

Louth County Council

**Ardee Town Parking Control (Pay Parking
Bye-Laws 2002 (as amended 2006))**

Louth County Council

Ardee Town Parking Control (Pay Parking) Bye-Laws, 2002 **(as amended 2006)**

PART 1

Preliminary

Short Title	1.	These Bye-Laws may be cited as the Louth County Council Ardee Town Parking Control (Pay Parking) Bye-Laws, 2002 (as amended 2006).
Commencement.	2.	These Bye-Laws shall come into operation on 17 th day of August, 2006.
Area of Application.	3.	These Bye-Laws apply to the area comprising that part of the Town of Ardee as delineated on Map No: 418-02.
Interpretation.	4.	In these Bye-Laws: “agent of the Council” means any officer, contractor or person employed by Louth County Council or any other person authorised by the Council to carry out functions under these Bye-Laws, “authorised information plate” means a plate accompanying road traffic sign RUS 018 and RRM 016 of the Signs Regulations 1997 which indicates the period during which the restrictions or prohibition indicated by such traffic sign applies, “authorised person” has the meaning assigned to it by Section 103 (8) (inserted by the Road Traffic Act, 1968) (No. 25 of 1968) of the Road Traffic Act, 1961 and includes any person appointed under Section 2 of the Local Authorities (Traffic Wardens) Act, 1975, “Council means Louth County Council, “disabled bay” means a bay provided for the holder of a disabled persons parking permit and indicated by road markings RRM 015 as specified in the Road Traffic (Signs) Regulations, 1997, “disabled person” means a person who holds a valid disabled persons parking permit provided the permit is prominently displayed and legible on the vehicle, “disabled persons parking permit” means a permit issued by the Disabled Drivers Association of Ireland Wheelchair Association,

		“goods vehicle” means a vehicle used exclusively for the carriage of goods or burden in the course of trade or business and licensed as a goods vehicle, “holiday” means Good Friday or any day that is a public holiday for the purposes of the Organisation of Working Time Act, 1997, “mechanically propelled vehicle” means a vehicle intended or adapted for propulsion by mechanical and/or electrical means excluding motor cycles, “operating hours” means the period from 8.30a.m. to 5.30p.m. (08.30 to 17.30) from Monday to Saturday inclusive, on a day which is not a holiday, “pay and display parking ticket machine” means a machine, provided by the Council capable of automatically delivering a pay and display parking ticket when the appropriate parking fee is paid, “pay parking place” means an area on a public road where traffic sign or signs No. RRM 016 and No. RUS 018 authorised by the Signs Regulations of 1997 together with an accompanying information plate(s) indicates or indicate that parking of vehicles is permitted subject to the exhibition of a valid pay and display parking ticket, “parking fee” means a fee payable in accordance with these Bye-Laws for the parking of a vehicle, “pay parking zone” means the street or streets indicated on a resident’s parking disc, “public road” means a road over which a public right of way exists and the responsibility for the maintenance of which lies on a road authority, “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) Regulations, 1997 (S.I. No. 181 of 1997), “vehicle” means a mechanically propelled vehicle.
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PART II

Pay Parking

Definitions.	5.	In this Part: “pay and display parking ticket” means a document having marks or symbols capable of indicating the year, date and time when the document or combination becomes a valid pay and display parking ticket, “pay and display parking ticket machine” means a machine provided by the Council, capable of automatically delivering a Pay and display parking ticket when the appropriate parking fee is paid, “valid pay and display parking ticket” means a pay and display parking ticket which has been issued by the Council, and indicates the year, month, day in the month, hour of the day and minute of the hour of commencement and termination of a period of parking of the vehicle in which the parking ticket is exhibited in accordance with these Bye-Laws.
Obligation to display valid Pay and parking ticket.	6.	1) Where a vehicle is parked in a pay parking place on a day and during a period which is indicated on an authorised information plate. (a) a valid pay and display parking ticket shall be purchased, and (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 commenced and will be terminated, and (c) the valid pay and display parking ticket shall be exhibited in accordance with paragraph (b) of this Bye-Law for so long as the vehicle is parked in that pay parking place. 2) Where a vehicle being parked in a pay parking place on a day and during a period which is indicated on an authorised information plate is a goods vehicle parked while goods are being actively loaded in or onto it or unloaded from it, paragraph (1) of this Bye-Law, shall not apply until the expiration of 20 minutes after the commencement of parking. 3) Where a vehicle had been parked in a pay parking place in accordance with Bye-Law 7 of these Bye-Laws and is subsequently lawfully parked in another pay parking

