disabled persons parking bay without having displayed thereon a valid disabled persons parking permit.

16. A mechanically propelled vehicle on which is displayed a valid disabled persons parking permit granted in respect of such person, shall be exempt from the requirement to display a valid parking disc specified in bye-law 6 of these bye-laws.

17. **Non Application of Bye Laws 6 to 17 to Certain Vehicles**

Bye-Laws 6 to 17 of these Bye-Laws shall not apply to;

- (i) 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

- (ii) A fire brigade vehicle, an ambulance or a vehicle being used by a member of the Garda Siochana in the performance of his duties as such member.

PART III - RESIDENTS PARKING PERMITS

18. This part of the bye-laws relates to the issuing of residents parking permits.

19. Non application of bye-laws 6 to 17 of these bye-laws

Bye-laws 6 to 17 (other than bye-law 14) of these bye-laws shall not apply to the parking of a vehicle in a disc parking area if there is displayed, in accordance with bye-law 23 of these bye-laws, in the vehicle when it is so parked, a valid resident's parking permit which relates to the street in which that disc parking area is situated.

20. Particular of residents parking permits

A resident's parking permit shall contain the following particulars:

- (a) the name of the local authority by whom it is issued,
- (b) the make and registration number of the vehicle in respect of which it is issued.
- (c) The date of issue,
- (d) The road to which it relates,
- (e) The period to which it relates, including the date of expiry,
- (f) A copy of the signature, and the description, of the officer of the local authority issuing it.

21. Permission to park vehicle displaying residents parking disc

The display, in accordance with bye-law 23 of these bye-laws 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 consent) to park it without limitation as to time in a disc parking area in a road to which the permit relates.

22. Display of valid residents parking disc

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.

23. Interference with residents parking disc

Where a vehicle displaying a resident's parking permit is parked in a disc parking area a person shall not interfere with the permit.

24. Issue of, and fee for residents parking disc

- (1) A resident's parking permit shall be issued by a local authority in respect of the parking of a vehicle in a disc parking area in the functional area of such local authority.
- (2) No fee will be required for the issuing of a resident's parking disc.
- (3) A resident's parking permit shall be issued by a local authority in respect of the vehicle 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 and for the road to which the permit relates.

25. Return of residents parking disc

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 to which the permit relates, he shall return it (addressed to the person a copy of whose signature appears on it) to the local authority by whom the permit was issued. A refund of the fee or any part thereof shall not be made.

26. Where, during the period to which a resident's parking permit relates, the resident to whom it is issued disposes of the vehicle to which the permit relates and substitutes another vehicle for the one disposed of, he shall return the permit (addressed to the person a copy of whose signature appears on it) to the local authority by whom the permit was issued.

27. Transfer of residents parking disc

Where, during the period to which a resident's parking permit relates, the resident to whom it is issued disposes of the vehicle to which the permit relates and substitutes another vehicle for the one disposed of, he shall return the permit (addressed to the person a copy of whose signature appears on it) to the local authority by whom the disc was issued which shall either insert the make and registration number of the substituted vehicle on the permit or issue to the resident a new permit in respect of that vehicle, and such new permit shall be valid for the period specified.

PART IV - LOADING BAYS

28. Loading bays will be provided at locations throughout the town for vehicles taxed and used exclusively for carrying goods and for commercial purposes involved in deliveries to local businesses.

29. Times of operation for loading bays

These loading bays shall be operational within the following time periods only: -

8.30 a.m. – 12:00 p.m.

30. Offence for certain vehicles to park in loading bays

It shall be an offence to park a vehicle other than a goods vehicles being used for loading and off loading goods in a loading bay during a period indicated on a sign accompanied by a information plate.

PART V - CAR PARK

31. Parking in a public car park

Parking in public car parks will be exclusively used for mechanically propelled vehicles, which comply with the "conditions of parking" as defined in part I.

