

CASTLEBAR TOWN COUNCIL
(STREET PARKING) BYE-LAWS 2009

Adopted on 23rd April 2009

(As Amended 7th June 2018 Mayo County Council Municipal District of Castlebar)

**Castlebar Town Council (Street Parking) Bye-Laws 2009 (As Amended 7th June 2018
Mayo County Council Municipal District of Castlebar)**

Long Title: The Cathaoirleach and Members (hereafter 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 the Garda Síochána hereby make the following Bye-laws.

**PART I
Preliminary**

Short Title: **1.** These bye-laws may be cited as the Castlebar Town Council (Street Parking) Bye-Laws 2004.

Commencement: **2.** These bye-laws shall come into operation on the 23rd April 2009

Area of Application: **3.** These bye-laws apply to the area comprising the functional area of Castlebar Town Council.

Interpretation: **4.** In these Bye-laws:

“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),

“agent of the Council” means any person employed by Castlebar Town Council or any other person authorised by the Council to carry out functions under these bye-laws.

“appropriate fee” means the fee, prescribed in these bye-laws, for the parking area in which the vehicle is parked,

“appropriate pay & display parking ticket machine” means a pay and display parking ticket machine located on the public road in which the vehicle is parked or on an adjacent public road, where indicated on an information sign, or

“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,

“buffer area” means an area between two parking bays,

“business hours” means the period from 8.30 a.m. to 6.30 p.m. (08.30 – 18.30) on a week-day which is not a Thursday or a Friday or a holiday, and the period 8.30 a.m. to 6.30 p.m. on a Thursday

and a Friday which is not a holiday, except where otherwise indicated on:

- (i) an information plate accompanying traffic sign number RUS 018 authorised by the Signs Regulations of 1997 in the ticket parking area where the vehicle is parked or
- (ii) the appropriate pay and display parking ticket machine located on the public road in which the vehicle is parked or on an adjacent public road, where indicated on an information sign,

“disabled persons parking permit” means a permit granted in accordance with Article 43 of the Regulations of 1997,

“goods vehicle” means 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 purposes of “Organisation of Working Time Act 1997 (No.20 of 1997)

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

“parking fee” means a fee payable in accordance with these by-laws for the parking of a vehicle,

“parking place” means a place on a public road which is a ticket parking place,

“Pay and display parking ticket” means a parking ticket which is issued by the Council by means of a pay and display parking ticket machine and which contains the following particulars:

- (a) the words ‘Castlebar Town Council’,
- (b) the fee paid in respect of the ticket
- (c) the date and time of issue of the ticket
- (d) the time of expiry of the ticket

“pay and display parking ticket machine” means a machine capable of automatically delivering a pay and display parking ticket when the appropriate parking fee prescribed by these by-laws is paid,

“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,

“ticket parking area” means an area on a public road where traffic sign No. RUS 018 authorised by the Signs Regulations of 1997 together with an accompanying information sign indicates that parking of vehicles is subject to the exhibition of a pay and display parking ticket,

“ticket parking place” means a place on a public road where the parking of vehicles is subject to the exhibition of a valid pay and display parking ticket,

“traffic warden” has the meaning assigned to it by Section 2 of the Local Authorities (Traffic Wardens) Act 1975 (No 14 of 1975),

“valid coins” means, the coins indicated on the appropriate pay and display parking ticket machine,

“valid pay and display parking ticket” means a pay and display parking ticket which was purchased at an appropriate pay and display parking ticket machine and has not expired,

PART II

Pay and Display Ticket Parking

Parking in pay and display ticket parking places.

5. (1) The following provisions shall apply during business hours to the parking of a vehicle in a ticket parking place -
- (a) subject to paragraph (2) of this bye-law, a vehicle which is parked in a ticket parking place during business hours shall, where parking bays are provided at that ticket parking place, be parked within the area comprising a parking bay,
 - (b) a vehicle which had been parked in a ticket parking place for the maximum period permitted in that ticket parking place, as indicated on the appropriate pay and display ticket parking machine in accordance with Bye-Law 10, shall not be parked again in a ticket parking place on the public road in which that ticket parking place is situated until at least one hour has elapsed since the vehicle was last parked in that ticket parking place,
 - (c) a vehicle shall not be parked in a buffer area,
 - (d) a vehicle parked in a ticket parking place at a time which is not during operational hours shall be removed from the ticket parking place when a period of business hours 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 7(2) of these bye-laws and bye-law 7(3) of these bye-laws shall apply from such commencement in respect of such parking,

(e) where a vehicle being parked in a ticket parking place during business hours is a goods vehicle parked while goods are being actively loaded in or on to it or unloaded from it paragraph (1) of bye-law 7 shall not apply until the expiration of 30 minutes after the commencement of the parking,

(2) Notwithstanding paragraph (1)(a) of this bye-law, a vehicle parked in a parking bay during business hours may project into an adjoining buffer area if the length of the vehicle prevents its being parked wholly in accordance with paragraph (1)(a) of this bye-law.

