

MALLOW (URBAN DISTRICT)

DISC PARKING AREA

BYE-LAWS 2000

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PARKING AREA BYE-LAWS 2000.

The Chairman and Members of Mallow Urban District Council in exercise of the powers conferred upon them by Sections 4(2) and 36 respectively of the Road Traffic Act 1994, (No. 7 of 1994) and having consulted with the Commissioner of the Garda Síochána hereby make the following Bye-Laws in relation to the control and regulation of the parking of vehicles in the Urban District of Mallow.

PART 1

PRELIMINARY AND GENERAL

1. These Bye-Laws may be cited as the Mallow (Urban District) Pay Parking Bye-Laws 2000.
2. These Bye-Laws shall come into operation on the 12th June, 2000.
3. These Bye-Laws shall apply to the area comprising the administrative area of the Urban District of Mallow.
4. (1) In these Bye-Laws:

"The Act of 1993" means the Roads Act 1993 (No. 14 of 1993).

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

"The Signs Regulations" means the Road Traffic (Signs) Regulations 1997. (S.I. No. 181 of 1997).

"The National Regulations" means the Road Traffic (Traffic and Parking) Regulations 1997 (S.I. 182 of 1997).

"Pay Parking Area" means an area on a public road where traffic sign or signs No. RRM 016 and/or No. RUS 018 authorised by the Signs Regulations together with an accompanying information plate(s) indicates or indicate that parking of vehicles is subject to the exhibition of a parking disc.

"Parking Disc" means a document, disc, card or ticket or any combination of them issued by Mallow Urban District Council whether obtained by means of a dispensing machine or otherwise and having marks or symbols capable of indicating the year, date and time when the disc, document, card or ticket or combination becomes a valid parking disc.

"Valid Parking Disc" means a parking disc which:

- (a) has been issued by Mallow Urban District Council by means of a dispensing machine or otherwise;
- (b) has been perforated or otherwise marked in accordance with the instructions printed thereon so as to indicate clearly and indelibly the year, month, day, hour 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;
- (c) indicates from the perforations or markings thereon no other year, month, day, hour or minute;
- (d) 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.

"Dispensing Machine" means a machine provided by Mallow Urban District Council which is capable of automatically delivering a parking disc when the fee prescribed in Article No.12 is inserted in the machine.

"Public Road" has the meaning assigned to it in Section 2(1) of the Act of 1993.

"Vehicle" means a mechanically propelled vehicle other than a mechanically propelled wheelchair and a pedal cycle.

"Goods Vehicle" means a vehicle used exclusively for carrying goods and taxed for commercial purposes.

"Loading Bay" has the meaning assigned to it in Article 42 of the National Regulations and is indicated by means of traffic sign No. RRM 009 of the Signs Regulations accompanied by an information plate.

"Parking Bay" means an area contained between lines of the type referred to in Article 17 of the National Regulations.

"Traffic Warden" has the meaning assigned to it by Section 2(3) of the Local Authorities (Traffic Wardens) Act 1975 (No. 14 of 1975).

- (2) A reference in these bye-laws to a traffic sign means a reference to a traffic sign prescribed in the Road Traffic (Signs) Regulations 1997 (S.I. No. 181 of 1997) and any number referred to in association with a traffic sign shall be the number allocated to such sign in such regulations.
- (3) A reference in these bye-laws to an information plate accompanying a traffic sign shall, unless otherwise specified, be to an information plate which shall indicate the period (which shall include the days and hours) when the allowance, restriction or prohibition indicated by such traffic sign applies.
- (4) (a) In these bye-laws any reference to an article or a schedule, which is not otherwise identified, is a reference to an article of, or a schedule to these bye-laws.

(b) In these bye-laws, any reference to a sub-article, paragraph which is not otherwise identified, is a reference to the sub-article, paragraph or sub-paragraph of the provision in which the reference occurs.

