

**COMHAIRLE CHONTAE NA GAILLIMHE**

**GALWAY COUNTY COUNCIL**



**Car Park**

**(Church Street, Athenry)**

**BYE-LAWS**

**2013**

## Galway County Council

### CAR PARK (CHRUCH STREET, ATHENRY) BYE-LAWS 2013

**GALWAY COUNTY COUNCIL** (hereinafter referred to as “the Council”) in exercise of the powers conferred on them by Section 101 of the Roads Traffic Act 1961 (No 24 of 1961) as amended by Section 6 of the Road Traffic Act 1968 (No 25 of 1968) hereby makes the following bye laws:-

#### PART 1: PRELIMINARY

##### **Short Title**

1. These Bye-Laws shall be known as Galway County Council Car Park (Church Street, Athenry) Bye-Laws 2013.

##### **Area of Application**

2. These Bye-Laws apply to car parks provided by the Council as specified hereunder:
  - Church Street Car Park, Athenry, Co Galway

##### **Commencement**

3. These bye-laws will come into operation on 27<sup>th</sup> January 2014.

##### **Interpretation**

4. In these Bye-Laws:

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

“**authorised person**” has the meaning assigned to it by Section 103 (8) (inserted by the Road Traffic Act of 1968) (No. 25 of 1968) of the Road Traffic Act, 1961.

“**car park**” means a place for the parking of mechanically propelled vehicles provided by the Council and specified in Bye law 2 of these Bye-Laws.

“**council**” means the Galway County Council

**“disabled person’s parking bay”** means a space intended for the parking of a mechanically propelled vehicle in which is displayed a valid disabled person’s parking Permit;

**“disabled person’s parking permit”** means a Parking Permit for a Person with a Disability issued under Article 43 of the Regulations of 1997.

**“information plate”** means an information plate accompanying a traffic sign, which indicates the period during which a valid pay & display parking ticket must be displayed and the maximum parking period if any.

**“local authority”** means the Galway County Council.

**“operational hours”** means the periods 09.00 to 18.00 from Monday to Saturday inclusive.

**“parking bay”** means a space in a car park intended for the parking of one mechanically propelled vehicle or, where the space is intended for the parking of motorcycles, or more than one such vehicle, and so indicated by surface or other signs of markings.

**“pay and display car park”** means a car park where the parking of vehicles is subject to the exhibition of a valid pay & display parking ticket in accordance with these Bye-Laws and which is indicated by an information plate.

**“pay & 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 bye-laws is paid

**“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).

**“traffic warden”** has the meaning assigned to it by Section 2 (3) of Local Authorities (Traffic Wardens) Act 1975 (No. 14 of 1975);

**“valid disabled person’s parking permit”** means such a parking permit which has not expired.

**“valid pay & display parking ticket”** means a pay & display parking ticket which has been issued by the Council by means of a pay and display machine at a car park indicating the time, date and year of issue of the ticket and the time at which it ceases to be valid and has not expired.

“vehicle” means a mechanically propelled vehicle having seating for not more than eight passengers.

## **PART 2: GENERAL**

5. The fee for a pay & display parking ticket and a parking permit shall be as set out hereunder and as may be determined by resolution of the Council from time to time.

### **Pay & display parking ticket**

€0.70 per hour

€3.00 per calendar day

6. A person shall not use a car park for any purpose other than parking a mechanically propelled vehicle except with the prior written approval of the Council.
7. Parking of buses and coaches with a seating capacity in excess of eight passengers in a pay & display car park is prohibited except with the prior written approval of the Council on terms including parking location and parking charge specified by the Council.
8. A vehicle shall not be driven within a pay & display car park in excess of a speed of 15 kilometres per hour.
9. A vehicle shall not be driven in a pay & display car park contrary to the flow of traffic in the car park indicated by ground or other markings or signs.