(3) This bye-law shall not apply to a parking bay when the pay and display parking ticket machine for that parking bay is temporarily suspended from operation in accordance with bye-law 12.

Vehicles which may be parked in pay and display ticket parking place.

6. Mechanically propelled vehicles only, of the following classes, may be parked in a ticket parking place during operational hours

(a) a passenger vehicle with passenger accommodation for not more than twelve persons excluding the driver and not drawing a trailer or other vehicle

(b) a goods vehicle whose unladen weight does not exceed 3 tonnes and not drawing a trailer or other vehicle

(c) a goods vehicle, other than a vehicle described in paragraph (b) of this bye-law, which is parked while goods are being actively loaded in or on to it or unloaded from it, for a period not exceeding 30 minutes from the commencement of parking.

Obligation to display a valid parking ticket.

7 (1). A valid pay and display parking ticket shall be displayed as specified in this bye-law on the interior of a vehicle lawfully parked in a pay and display ticket parking place in a ticket parking area during operational hours.

(2) 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 ticket ceases to be valid and,

(3) the pay and display parking ticket shall be exhibited in accordance with paragraph (2) of this bye-law for so long as the vehicle is parked in that ticket parking place.

Fees	<p>8. (1) The parking fee payable for a pay and display parking ticket shall be 50 cent for each continuous period of parking not exceeding 30 minutes and €1.00 for each continuous period of parking not exceeding 60 minutes and a pro rata basis for any period of parking up to the maximum period allowed in that ticket parking place as indicated on the appropriate pay and display ticket parking machine in accordance with bye-law 10.</p> <p>8.(2) Having regard to Section 36(3) of the Road Traffic Act 1994 the fees for parking may be revised from time to time by the Council at its discretion and may be increased or reduced or waived by the Council at its absolute discretion"</p>
Manner and time of payment of parking fee.	<p>9. (1) A pay and display parking ticket shall be purchased from an appropriate pay and display parking ticket machine.</p> <p>(2) The fee for the pay and display parking ticket shall be payable by means of any combination of valid coins.</p> <p>(3) Payment by cash shall be made by inserting the appropriate fee for the parking time required into the appropriate parking ticket machine and following the instructions on the parking ticket machine in order to obtain a valid pay & display parking ticket.</p> <p>(4) The valid parking ticket shall be displayed immediately on parking provided that, where a vehicle is parked at a time not during operational hours, the valid parking ticket shall be displayed in accordance with bye-law 7 at the commencement of business hours.</p>
Period of parking in ticket parking place	<p>10. A vehicle parked in a ticket parking place during business hours shall not be so parked for a period longer than the maximum period for which parking is permitted on that day in that ticket parking place as indicated on the appropriate pay and display parking ticket machine located on the public road in which the vehicle is parked or on an adjacent public road, where indicated on an information sign.</p>
Motor cycles and pedal cycles prohibited from parking in pay and display ticket parking places.	<p>11. A motor cycle or pedal cycle shall not be parked during operational hours in a ticket parking place.</p>
Suspension of pay & display machines or ticket	<p>12. (a) The Council or its agents may suspend from operation a pay and display parking ticket machine or a ticket parking place in a ticket parking area. The</p>

parking places

suspension shall be subject to any conditions which may be specified in writing by the Council,

- (b) The suspension of a pay and display parking ticket machine or a ticket parking place 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 ticket parking place.
- (c) It shall be an offence to breach a condition specified in writing by the Council when a pay and display ticket parking machine or a ticket parking place 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 and any Regulations made thereunder.

Interference.
than

- 13.** (a) No person shall insert any coin, 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 in a ticket parking place.
- (b) No person other than an agent of the Council, a member of the Garda Siochana, an authorised person, or a traffic warden shall interfere in any way with a hood, sign or other device placed on a pay and display parking ticket machine in a ticket parking place.
- (c) A person shall not interfere with, alter or deface a pay and display parking ticket.

PART III

Parking Disc for Residents

Definitions for
Part III.

