

COMHAIRLE CHONTAE NA GAILLIMHE

GALWAY COUNTY COUNCIL



PARKING PLACES

BYE-LAWS

2003

GALWAY COUNTY COUNCIL PARKING PLACES

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Galway County council (hereinafter referred to as “the Council) in exercise of the powers conferred upon them by Sections 4(2) and 36 respectively of the Road Traffic Act, 1994, (No. 7 of 1994) and having consulted with the Commissioner of the Garda Siochana hereby make the following Bye-Laws.

PART I

Preliminary and General

1. These bye-laws may be cited as the Galway (County Council) Parking Places Bye-Laws 2003.
2. These bye-laws shall come into operation on 1st July 2003.
3. These bye-laws shall apply to the areas comprising the administrative area of Galway County Council.
4. (1) In these bye-laws:

“**The Act of 1993**” means the Roads Act, 1993 (No. 14 of 1993).

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

“**The Signs Regulations**” means the Road Traffic (Signs) Regulations 1997 and 1998 (S.I. No. 181 of 1997 and S.I. No. 273 of 1998).

“**The National Regulations**” means the Road Traffic (Traffic and Parking) Regulations 1997 and 1998 (S.I. 182 of 1997 and S.I. 274 and S.I. 441 of 1998).

“**Parking Place**” means a place on a public road to which these Bye-Laws apply and where traffic sign or signs No. RRM 016 and /or No. RUS 018 authorised by the Signs Regulations together with an accompanying information plate(s) indicates or indicate that parking of vehicles is subject to the

exhibition of a parking disc or parking ticket.

“Parking Disc” means a document, disc or card or any combination of them issued by Galway County Council and having marks or symbols capable of indicating the year, day and time when the disc, document or card or combination becomes a valid parking disc.

“Valid Parking Disc” means a parking disc which:

- (a) Has been issued by Galway County Council in whose functional area the vehicle is parked;
- (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.
- (c) Indicates no other year, month, day, hour or minute; and
- (d) Indicates that the vehicle is so parked for a period not exceeding the period for which it may be parked in a disc parking place in accordance with these bye-laws.

“Parking Ticket” means a ticket issued by the Council by means of a parking ticket machine which indicates the date of issue of the ticket and the time at which it ceases to be valid.

“Parking Ticket Machine” means a machine capable of automatically delivering a parking ticket when the fee prescribed by Bye-Law 12 of these Bye-Laws is inserted into the machine.

“Public Road” has the meaning assigned to it in Section 2(1) of the Act of 1993.

“Vehicle” means a mechanically propelled vehicle other than a mechanically propelled wheelchair and a pedal cycle, and includes a goods vehicle as defined herein.

“Goods Vehicle” means a vehicle used exclusively for carrying goods and taxed for commercial purposes.

“Loading Bay” has the meaning assigned to it in article 42 of the National Regulations and is indicated by means of traffic sign No. RRM 009 of the Signs Regulations accompanied by an information plate.

“Parking Bay” has the meaning assigned to it in Article 3 of the Signs Regulations of 1997 and identified by means of road markings as described in article 18 of the said Regulations.

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

- (2) A reference in these bye-laws to a traffic sign means a reference to a traffic sign prescribed in the Road Traffic (Signs) Regulations 1997 (S.I. No. 181 of 1997) and any number referred to in association with a traffic sign shall be the number allocated to such sign in such regulations.
- (3) A reference in these bye-laws to an information plate accompanying a traffic sign shall, unless otherwise specified, be to an information plate which shall indicate the period (which shall include the days and hours) when the allowance, restriction or prohibition indicated by such traffic sign applies.
- (4)
 - (a) In these bye-laws any reference to an article or a schedule, which is not otherwise identified, is a reference to an article of, or a schedule to these bye-laws.
 - (b) In these bye-laws, any reference to a sub-article, paragraph, or sub-paragraph which is

not otherwise identified, is a reference to the sub-article, paragraph or sub-paragraph of the provision in which the reference occurs.

