

PART I

PRELIMINARY

1. These Bye-Laws may be cited at the Dundalk Urban District Council Control of Skips Bye-Laws, 2000.
2. These Bye-Laws shall come into operation from 1 July, 2000.
3. In these Bye-Laws “the Act of 1993” means the Roads Act, 1993;
“the Act of 1968” means the Road Traffic Act of 1968;
“the Act of 1961” means the Road Traffic Act, 1961;

“agent of the Council” means any person employed by Dundalk Urban District Council or any other person authorised by the Local Authority to carry out functions under these Bye-Laws;

“appointed stand” has the meaning assigned to it by Section 84 (as amended by Section 6 of the Act of 1968) of the Act of 1961;

“approved person” means a person employed by Dundalk Urban District Council approved in writing by the Council for the purposes of these Bye-Laws and Section 72 of the Act of 1993.

“Authorised person” means:-

- (a) a person authorised in writing by Dundalk Urban District Council for the purpose of Section 72 of the Act of 1993;
- (b) a member of the Garda Síochána;
- (c) an approved person.

“Business hour” means the periods of operation of any time restricted parking areas and/or any pay parking area.

“cycle-track” means part of a road, including part of a footway or part of the roadway which is provided primarily for the use of pedal cycles;

“The Council” means the Dundalk Urban District Council;

“footpath” means a road over which there is a public right of way for pedestrians only, not being a footway;

“footway” has the meaning assigned to it by Section 2 (1) of the Act of 1993;

“hirer” means a person who hires a skip from a skip operator;

“information plate” means a plate accompanying a traffic sign which unless otherwise specified, indicates the period during which the restrictions or prohibition indicated by such traffic sign applies;

“motorway” has the meaning assigned to it by Section 2 (1) of the Act of 1993;

“parking place” means a place or a public road where parking time restrictions apply and/or pay parking operates;

“public road” has the meaning assigned to it by Section 2 (1) of the Act of 1993;

“road” has the meaning assigned to it by Section 2 (1) of the Act of 1993;

“road inset” means any part of a road locally inset behind its normal line;

“skip” means a container used for the storage or removal of builders materials, rubble, waste, rubbish or any other materials and which is designed to be transported by means of a mechanically propelled vehicle (as defined in the Act of 1961);

“skip operator” means a person who hires skips to others or who owns or operates a skip hire business;

4. These Bye-Laws apply to the Urban District of Dundalk.

PART II

PROHIBITIONS, RESTRICTIONS AND CONDITIONS RELATING TO THE PLACING OF SKIPS ON PUBLIC ROADS

6. Subject to Bye-Laws 8 and 9 a skip shall not, at any time, be sited:
 - (a) on that side of a section of roadway along the edge of which traffic sign number RRM 008 (double yellow lines) has been provided;
 - (b) on a section or roadway where traffic sign number RUS 019 (No Parking Sign) has been provided during the period indicated on the information plate accompanying such traffic sign;
 - (c) on a section of roadway within 5 metres of a road junction;
 - (d) on a section of roadway with less than 3 traffic lanes and where traffic sign number RRM 001 (continuous white line) has been provided;
 - (e) on a section or roadway where traffic sign number RUS 020, in association with RRM 029 (appointed stand) has been placed to indicate that an appointed stand has been provided;
 - (f) in any place, position or manner that will result in the skip obstructing, delaying or interfering with the entrance to or exit from a fire brigade station, an ambulance station or a Garda Station;
 - (g) in any place, position or manner that will result in the skip obstructing an entrance or an exit to or from a premises, save with the consent of the occupier of such premises;

(h) within 15 metres (on the approach side) or 5 metres (on the side other than the approach side) of a section of roadway where any of the following traffic signs have been provided:-

- (i) traffic sign number RPC 001 (Pedestrian Crossing);
- (ii) traffic sign number RPC 002 (Pedestrian Crossing Complex); or
- (iii) traffic sign numbers RTS 001, RTS 002, RTS 003 or RTS 004 (Traffic Lights);