32. Where a vehicle is parked in the car park a valid parking disc shall be so exhibited in the interior of the vehicle that a person outside the vehicle can ascertain by reference to the parking disc when the parking disc was issued and the parking disc shall be so exhibited for so long as the vehicle is parked in the car park.

33. Where a vehicle is parked in a car park during the hours 9.30 a.m. to 5.30 p.m. a person shall not interfere with a parking disc exhibited on the vehicle.
34. A vehicle parked in the car park at a time which is not during the business hours shall be removed from the car park when business hours commences unless at such commencement and during the remainder of the period of parking a parking disc is exhibited in the interior of the vehicle in accordance with bye-law 35 of these bye-laws.
35. **Manner of payment, amount of payment and related period of parking**
A fee of two euro fifty cent (€2.50) per day shall be paid for a parking disc applicable to a car park as indicated in the attached schedule.
36. A person shall not insert into a parking disc dispensing machine any coin or object other than coin(s) required to pay the fee prescribed by bye-law of these bye-laws. A person shall not interfere with or damage a parking ticket machine.
37. **Broken parking disc dispensing machine**
Where a parking disc dispensing machine breaks down bye-law 35 and bye-law 36 of these bye-laws shall cease to have effect as respect the car park for which the machine is provided while the machine is broken down.
38. No person shall park or cause to be parked in the car park a vehicle in such a position or in such condition or in such circumstances that it would cause or be likely to cause danger to other persons using the car park or to obstruct the entrance to or exit from the car park or to obstruct the free flow of traffic within the car park.
39. **Parking within parking bay**
No person shall park or cause to be parked in the car park a vehicle in such a position that it or any portion of it extends from one parking bay to another.
40. **Prohibition on carrying out of repairs to vehicle**
No person shall overhaul or carry out repairs to a vehicle while it is parked in the car park save where it is necessary to do so in order to enable the vehicle to be removed from the car park.
41. **Prohibition on sale of goods**
A vehicle while parked in the car park shall not be used for the sale of goods, tickets or any service in or from the vehicle or as an office, nor shall any such vehicle be offered or displayed for sale or for hire or as a prize.
42. **Prohibition on making unnecessary noise**
No person shall make any unnecessary noise by means of or in relation to a vehicle while it is parked in the car park or by means of any equipment, fitting or instruments fitted to or carried on the vehicle or any loudspeaker, or radio in or on or in any way connected with the vehicle.
43. **Prohibition of littering**
No person shall throw, place or leave any bottle, or any broken glass, nail, litter or other substance or in a car park (save that specific items for recycling may be placed in the container

placed there for that purpose and litter shall be placed in litter receptacles) and no person shall at any time play ball or any game in the car park.

44. **Compliance with lawful directions of Gardaí/local authority**

Every person using the car park shall comply with any lawful direction given by an employee of the Council or a member of the Garda Síochána in relation to the parking or a vehicle in or its removal from the car park or in relation to any of these bye-laws.

45. No person shall in the car park wilfully obstruct, disturb or interrupt an agent, employee of the Council in the execution of his or her duty, including the execution of any work in connection with the laying out or maintenance of any part of a car park by Council staff or agents.

46. Notwithstanding the other provisions of these bye-laws the Council may allow the parking of a vehicle in the car park where such vehicle is being used in relation to a public service or information facility subject to such conditions as the Council may consider appropriate.

47. A person shall give on demand to an employee of the Council his or her name and address and a person shall not in the car park resist, obstruct or aid to incite any person to resist or obstruct any of the persons referred to in bye-law 49 in the execution of his or her duty or lawful exercise of his authority.

48. Where a person is requested by an employee of the Council or a member of the Garda Síochána to leave the car park he shall comply with such request.

Made and adopted under the common seal of the Council the day of 2006.

Present when the common seal of the Council was affixed hereto:

CATHAOIRLEACH

DIRECTOR OF SERVICES

SENIOR EXECUTIVE OFFICER