(c) In these bye-laws a reference to any enactment shall be construed as a reference to that enactment as adapted by any subsequent enactment or instrument.
- (5) A reference in these bye-laws to the loading of goods shall be taken to include the supplying of fuel for the operation of the vehicle.

PART 11

OBLIGATION TO DISPLAY VALID PARKING DISC

5. (1) Where a vehicle is parked in a disc parking area on a day and during the hours specified on an information plate accompanying traffic sign or signs No. RRM 016 and/or No. RUS 018 authorised by the Signs Regulations:
 - (a) separate distinct perforations or markings in accordance with the instructions printed on the parking disc indicating clearly and indelibly the year, month, day in the month, hour of the day and (to the nearest following five minutes 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 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) one valid parking disc only shall be exhibited in accordance with paragraph (b) of this article for so long as the vehicle is parked in that disc parking area.
- (2) Where a vehicle being parked in a disc parking area on a day and during the hours specified on an information plate accompanying traffic sign or signs No. RRM 016 and/or No. RUS 018 authorised by the Signs Regulations is a goods vehicle being so parked solely for the loading and unloading of goods, paragraph (1) of this article shall not apply until the expiration of 30 minutes after the commencement of parking.
- (3) Where a vehicle which has been parked in a disc parking area for a period less than the maximum parking period in accordance with article 7 of these bye-laws for that disc parking area is subsequently lawfully parked in another disc parking area on the same day, it shall not be necessary, subject to compliance with paragraph 1 (b) and 1 (c) of this article, to comply with paragraph 1 (a) of this article.

PERIOD OF PARKING IN DISC PARKING AREA

6. A vehicle parked in a disc parking area on a day and during the hours indicated on an information plate accompanying traffic sign or signs No. RRM 016 and/or No. RUS 018 authorised by the Signs Regulations shall not be so parked for longer than the period indicated as the maximum period for that disc parking area indicated on such information plate. 1 no. parking disc only shall be displayed.

INTERFERENCE WITH PARKING DISC

7. Where a vehicle is parked in a disc parking area on a day and during the hours specified on an information plate accompanying traffic sign or signs No. RRM 016 and/or No. RUS 018 authorised by the Signs Regulations a person shall not interfere with a parking disc exhibited in a vehicle.

REMOVAL OF VEHICLE FROM DISC PARKING AREA

8. A vehicle parked in a disc parking area at a time which is not specified on an information plate accompanying traffic sign or signs No. RRM 016 and/or No. RUS 018 authorised by the Signs Regulations shall be removed from the disc parking area when a period of hours specified on such information plate commences, unless at such commencement and during the remainder of the period of parking, a valid parking disc is exhibited in the interior of the vehicle in accordance with article 4 (1)(b) of these bye-laws and article 4 (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
DISC PARKING AREA**

9. A vehicle which has been parked in a disc parking area shall not be parked again in a disc parking area in the public road in which that disc parking area is situated until at least one hour after the vehicle last vacated that disc parking area.

ISSUE OF PARKING DISCS

10. Parking discs shall be issued by Mallow U.D.C. by means of a dispensing machine or otherwise.

FEE FOR PARKING DISCS

11. The fee for a parking disc shall be forty pence (IR. £0.40) or or such as may be determined from time to time by resolution of Mallow U.D.C. pursuant to the provisions of Section 36 of the Act of 1994.

CONDITIONS FOR PARKING IN A DISC PARKING AREA

12. A vehicle which is parked in a disc parking area on a day and during the hours indicated on an information plate accompanying traffic sign or signs No. RRM 016 and/or No. RUS 018 authorised by the Signs Regulations shall, where parking bays are provided at that disc parking area, be parked within the area comprising a parking bay.

**MOTOR CYCLES AND PEDAL CYCLES PROHIBITED FROM
PARKING IN DISC PARKING AREAS**

13. A motor cycle or a pedal cycle shall not be parked on a day and during the hours specified on an information plate accompanying traffic sign or signs No. RRM 016 and/or RUS 018 authorised by the Signs Regulations save in places designated for the parking of such cycles.