		place on the same day, within the said maximum parking period, 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 a pay parking place.	7.	1) A vehicle parked in a pay-parking place on a day and during a period which is indicated on an authorised information plate shall not be so parked for longer than the period indicated as the maximum parking period for that pay parking place. 2) Where a vehicle which had been lawfully parked in a pay parking place is subsequently lawfully parked in another pay 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 parking ticket to the time when the subsequent parking commenced.
Interference with Pay and Display parking ticket.	8.	Where a vehicle is parked in a pay parking place on a day and during a period which is indicated on an authorised information plate a person shall not interfere with a Pay and Display parking ticket exhibited on the vehicle.
Removal of vehicle from pay parking place.	9.	A vehicle parked in a pay-parking place at a time which is not on a day and during a period which is indicated on an authorised information plate shall be removed from the pay parking place when the period indicated on the authorised information plate commences, unless at such commencement and during the remainder of the period of parking, a valid pay and display parking ticket is exhibited in the interior of the vehicle in accordance with Bye-Law 6.
Prohibition on certain parking inside an hour of leaving pay parking place.	10.	A vehicle which had been parked in a pay parking place for the maximum parking period for that pay parking place as indicated by means of an authorised information plate shall not be parked again in a pay parking place in the public road in which that pay-parking place is situated until at least one hour has elapsed since the expiry of its earlier pay parking period.
Conditions for parking.	11.	A vehicle which is parked, in a pay parking place or disabled bay on a day and during a period which is indicated on an authorised information plate shall be parked within the area comprising a parking place or disabled bay if displaying a Disabled Persons parking permit.
Issue of Pay and Display parking ticket.	12.	Pay and Display parking tickets shall be issued from Louth County Council by Pay and Display Parking Ticket machines.
Fee for Pay and Display parking ticket.	13.	The fee for a Pay and Display parking ticket shall be 40 cent for a period of one hour or 10 cent for any continuous period of 15 minutes and on a pro-rata basis for any period of parking up to a maximum stay of 2 hours.

Suspension of Pay and Display Parking Ticket machines or Pay Parking place.	14	1) The Council may suspend from operation a pay parking place or part thereof. The suspension shall be subject to any conditions which may be specified in writing by the Council, including the payment of fee(s) by the person requesting the suspension. 2) The suspension of a pay parking place or a part thereof shall be indicated by the placing thereon of a sign or other device clearly indicating that it is non-operational or by the temporary removal of the pay and display parking ticket machine and the erection of a sign indicating that the parking of vehicles is prohibited in the pay parking place or part thereof. 3) It shall be an offence to breach a condition specified in writing by the Council when a pay parking place or part thereof is being suspended. In the event of vehicles being parked in contravention of these conditions, they shall be deemed to be unlawfully parked for the purposes of the Road Traffic Acts, Regulations and any Bye-Laws made thereunder. 4) It shall be an offence to obstruct, cordon off or obstruct with unattached trailers any pay parking place or part thereof without the prior approval of the Council on payment of any fees or satisfying any conditions required in part (1) of this Bye-Law.
Interference with Pay and Display Parking Ticket Machine	15.	1) No person shall insert any coin, substance, article or object other than the coins specified for the purchase of a pay and display parking ticket, in a pay and display parking ticket machine, or interfere in any other way with a pay and display parking ticket machine. 2) No person other than an agent of the Council, a member of the Garda Síochána, or an authorised person shall interfere in any way with a hood, sign or other device placed on a pay and display parking ticket machine.