- (c) In these bye-laws a reference to any enactment shall be construed as a reference to that enactment as adapted by any subsequent enactment or instrument.
- (5) A reference in these bye-laws to the loading of goods shall be taken to include the supplying of fuel for the operation of the vehicle.

PART II

Obligation to display valid parking disc or parking ticket

- 5. It shall be an offence to park a vehicle in a parking place other than in accordance with these Bye-Laws
- 6. (1) Where a vehicle is parked in a parking place on a day and during the hours specified on an information plate accompanying traffic sign or signs No. RRM 016 and/or No. RUS 018 authorised by the Signs Regulations, the following shall be displayed in accordance with the provisions set out in this Bye-Law:
 - (A) Where a parking disc is prescribed, a “valid parking disc” in the following manner
 - (i) the valid 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 and
 - (ii) the valid parking disc shall be exhibited in accordance with paragraph A(i) of this bye-law for so long as the vehicle is parked in that disc parking place
 - (iii) A valid parking disc shall be displayed for every hour or part thereof during which the vehicle is parked in a parking place.

OR

- (B) Where a parking ticket is prescribed, a parking ticket in the following manner.
- (i) the parking ticket shall be so exhibited in the interior of the vehicle that a person outside the vehicle can ascertain by reference to the parking ticket when the parking ticket ceases to be valid
 - (ii) the parking ticket shall be exhibited in accordance with paragraph B(i) of this bye-law for so long as the vehicle is parked in that disc parking place
 - (iii) the parking ticket shall be displayed for every hour or part thereof during which the vehicle is parked in that parking place.
- (2) Where a vehicle being parked in a parking place on a day and during the hours specified on an information plate accompanying traffic signs or signs No. RRM 016 and/or No. RUS 018 authorised by the Signs Regulations is a goods vehicle being so parked solely for the loading and unloading of goods, paragraph (1) of this bye-law shall not apply until the expiration of 20 minutes after the commencement of parking.

**Period of parking
in parking place** 7.

- (1) A vehicle parked in a parking place on a day and during the hours indicated on an information plate accompanying traffic sign or signs No. RRM 016 and/or No. RUS 018 authorised by the Signs Regulations shall not be so parked for longer than the period indicated as the maximum period for that parking place indicated on such information plate.
- (2) Where a vehicle which has been lawfully parked in a parking place is subsequently lawfully parked in another 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 disc or ticket, to the time when the subsequent parking commenced.

Interference with parking disc or parking ticket	8.	Where a vehicle is parked in a parking place on a day and during the hours specified on an information plate accompanying traffic sign or signs No. RRM 016 and/or No. RUS 018 authorised by the Signs Regulations a person shall not interfere with a parking disc or parking ticket exhibited in the vehicle.
Removal of vehicle from parking place	9.	A vehicle parked in a parking place at a time which is not specified on an information plate accompanying traffic sign or signs No. RRM 016 and/or No. RUS 018 authorised by the Signs Regulations shall be removed from the parking place when a period of hours specified on such information plate commences, unless at such commencement and during the remainder of the period of parking, a valid parking disc or parking ticket is exhibited in the interior of the vehicle in accordance with bye-law 6(1)(A) of these bye-laws and bye-law 6(1)(B) of these bye-laws shall apply from such commencement in respect of such parking.
Prohibition on certain parking inside an hour of leaving a parking place	10.	A vehicle which had been parked in a parking place shall not be parked again in a parking place in the public road in which that parking place is situated, until at least one hour after the vehicle last vacated that parking place.
Issue of parking discs	11.	Parking discs shall be issued by Galway County Council.
Fees	12.	(a) The fee for a parking disc shall be €1. (b) The fee for a parking ticket shall be at a rate of €1 per hour.
Conditions for parking in parking places	13.	A vehicle which is parked in a parking place on a day and during the hours indicated on an information plate accompanying traffic sign or signs No. RRM 016 and/or No. RUS 018 authorised by the Signs Regulations shall, where parking bays are provided at that parking place, be parked within the area comprising a parking bay.
Motor cycles and pedal cycles prohibited from parking in parking places	14.	A motor cycle or a pedal cycle shall not be parked in a parking place on a day and during the hours specified on an information plate accompanying traffic sign or signs No. RRM 016 and/or No. RUS 018 authorised by the Signs Regulations.