(i) on a footway, a grass margin or a median strip;

(j) on a part of a roadway which is a casual trading area, during hours of trading, unless the skip is for the time being in use for the purposes of casual trading;

(k) in a manner in which it will interfere with the normal flow of traffic or which obstructs or endangers traffic;

(l) where traffic sign RUS 031 (Bus Stop) or RRM 030 (Stopping Place or Stand) has been provided;

(m) on a motorway;

(n) in a parking place during business hours;

(o) on a section of a roadway where traffic sign number RRM 010 (Stopping prohibition at school entrances is provided);

(p) on a section of a roadway where traffic sign number RRM 015 (Disabled Persons Parking Bay) is provided;

(q) on a cycle track.

7. Subject to Bye-Laws 8 and 9 a skip shall not be sited during a period which may be indicated on an information plate:-

(a) on a part of a roadway which is a bus lane or a contra flow bus lane or on a public footway adjoining a bus lane or a contra flow bus lane;

(b) on a part of a roadway which is a clearway or on a public footway adjoining that clearway;

(c) on that side of a section of roadway along the edge of which traffic sign number RRM 007 (Single Yellow Line) has been provided;

(d) on a section of roadway where traffic sign number RRM (Loading Bay) is provided;

(e) on a section of roadway where traffic sign number RUS 01 (Restricted Parking) is provided, except where works carried out are deemed solely domestic and residential;

(f) on a road, a portion of a road, open area at the entrance to which traffic sign number RUS 021 (Pedestrianised Street or Area) is provided;

(g) on a cycle track.

PART III

SKIP PERMIT

8. Notwithstanding the provisions of Bye-Laws 6 and 7 an approved person may grant permission to site a skip on a part of the public road specified in Bye-Laws 6 or 7.

9. Where the hirer of a skip wishes to site a skip on a part of the public road specified in Bye-Laws 6 or 7 he/she shall apply to the Council for a skip permit. A skip permit may be granted on the recommendation of an approved person subject to compliance with the following to the satisfaction of the Council.

(a) The hirer must provide all information required by the Council including:-

(i) the name and address of the hirer.

(ii) the name and address of the operator who will provide the skip.

(iii) the exact location where it is proposed to site the skip.

(iii) the date and times at which it is proposed to site the skip.

(iv) the date and times at which it is proposed to site the skip at the location.

(v) the date and times at which it is proposed to remove the skip.

(vi) the maximum dimensions of the skip to be sited on the public road.

(b) In any location specified in Bye-Laws 6 or 7, payment of a fee of £20.00 per day or part thereof for each 5 metres of on public road on which it is proposed to site a skip. If a skip is less than 5 metres in length the minimum charge of £20.00 per day would apply.

10. A skip permit shall not be granted to a hirer if the operator indicated in accordance with Bye-Law 9 Subsection (a)(ii) is not the holder of a skip licence.

11. The skip permit shall include the following information:

(i) the name and address of the hirer.

(ii) The name and address of the operator who will provide the skip.

(iii) The exact location where it is proposed to place the skip.

- (iv) The date and times at which the skip may be placed at the location indicated under Subsection (iii).
- (v) The date and times by which the skip must be removed.
- (vi) The maximum dimensions of the skip which is to be placed at the location.
- (vii) Any other conditions imposed by an authorised person.
- (viii) The words Dundalk Urban District Council on.
- (ix) The signature of the person granting the licence.