PART III

Pay Parking for Residents

Definitions for Part III.	16.	In this part: “acceptable evidence” means the following: (a) current motor insurance certificate as defined in the Road Traffic Act 1961 – 1994 confirming that the vehicle is normally kept by the resident at the resident’s address in the pay parking place to which the pass will relate, and (b) (i) a vehicle licensing certificate or a registration book confirming that the resident applying for a resident’s parking pass is the registered owner of the vehicle in respect of which the application for a resident’s parking pass is being made and that the vehicle is registered at the resident’s address in the pay parking place to which the pass will relate, or (ii) where the applicant is not the registered owner of the vehicle in respect of which the application for a resident’s parking pass is being made, satisfactory documentary evidence from the registered owner that the vehicle is normally kept by the applicant at his or her address in the pay parking place to which the pass will relate and evidence from the Revenue Commissioners that a vehicle owned by the registered owner is normally kept by the applicant, and (c) a driving or provisional licence in the name of the resident applying for the resident’s parking pass, and (d) utility bills, bank statements or other documentation, acceptable to the Council, addressed to the applicant at his/her address in the pay parking place which the resident’s parking pass will relate, and (e) where the applicant is resident in a rented house, confirmation that the dwelling is registered with the Council in accordance with the provisions of the Housing (Registration of Rented Houses) Regulations 1996. (f) confirmation of entry in the Register of Electors. (g) any other information which may be requested by the Council. “owner” means a resident by whom a vehicle is habitually kept and used.
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		“resident” means a person who satisfies the Council that his/her normal dwelling place is at premises situated in a street containing a pay parking place. “resident’s parking pass” means a document issued by the Council or its agents for the purposes of Bye-Laws 17 to 23 and containing the particulars specified by Bye-Law 18, “resident’s vehicle” means (a) a vehicle currently licensed in this state under the Road Traffic Acts 1961 – 1994, (b) a passenger vehicle with passenger accommodation for not more than twelve persons excluding the driver and not drawing a trailer or other vehicle, (c) a goods vehicle whose unladen weight does not exceed 3 tonnes and not drawing a trailer or other vehicle. “valid resident’s parking pass” means a residents parking pass which relates to a particular pay parking zone and to a period which has not expired and which is issued by the Council or its agents.
Non-application Of Bye-Laws 6 to 10 of these Bye – Laws.	17.	Bye-Laws 6 to 10 of these Bye-Laws shall not apply to the parking of a vehicle in a pay parking place if there is displayed, in accordance with Bye-Law 20 of these Bye-Laws, in the vehicle when it is so parked, a valid resident’s parking pass which relates to the street in which that pay parking place is situated.
Particulars of Resident’s Parking Pass.	18.	A resident’s parking pass shall contain the following particulars: (a) the words Louth County Council, (b) the registration number of the resident’s vehicle in respect of which it is issued, (c) the date of issue, (d) the pay parking zone(s) to which it relates, (e) the period to which it relates, including the date of expiry.

