

DONEGAL COUNTY COUNCIL (PARKING PLACES) BYE-LAWS 2004

Donegal County 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 an Garda Síochána, hereby makes the following Bye-Laws:-

PART 1 – PRELIMINARY

1. These Bye-Laws may be cited as the Donegal County Council (Parking Places) Bye-Laws, 2004.
2. These Bye-Laws shall come into operation on the 1st of November 2004.
3. These Bye-Laws apply to the area (hereinafter called “the said area”) comprising –
 - (a) The townland of Ballybofey.
 - (b) The townland of Stranorlar.
 - (c) The townland of Donegal and the townland of Mullans (in the District Electoral Division of Donegal).
 - (d) The town of Ballyshannon being the administrative area of Ballyshannon Town Council.
4. The Donegal County Council (Parking Places) Bye-Laws, 1998 are hereby revoked.
5. In these Bye-Laws:-

“Business Hours” means the period from 9.00 a.m. to 6.00 p.m. on a week day which is not a holiday.

“Disabled Persons Parking Permit” means a permit granted or deemed to be granted under Article 43 of the Regulations of 1997.

“Expiry time” means the expiry time of the parking ticket/permitted period.

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

“Information Plate” has the same meaning as in the Regulations of 1997.

“Parking Fee” means – €0.50 per hour.

“Parking Ticket” means subject to Part III of these Bye-Laws, a parking ticket issued by the Council on payment of the parking fee by means of a parking ticket machine which indicates the date of issue and the expiry time thereof.

“Parking Ticket Machine” means a machine capable of automatically delivering a parking ticket when the parking fee is inserted into the machine.

“Permitted Period” means the period up to the expiry time shown on the relevant parking ticket.

“The Act of 1994” means the Road Traffic Act, 1994 (No. 7 of 1994)

“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)

“Valid Parking Ticket” means subject to Part III of these Bye-Laws, a parking ticket delivered by a parking ticket machine in relation to which the expiry time has not passed.

6. The following are specified as parking places on public roads in the said area being those places where traffic sign number RRM016 as referred to in Article 20 of the Signs Regulations of 1997, is in place.

PART II – PAY AND DISPLAY PARKING

7. (1) Where a vehicle is parked in a parking place during business hours –
 - (a) The driver will proceed without delay to the nearest (functioning) parking ticket machine and will then pay the parking fee and collect the parking ticket.
 - (b) The driver will then return immediately to the vehicle and display the parking ticket upright on the dashboard (or in the case of adhesive tickets on the drivers side window) so that the parking ticket is clearly visible to a person outside the vehicle.
 - (c) The vehicle will not then be parked in that parking place for longer than the permitted period.
 - (d) The parking ticket shall continue to be displayed in the manner aforesaid for the entire of the permitted period.
 - (e) The vehicle shall not again be parked in another parking place in the same street or portion of street regardless of whether the vehicle is displaying a

further parking ticket which would otherwise be valid unless at least one hour has elapsed since the expiry time of the first parking ticket.

- (f) Save for the short time necessary for the driver to comply with paragraphs (a) and (b) of this Bye-Law a vehicle shall not be parked in a parking place during business hours without displaying a valid parking ticket as required by this Bye-Law.
- (2) Paragraph 1 of this ByeLaw shall not apply to a goods vehicle in a loading bay where the parking is in accordance with Article 42 of the Regulations of 1997
- 8. Where a vehicle is parked in a parking place during business hours a person shall not interfere with the parking ticket exhibited in the vehicle.
- 9. A vehicle parked in a parking place at a time which is not during business hours shall be removed from the parking place when a period of business hours commences, unless prior to such commencement the driver complies with Bye-Law 7 hereof in which event the vehicle does not have to be removed until the expiry time of the parking ticket.
- 10. A vehicle which is parked in a parking place during business hours shall, where parking bays are provided in that parking place, be parked within the area comprising a parking bay and no vehicle shall be so parked which is of a type not capable of fitting within a single parking bay.
- 11. A motor cycle or pedal cycle shall not be parked during business hours in a parking place.
- 12. Bye-Laws 7 to 11 hereof 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 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 Siochana in the performance of his duties as such member.
- 13. Where in a particular parking place there is a sign in place indicating that the use of such parking place is confined to buses no other class of vehicle will be parked therein and the parking of buses will be exempt from the requirements of Bye-Laws 7, 9 and (where applicable) 14 hereof.

PART III – DISABLED PERSONS PARKING PERMITS – EXEMPTION

- 14. A vehicle in which a disabled person's parking permit is displayed and which is parked for the convenience of the person to whom that permit was granted shall be

exempted from the provisions of Part II (other than Bye-Law 10) and (where applicable) Part III hereof.

PART IV – EXEMPTION FOR RESIDENTS

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 situate in a street containing a parking place;
- “Resident’s Parking Ticket” means a document issued by the Council for the purposes of Bye-Laws 15 to 21 and containing the particulars specified in Bye-Law 16;
- “Valid Resident’s Parking Ticket” means a resident’s parking ticket which relates to a particular street or streets and to a period which has not expired and which is issued by the Council;
- “Vehicle” means a private motor car, a station wagon or a passenger vehicle having accommodation for not more than seven passengers excluding the driver;
16. Part II of these Bye-Laws (other than Bye-Law 10) shall not apply to the parking of a vehicle in a parking place if there is displayed, in accordance with Bye-Law 18, in the vehicle when it is so parked, a valid resident’s parking ticket which relates to the street in which that parking place is situate.
17. A resident’s Parking Ticket shall contain the following particulars-
- (a) The Council’s name
 - (b) The name and address of the resident to whom it is issued,
 - (c) The make and registration number of the vehicle in respect of which it is issued,
 - (d) The date of issue
 - (e) The street or streets to which it relates
 - (f) The period to which it relates, including the date of expiry
 - (g) A copy of the signature and the description of the Officer of the Council issuing it.
18. The display, in accordance with Bye-Law 19 of these Bye-Laws of a valid resident’s parking ticket on the vehicle in respect of which the ticket 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 parking place in a street to which the ticket relates.

19. A valid resident's parking ticket 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.
20. Where a vehicle displaying a resident's parking ticket is parked in a parking place a person shall not interfere with the ticket.
21. (a) A resident's parking ticket shall be issued by the Council in respect of the parking of the vehicle in a parking place in the functional area of the Council.
(b) The fee for a Resident's parking ticket shall be €45.00.
(c) A resident's parking ticket shall be issued by the Council 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 street or streets to which the ticket relates.
22. (a) Where during the period to which a resident's parking ticket relates, the resident to whom it is issued ceases to reside at the address specified on the ticket or ceases to be an owner by disposing of the vehicle to which the ticket relates, he shall return it (addressed to the person a copy of whose signature appears on it) to the Council.
(b) Where during the period to which a resident's parking ticket relates, the resident to whom it is issued disposes of the vehicle to which the ticket relates and substitutes another vehicle for the one disposed of, he shall return the ticket (addressed to the person a copy of whose signature appears on it) to the Council which shall either insert the make and registration number of the substituted vehicle on the ticket of issue to the resident a new ticket in respect of that vehicle, and such new ticket shall be valid for the period as specified.

Made and Adopted under the Common Seal of Donegal County Council this *13th* day of *October*, 2004.

SEAL of Donegal County Council
affixed hereto as authenticated by the
signature of:



Nominated Officer

Dated this 13th day of October 2004

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