- 14.** In this part of these bye-laws -
- “acceptable evidence” means the following
- (i) A current insurance certificate confirming that the vehicle is normally kept by the resident at the residents address in the ticket parking place to which the disc will relate
 - (ii) (a) A vehicle licensing certificate or a registration book confirming that the resident applying for a residents parking disc is the registered owner of the vehicle in respect of which the application for a residents parking disc is being made and that the vehicle

- is registered at the residents address in the ticket parking place to which the disc will relate or
- (b) Where the applicant is not the registered owner of the vehicle in respect of which the application for a residents parking disc is being made, the vehicle licensing certificate or a registration book for the vehicle , satisfactory documentary evidence from the registered owner that the vehicle is normally kept by the applicant at the residents address in the ticket parking place to which the disc will relate and evidence from the Revenue Commissioners that a vehicle owned by the registered owner is normally kept by the applicant and
 - (iii) A driving or provisional licence in the name of the resident applying for the residents parking disc and
 - (iv) Utility bills, bank statements or other documentation, acceptable to Castlebar Town Council, addressed to the applicant at his/her address in the ticket parking place to which the residents parking disc will relate to and
 - (v) Any other information which may be requested by Castlebar Town Council

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

“resident” means a person, other than the occupant of a purpose built apartment block or a premises which has more than 4 residential units, who satisfies the Council that his/her normal dwelling place is at premises situated in a street in a ticket parking place;

“resident’s parking disc” means a document issued by the Council or its agents for the purposes of bye-laws 15 to 21 and containing the particulars specified in bye-law 16;

“valid resident’s parking disc” means a resident’s parking disc issued in respect of the vehicle on which the residents parking disc is displayed which relates to the ticket parking place in which the vehicle is parked and to a period which has not expired and which is issued by the Council or its agents.

“vehicle” means

(a) a passenger vehicle with passenger accommodation for not more than twelve persons excluding the driver and not drawing a trailer or other vehicle

(b) a goods vehicle whose unladen weight does not exceed 3 tonnes and not drawing a trailer or other vehicle

- Non-application of bye-laws 5 to 11 of these bye-laws. **15.** Bye-laws 5 to 11 of these bye-law shall not apply to the parking of a vehicle in a ticket parking place if there is displayed, in accordance with bye-law 18 of these bye-laws, in the vehicle when it is so parked, a valid resident's parking disc
- Particulars of residents parking disc. **16.** A resident's parking disc shall contain the following particulars -
- (a) the registration number of the vehicle in respect of which it is issued,
 - (b) the ticket parking place to which it relates,
 - (c) the date of expiry of the residents parking disc,
 - (d) the signature of an officer of Castlebar Town Council
- Permission to park vehicle displaying residents parking disc. **17.** The display, in accordance with bye-law 18 of a valid resident's parking disc on the vehicle in respect of which the disc was issued, shall permit the vehicle to be parked without limitation as to time in a parking place in the ticket parking place to which the disc relates.
- Display of residents parking disc. **18.** A valid resident's parking disc 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 disc **19.** Where a vehicle displaying a resident's parking disc is parked in a parking place a person shall not interfere with the residents parking disc
- Issue of, and fee for residents parking discs. **20.**
- (1) A resident's parking disc may be issued by the Council or its agents in respect of the parking of a vehicle in a ticket parking place.
 - (2) A resident's parking disc may be issued by the Council or its agents subject to the provisions of subsection 3 of this bye-law in respect of one vehicle of which the resident is the owner where the Council are satisfied, following production of acceptable evidence, that the applicant is resident in a street in the ticket parking place to which the disc will relate and that the vehicle is normally kept at the residents normal dwelling place in that street. The residents parking disc shall be granted for a period of one year from the date of issue, in respect of that vehicle and for the ticket parking place to which the disc relates.
 - (3) (i) Where the premises is a single housing unit, the maximum number of residents in that premises who may concurrently hold a residents parking disc shall be 4.

- (ii) Where the premises consists of not less than 2 and not more than 4 residential units the maximum number of residents in each unit who may concurrently hold a residents parking disc shall be 1
- (4) The fee for a resident’s parking disc shall be €10 for 1 year and free for old age pensioners and shall include 25 complementary visitors parking discs.
- Issue of replacement residents parking disc **21.** Where the Council are satisfied that a valid residents parking disc has been lost, destroyed or stolen the Council or its agents shall issue a replacement to the owner on payment of a fee of €6 and such replacement disc shall be substituted for the original disc and the original disc shall be void.
- Return of resident’s parking disc **22.** Where, during the period to which a resident’s parking disc relates, the holder ceases to reside at the address notified at the time of issue of the disc or ceases to be an owner by disposing of the vehicle to which the disc relates, he shall return the resident’s parking disc to the Council or its agents.
- Transfer of parking disc **23.** If the holder of a resident’s parking disc for a vehicle replaces that vehicle with another the Council or its agents may, following the surrender of the original disc, issue a resident’s parking disc in respect of the new vehicle which shall be valid for the remainder of the period specified on the original disc.
- Display of a void resident’s parking disc **24.** It shall be an offence to display a void residents parking disc.