Permission to park vehicle displaying residents parking pass.	19.	The display, in accordance with Bye-Law 20, of a valid resident's parking pass on the resident's vehicle in respect of which the pass 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 parking place in a street in the pay parking zone to which the pass relates.
Display of residents parking pass.	20.	A valid resident's parking pass shall be so displayed in the interior of the resident's vehicle in respect of which it is issued that it can be read from outside the vehicle.
Interference with residents parking pass.	21.	Where a resident's vehicle displaying a resident's parking pass is parked in a pay parking place, a person shall not interfere with the pass.
Issue of residents parking pass.	22.	1) A resident's parking pass may be issued by the Council or its agents in respect of the parking of a resident's vehicle in a pay parking place subject to the production of acceptable evidence. 2) A resident's parking pass may be issued by the Council or its agents in respect of the resident's vehicle and shall be valid for a period of one year from the date of issue, in respect of that resident's vehicle and for the pay parking zone(s) to which the pass relates.
Issue of replacement residents parking pass.	23.	Where the Council is satisfied that a valid residents parking pass has been lost, destroyed or stolen, the Council or its agents shall issue a replacement to the owner on payment of a fee of €20.00 and such replacement pass shall be substituted for the original pass and the original pass shall be void.
Return of residents parking pass.	24.	Where, during the period to which a resident's parking pass relates, the holder ceases to reside at the address notified at the time of issue of the pass or ceases to be an owner by disposing of the vehicle to which the pass relates, he/she shall return the resident's parking pass to the Council or its agents.
Transfer of residents parking pass.	25.	If the holder of a resident's parking pass for a vehicle replaces that vehicle with another, he/she shall be entitled, following the surrender of the original pass, to receive a resident's parking pass in respect of the new vehicle which shall be valid for the period specified on the original pass. The fee for such replacement pass shall be €20.00.
Display of a void residents parking pass.	26.	It shall be an offence to display a void resident's parking pass.

PART IV

Miscellaneous

Non-application Bye-Laws 6 to 10 of these Bye-Laws to certain vehicles.	27.	Bye-Laws 6, 7, 9 and 10 of these Bye-Laws shall not apply to: 1) a vehicle being actively used in connection with the removal of an obstruction to traffic, the maintenance, improvement or reconstruction of a public road, the apparatus for the supply of gas, water or electricity or of a telegraph or telephone line or the provision of a traffic sign, 2) a fire brigade vehicle, an ambulance or a vehicle being used by the Garda Siochana or the Defence Forces, 3) a vehicle in which a valid disabled person's parking permit is displayed and which is parked for the convenience of the person to whom that permit was granted provided the permit is prominently displayed on the vehicle when the vehicle is parked in a pay parking place on a day and during a period which is indicated on an authorised information plate, 4) a vehicle used by Louth County Council's Area Engineering staff and Branch Library staff during normal working hours.
Authorised Person/Agent, Powers, etc.	28.	(1) Every person using a pay parking place shall comply with any lawful direction given by an Authorised Person or Agent of the Council or a member of the Garda Siochana in relation to the parking of a vehicle, motor cycle or pedal cycle. (2) A person shall not wilfully obstruct, disturb, interrupt or annoy an Authorised Person or Agent of the Council in the execution of his/her duty including the execution of any work in connection with laying out or maintenance of any part of a Pay parking place. (3) A person shall give on demand to an Authorised Person or Agent of the Council or a member of the Garda Siochana his/her name and address and a person shall not resist, obstruct, aid or incite any person to resist or obstruct any Authorised Person or Agent of the Council in the execution of his/her duty or lawful exercise of his/her authority. (4) Any person may be requested by an Authorised Person or Agent of the Council or a member of the Garda Siochana to quit or leave a Pay Parking place shall forthwith comply with such request.

		(5) An Authorised Person or Agent of the Council shall produce, if required to do so, evidence of his/her identity to any person alleged to be in breach of these Bye-Laws.
Offences	29.	1) Offences under Bye-Laws 6, 7, 9, 10 and 11 of these Bye-Laws, shall be enforced through Section 3 (3) of the Local Authorities (Traffic Wardens) Act, 1975 and the Council or its Agents may utilise the powers conferred under the Road Traffic (Immobilisation of Vehicles) Regulations, 1998. 2) Any person in breach of these Bye-Laws shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding €1,000 or, at the discretion of the Court, to imprisonment for a term not exceeding six months, or to both such fine and imprisonment. 3) In relation to offences other than those specified in Paragraph 1 of this Bye-Law, the Council may, pursuant to Section 41 of the Local Government Act, 1994, serve a fixed payment notice 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 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 €65.00.

Made and adopted under the common seal of the Council this 17th day of July, 2006.

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

Director of Services - Infrastructure

Chairman – Louth County Council