**NON-APPLICATION OF BYE-LAWS 4-12 OF THESE
BYE-LAWS TO CERTAIN VEHICLES**

14. Article 4-12 of 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 or electricity or of a telegraph, telephone or communications line or conduit 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 Siochana or a Traffic Warden in the performance of his/her duties as such member or warden;
- (c) a vehicle which has been damaged or has broken down during the period necessary to effect repairs to the vehicle or remove it from the location;
- (d) a vehicle parked at the edge of a public road while a passenger is entering or leaving it;
- (e) a vehicle in the interior of which is displayed a disabled person's parking permit issued pursuant to or recognised under the National Parking Regulations;

PART III

PARKING PERMITS FOR RESIDENTS

DEFINITIONS FOR PART III

15. In this part of these bye-laws:

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

"Resident" means a person whose normal residence is at premises situated in a zone containing a disc parking area;

"Resident's Parking Permit" means a document issued by Mallow Urban District Council for the purposes of articles 17 to 23 and containing the particulars specified in article 18;

"Valid Resident's Parking Permit" means a resident's parking permit which relates to a particular zone and to a period which has not expired and which is issued by Mallow Urban District Council whose functional area the vehicle on which the permit is displayed is parking;

"Vehicle" means a private motor car, a station wagon or a passenger vehicle having accommodation for not more than 7 passengers excluding the driver;

"Zone" means an area comprising of a public road or a number of public roads to which a particular residents parking permit applies;

NON-APPLICATION OF BYE-LAWS

16. Articles 5 to 15 (other than article 13) 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 article 20 of these bye-laws in the vehicle when it is so parked, a valid resident's parking permit which relates to the zone in which the disc parking area is situated.

PARTICULARS OF RESIDENTS PARKING PERMIT

17. A valid resident's parking permit shall contain the following particulars:
- (a) the name of Mallow U.D.C. by whom it is issued;
 - (b) the make and registration number of the vehicle in respect of which it is issued;
 - (c) the period to which it relates, including the respective date of issue and expiry;
 - (d) the zone to which it relates;

PERMISSION TO PARK A VEHICLE DISPLAYING A RESIDENT'S PARKING PERMIT

18. The display, in accordance with article No. 20 of these bye-laws of a valid residents 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 a disc parking area in the zone to which the permit relates.

DISPLAY OF VALID RESIDENTS PARKING PERMIT

19. 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 RESIDENTS PARKING PERMIT

20. Where a vehicle displaying a residents parking permit is parked in a disc parking area a person shall not interfere with the permit.

ISSUE OF, AND FEE FOR RESIDENTS PARKING PERMIT

21. (1) A resident's parking permit shall be issued by Mallow U.D.C. in respect of the parking of a vehicle in a disc parking area in a zone within the functional area of Mallow U.D.C.
- (2) The fee for a resident's parking permit shall be determined from time to time.
- (3) A resident's parking permit shall be issued by Mallow U.D.C. in respect of one vehicle only 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 zone to which the permit relates.

RETURN AND TRANSFER OF RESIDENT'S PARKING PERMIT

- 2 (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 to which the permit relates, he shall return it, addressed to the person whose signature appears on it, to Mallow U.D.C. by whom the disc was issued.
- (2) Where during the period to which a residents 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 whose signature appears on it) to Mallow U.D.C. by whom the permit was issued which upon payment of the fee by the resident shall issue to the resident a new permit in respect of the vehicle, and such new permit shall be valid for a period specified.
- (3) Where during the period to which a resident's parking permit relates the resident to whom it is issued loses it he shall be entitled to the issue of a substitute parking permit upon payment of a fee and upon completion of a statutory declaration verifying the loss of the current residents parking permit and such substitute resident's parking permit shall be valid for the period specified.

Made and adopted under the Common Seal of Mallow Urban District Council th

_____ day of _____ 2000.

PRESENT when the Common Seal of Mallow Urban District Council was affixed hereto.

CHAIRMAN

TOWN CLERK