**PART IV
Visitors Parking Disc**

- Definitions. **25.** In this Part -
- “visitors parking disc” means a disc or document, or a combination of both, having marks or symbols capable of indicating the year, date and time when the disc, document or combination becomes a valid parking disc and containing inter alia the following particulars;
- (a) the words visitors parking disc and
- (b) the ticket parking place to which it relates

“valid visitors parking disc” means a visitors parking disc which -

- (a) has been issued by the Council or its agents
- (b) has been perforated or otherwise marked as appropriate to the particular type of parking disc so as to indicate clearly the year, month, day in the month, hour of the day 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 and
- (c) indicates no other year, month, day, hour or minute, and
- (d) indicates that the vehicle is so parked for a period, not exceeding a continuous period of 24 hours from the time parking commenced,
- (e) has been issued in respect of the ticket parking place in which the vehicle is parked,
- (f) is being displayed by a visitor.

“resident” means a person other than the occupant of a purpose built apartment block or a premises which has more than 4 residential units who satisfies Castlebar Town Council that his/her normal dwelling place is at premises situated in a street in a ticket parking place.

“vehicle” means

- (a) a passenger vehicle with passenger accommodation for not more than twelve persons excluding the driver and not drawing a trailer or other vehicle
- (b) a goods vehicle whose unladen weight does not exceed 3 tonnes and not drawing a trailer or other vehicle

Non-application of bye-laws 5 to 11 of these bye-laws

- 26.** Bye-laws 5 to 11 of these bye-laws shall not apply to the parking of a vehicle in a ticket parking place if there is displayed, in accordance with bye-law 27 of these bye -laws, in the vehicle when it is so parked, a valid visitors parking disc

Display of a visitors parking disc.

- 27.** (1)A visitors parking disc shall be displayed in the following manner
- (a) separate distinct perforations or markings as appropriate to the particular type of parking disc indicating the year, month, day in the month, hour of the day and (to the nearest following five-minute 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 visitors 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) the valid visitors parking disc shall be exhibited in accordance with paragraph (b) of this bye-law so long as the vehicle is parked in that disc parking place

Permission to park vehicle displaying visitors parking disc

28. The display, in accordance with bye-law 27 of a valid visitors parking disc on a vehicle, shall permit the vehicle to be parked not in excess of 24 hours from commencement of parking in a parking place in the ticket parking place to which it relates.

Interference with visitors parking disc

29. Where a vehicle displaying a visitors parking disc is parked in a parking place a person shall not interfere with the visitors parking disc

Issue of, and fee for visitors

30. (1) Visitors parking discs may be issued by the Council or its agents to each resident, residing adjacent to a ticket parking place in respect of the parking of vehicles which are not normally kept in that place and which require to be parked temporarily in a ticket parking place for a purpose which is ancillary to the use of the residents dwelling.

(2) The total number of visitors parking discs which may be issued to each resident in a ticket parking place including those issued in accordance with bye law 20 is 50 in any 12 month period.

(3) The fee for each visitors parking disc, other than those issued under bye law 20, shall be €1.00.

(4) A visitors parking disc shall only be valid for use in the ticket parking place to which the disc relates.

Offences

31. (a) It shall be an offence for a resident

(i) to sell a visitors disc to any person or

(ii) to sell or otherwise dispose of a visitors disc to a person other than a visitor.

(b) It shall be an offence to display an invalid visitors parking disc.

PART V

Miscellaneous

Non-application of
Bye-laws 5 to 11,

- 32.** Bye-laws 5 to 11, of these bye-laws shall not apply to –
- (a) a vehicle being used in connection with the removal of an obstruction to traffic, the removal of a vehicle pursuant to section 97 of the 1961 Road Traffic Act as amended, the immobilisation and release of vehicles, 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 telephone line or the provision of a traffic sign,
 - (b) a fire brigade vehicle, an ambulance or a vehicle being used by a traffic warden, as authorised by the Council, or a member of the Garda Síochána or the Defence Forces in the performance of his/her duties as such member.
 - (c) a vehicle in which a valid disabled persons permit is displayed and which is parked for the convenience of the person to whom that permit was granted if the permit is prominently displayed on the vehicle when that vehicle is parked in a ticket parking place

Made and adopted under the common Seal of Mayo County

Council this _____, which Seal was affixed here to

in the presence of:

Cathaoirleach of Castlebar Municipal District

Head of Castlebar Municipal District

Director of Services