PART IV

SITING AND USE OF SKIPS

- 12. A skip may not be sited on a part of the public road specified in Bye-Laws 6 or 7 unless the hirer is the holder of a valid skip permit and that permit is at all times available on site for immediate inspection by an authorised person.
- 13. The hirer shall ensure that the following conditions shall be complied with in relation to any skip sited on the public road at his/her request:
 - (a) No skip may be loaded higher than a point 1 metre above the upper edge of the skip.
 - (b) Skips shall not be used for the disposal of any hazardous or noxious material.
 - (c) A secure cover shall be placed on the skip at times when the skip has been fully loaded and when the loaded skip is being transported.
 - (d) The skip must be removed within:-
 - (i) 24 hours of the skip being fully loaded
 - (ii) not more than 1 hour after a request from an authorised person for its removal
 - (iii) where a skip permit is granted, at a time not later than the expiry date and time indicated on the permit, whichever is the earlier, and the hirer shall include such conditions on any contract for the hirer of a skip.
 - (e) Any other conditions imposed under Section (vii) of Bye-Law 11.
- 14. An operator may not site a skip on a public road unless he/she ensures compliance with the following conditions:
 - (a) where a skip is being sited on a part of a public road specified in Bye-Laws 6 or 7, the operator shall be satisfied that a skip permit has been granted to the hirer by the Council authorising the placing of a skip at that time and at that location.

skip removed or repositioned or (ii) direct an operator to remove or reposition a skip from any location.

(b) notwithstanding the provision of these Bye-Laws or of a licence issued under them, an authorised person may arrange to remove or reposition a skip which he/she considers presents an immediate and serious hazard to persons using a public road.

18. Where a skip is removed or repositioned by the Council or its agents in accordance with these bye-laws the skip operator shall pay to the Council the amount of the expenditure incurred in removing and storing the skip.
19. The design of skips shall not incorporate any feature which may cause hazard or injury to the public. An authorised person may direct that modifications be made to any skip when, in the opinion of the authorised person, a hazard to the public may arise and such direction must be complied with.
20. When a direction for a modification is made by the Council, neither the skip requiring modification nor any similar skip may be sited on a public road by the skip operator within the Urban District of Dundalk until the necessary safety modification(s) have been completed to the satisfaction of the Council.

PART VI

LICENSING OF SKIP OPERATORS

21. All skip operators who provide skips for hire and/or for use on public roads within the Urban District of Dundalk are required to have a valid licence issued by this Council. Licences shall be for a period of one year and must be renewed within one year of the date of issue or last renewal.
22. An operator who is not the holder of a valid licence may not place a skip on public roads, footways or footpaths within the Urban District of Dundalk.
23. A licence may be granted to a skip operator subject to:-
 - (a) the payment to the Council of the appropriate annual fee as follows:-

No. Of Skips*	Annual Fee
1 – 25	£250
26 - 50	£500
51 - 100	£750
Over 100	£1,000

*No. of skips available for hire in Dundalk Urban area.

(b) the production of satisfactory evidence that the skip operator is the holder of a current valid Public Liability Policy with an approved insurance company, fully indemnifying himself and the Council in respect of all claims by third parties. The limit of indemnity shall be at least £5,000,000 for any one accident.

30. Notwithstanding the remedy provided for in paragraph Number 28 of these Bye-Laws, The Council may, pursuant to S. 41 of the Local Government Act, 1994, serve a fixed payment notice (within the meaning of the S. 41 aforesaid) on any person committing an offence by virtue of a contravention of these Bye-Laws. Such fixed payment notice shall specify the amount of the fixed payment and the period within which the fixed payment must be paid in order to avoid prosecution and shall be in the general form of the notice set out in the first schedule to the Local Government Act, 1994 (Bye-Laws) Regulations, 1995 - S.I. No. 360 of 360 of 1995 - (or as provided for in any amending regulations) **but subject** to such alterations thereto as The Council may consider appropriate in the case of these Bye-Laws. The amount of the fixed payment applicable to the fixed payment notice shall be £50.00.

PART VIII

EXEMPTIONS

31. Dundalk Urban District Council are exempt from Rules 9 and 21 while carrying out any statutory undertakings.

**MADE AND ADOPTED UNDER THE COMMON SEAL OF THE
COUNCIL THIS 16th DAY OF June 2000**

**PRESENT WHEN THE COMMON SEAL OF THE URBAN
DISTRICT COUNCIL WAS AFFIXED THERETO:-**

Seamus Keelan

CHAIRMAN

[Signature]

TOWN CLERK

[Signature]

COUNTY MANAGER