**Non-application
of bye-laws 6-14
of these bye-laws
to certain vehicles**

- 15.** Articles 6-14 of these Bye-laws 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, telephone or communications line or conduit 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 or a traffic warden in the performance of his/her duties as such member or warden;
 - (c) a vehicle in the interior of which is displayed a disabled person's parking permit issued pursuant to or recognised under the National Parking Regulations;
 - (d) a vehicle in the interior of which is displayed a valid Residents Parking Permit which relates to the street in which the parking place is situated.

**PART III
Parking Permits for Residents**

**Definitions for
part III**

- 16.** 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 situated in a street containing a parking place;

“Resident’s Parking Permit” means a document issued by Galway County Council for the purposes of bye-laws 17 to 23 and containing the particulars specified in bye-law 18;

“Valid Resident’s Parking Permit” means a resident’s parking permit which relates to a particular street or streets and to a period which has not expired and which is issued by Galway County Council in whose functional area the vehicle on which the disc is displayed is parked;

“Vehicle” means a private motor car, a station wagon or a passenger vehicle having accommodation for not more than seven passengers excluding the driver, and liable for Taxation Class “Private”.

**Non-application
of bye-laws 5-15
of these bye-laws**

17. Bye-laws 5 to 15 (other than bye-law 13) of these bye-laws shall not apply to the parking of a vehicle in a 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 permit which relates to the street in which the parking place is situated.

**Particulars of
resident’s parking
permit**

18. A valid resident’s parking permit shall contain the following particulars:
- (a) The name of Galway County Council by whom it is issued;
 - (b) The 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, include the date of expiry;
- (g) a copy of the signature, and the description, of the officer of the local authority issuing it.

Permission to park a vehicle displaying a resident's parking permit

19. The display, in accordance with bye-law No. 20 of these bye-laws of a valid resident's parking permit, on the vehicle in respect of which the permit 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 parking place in the street to which the permit relates.

Display of valid resident's parking permit

20. A valid resident's parking permit 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 resident's parking permit.

21. Where a vehicle displaying a valid resident's parking permit is parked in a parking place a person shall not interfere with the permit.

Issue of, and fee for resident's parking permit.

22. (1) A resident's parking permit may be issued by Galway County Council in respect of the parking of a vehicle in a parking place in a street within the functional area of Galway County Council.
- (2) A resident's parking permit shall be issued by Galway County Council in respect of two vehicles only per residence 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 permit relates.
- (3) The fee for a residents parking permit shall be ten Euros (€10)

Return and transfer of resident's parking permit

23. (1) Where during the period to which a resident's parking permit relates, the resident to whom it is issued ceases to reside at the address specified on the permit or ceases to be an owner by disposing of the vehicle to which the permit relates, the permit shall then cease to be valid and he/she shall return it (addressed to the person whose signature appears

on it) to Galway County Council by whom the permit was issued. The resident's parking permit is non-transferable

- (2) Where during the period to which a resident's parking permit relates, the resident to whom it is issued disposes of the vehicle to which the permit relates, and substitutes another vehicle for the one disposed of, the permit shall then cease to be valid and he/she shall return the permit (addressed to the person whose signature appears on it) to Galway County Council by whom the permit was issued which upon payment of a fee of €10.00 by the resident shall issue to the resident a new permit in respect of the vehicle, and such new permit shall be valid for the period specified.

- 24 In any prosecution for an offence under these Bye-Laws a Parking Ticket Machine relied on in such prosecution shall be presumed, until the contrary is shown by the Defendant, to have been duly placed there under these Bye-Laws and to have been accurate and in good working order.

**Made and adopted under the Common Seal
of Galway County Council**

this 26th day of May 2003.

**PRESENT when the Common Seal of
Galway County Council was affixed hereto.**

COUNCILLOR PAT O’SULLIVAN

MAYOR OF GALWAY COUNTY COUNCIL

JOHN MORGAN

**DIRECTOR OF SERVICES
ROADS AND TRANSPORTATION UNIT**