### **Conditions for parking in Pay & Display Car Parks**

10. A vehicle shall not be parked in a car park except fully within a parking bay. It shall be deemed an offence to park other than in this way and a prosecution may follow.
11. A person shall not park or cause to be parked in a pay & display car park a vehicle in such condition or in such circumstances that it would cause or be likely to cause danger to other persons using the car park or to obstruct the entrance to or exit from the car park or to obstruct the free flow of traffic within the car park.

### **Co-operation with Council staff, agents & Gardai**

12. A person shall give on demand to an agent, officer or employee of the Council or a member of the Garda Siochana his or her name and address and a person shall not in any pay & display car park resist, obstruct or aid or incite any person to resist or obstruct any agent, officer or employee of the Council or a member of the Garda Siochana in the execution of his or her duty or lawful exercise of his or her authority.

13. Every person using a pay & display car park shall comply with any lawful direction given by an agent, officer or employee of the Council, or a member of the Garda Siochana.
14. Where a person is requested by an agent, officer or employee of the Council or a member of the Garda Siochana to leave a pay & display car park, the person shall comply with the request.
15. An agent, officer or employee of the Council shall produce, if requested to do so, evidence of his or her identity and employment by the Council to any person alleged by him or her to be in breach of these Bye-Laws or who has been requested to leave a pay & display car park under these Bye-Laws.

### **Suspension of Parking in Pay & Display Car Park**

17. (a) The Council or its agents may suspend from operation a pay and display car park. The suspension shall be subject to any conditions, which may be specified in writing by the Council, including the payment of a fee/fees by the person requesting the suspension.
  - (b) The suspension of a pay and display car park 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 from operation 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 & display car park.
  - (c) It shall be an offence to breach a condition specified in writing by the Council when a pay and display car park 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.

### **Disabled Person's Parking Bay**

18. A person shall not park a vehicle in a Disabled Person's Parking Bay without having displayed therein a valid Disabled Person's Parking Permit.

### **Disabled Person's Parking Permit**

19. Where a disabled person holds a "disabled person's parking permit" issued under Article 43 of the Regulations of 1997, Bye-Law 20 of these Bye-Laws shall not apply to a specified vehicle parked for the convenience of the person to whom that permit was granted. A valid disabled person's parking permit shall be so displayed in the interior of the vehicle in respect of which it was issued so that it can be read from outside the vehicle.

## **PART 3: PARKING SYSTEM (PAY AND DISPLAY)**

### **Obligation to display valid Pay & Display Parking Ticket in Pay and Display Car Park**

**20.** Where a vehicle is parked in a pay and display car park during operational hours the following shall be displayed in accordance with the provisions set out in this Bye-Law:

A “**Valid Pay and display Parking ticket**” in the following manner:

- i. **a valid pay and display parking ticket** issued in respect of the vehicle shall be so exhibited in the interior of the vehicle, on the dashboard or window which is closest to the footpath so that a person outside the vehicle can ascertain by reference to the pay & display parking ticket when the pay & display parking ticket ceases to be valid.
- ii **a valid pay and display parking ticket** shall be exhibited in accordance with Bye-Law 20 (i) for so long as the vehicle is parked in a pay & display car park.

### **Interference with a Pay and Display Machine and a Pay & Display Parking Ticket**

- 21.** (a) Where a vehicle is parked in a pay and display car park in compliance with these Bye-Laws a person shall not interfere with a pay & display parking ticket exhibited in the vehicle.
- (b) A person shall not damage a pay and display parking ticket machine.
- (c) A person who is not an agent of the Local Authority, a member of the Garda Siochana in uniform, an authorised person or a traffic warden, shall not interfere with a pay and display parking ticket machine.

### **Method of Payment of Parking Fees**

**22.** A pay & display parking ticket is obtained from a pay & display parking ticket machine when the fee is paid by insertion of the appropriate amount in the currency and denomination shown on the pay & display parking ticket machine.

**Made and Adopted under the Common Seal of Galway County Council.**

**Dated this 21<sup>st</sup> day of October 2013.**

**Present when the Common Seal of Galway County Council was affixed hereto:**

*Liam Carroll*

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**Mayor of the County of Galway**