

## **Car-Park Pay & Display Bye-Laws 2016**

The Members of Nenagh Municipal District in exercise of the powers conferred on them under Section 36 of the Road Traffic Act 1994 (No. 7 of 1994) hereby make the following bye-laws as to the use of car parks provided by them within the Town Boundary of the functional area of the former Nenagh Town Council, adjoining the public roads as set out in the definition of 'car park' in bye-law 2(1) of these bye-laws.

### **Part 1**

#### **Short Title**

1. These bye-laws may be cited as the Nenagh Town Car-Park Pay & Display Bye-Laws 2016.

#### **Area of Application**

2(1) These Bye-laws shall apply to the public car-parks provided by the Council as specified in the First, and Second Schedules attached hereto within the Town Boundary of the functional area of the former Nenagh Town Council.

2 (2) In these Bye-Laws 'all day car-park' means the car-park provided by the Council at: Johns Place Car-park, Johns Lane Car-park, Courthouse Car-park, O' Rahilly Street Car-park, the Railway Car-park and Scouts Hall Car-park which are clearly identified by signage erected by the Council.

2 (3) Paragraph (1) of this bye-law shall not operate so as to prohibit the use of car park for access to, or egress from any premises adjacent to the car-park, where the proprietor has right of such access, or egress from the said premises by virtue of an agreement with the Council.

#### **Interpretation**

3 (1) In these Bye-laws :-

**"Nenagh Municipal District"** means the elected members of Nenagh Municipal District.

**"Business Hours"** means the period from 8:30 a.m. to 6:30 p.m. from Monday to Saturday.

**"Disabled Person's parking bay"** has the meaning assigned to it by Article 4 (1) of the Traffic and Parking Regulations of 1997.

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**"Disabled Person's parking permit"** means a permit granted under the aforementioned Article 4.

**"Disabled Person"** has the meaning assigned to such a person by Article 43(1) of the Traffic and Parking Regulations of 1997.

**"Four-Hour Car park"** is the specially designated car parks at Abbey Street Car-park, Friar Street Car-park, Kenyon Street Car-park and Hanlys Place Car-park which are all clearly marked by signage at those locations.

**"Goods Vehicle"** means a vehicle used exclusively for carrying goods and taxed for commercial purposes.

**"Holiday"** means Good Friday or any day that is a public holiday for the purpose of the Holidays (Employees) Act 1973 (No. 25 of 1973).

**"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.

**"All-Day car park"** is the specially designated car park, at Johns Place Car-park, Johns Lane Car-park, Courthouse Car-park, O' Rahilly Street Car-park, the Railway Car-park, and the Scouts Hall Car-park which are all clearly marked by signage at those locations.

**"Parking Bay"** means a space in a car park intended for the parking of one vehicle or where the space is intended for the parking of motorcycles, or of more than one vehicle and so indicated by surface or other signs or markings.

**"Parking Period"** is the duration paid for under bye-law 8 and expiring at the time indicated on the parking ticket.

**"Parking Permit"** means a permit issued by the Council at its offices indicating the name of the Council, the make of the vehicle, the vehicle registration number, the date of issue, the expiry date, the permit number, the locations for which the permit is valid for and the signature of the approved officer.

**"Parking Ticket Machine"** means a machine capable of automatically delivering a parking ticket when the fee prescribed by bye-law 8 of these bye-laws is inserted into the machine.

**"Parking Ticket"** means a parking ticket issued by the Council by means of a parking ticket machine indicating the name of the Council, the location, the fee paid, the date and time issued and the expiry time of the parking period.

**"Traffic Warden"** has the meaning assigned to it by Section 2(3) of the Local Authorities Traffic Wardens Act, 1975 (No. 14 of 1975) or section 103 (19) (inserted by section 11 of the Road Traffic Act 202) of the Principal Act.

## **Part II**

### **Obligation to display a valid parking ticket/permit**

4. (1) Where a vehicle, other than a motorcycle, is parked in a carpark during business hours a parking ticket/permit shall be so exhibited in the interior of the vehicle so that a person outside the vehicle can ascertain by reference to the parking ticket/permit when the parking ticket will expire. The parking ticket/permit shall be so exhibited for so long as the vehicle is parked in the car-park.

4. (2) Where a vehicle being parked in a car park during business hours and a ticket is exhibited in accordance with paragraph (1) of this bye-law no further tickets shall be exhibited on that vehicle during that period of time.

### **Parking Period**

5(1)Where a vehicle other than a motor cycle is parked in a car- park during business hours it shall not be parked for longer than: -

5. (1)(a) 4 hours in Kenyon Street Car park, Friar Street Car park, Abbey Street Car park and Hanlys Place Car-park

5. (1)(b) All day in Railway car park, Johns Lane Car park, Johns Place Car park, Courthouse car park, O' Rahilly Street Car park and Scouts Hall Car park.

5. (2) A vehicle which has been parked during business hours in a car-park shall not be so parked again during business hours in that car-park until at least one hour after the vehicle has vacated that car park.

### **Interfering with Parking Tickets**

6. (1) Where a vehicle is parked in a car-park during business hours a person shall not interfere with a parking ticket exhibited on the vehicle.

### **Conditions for Parking**

7. (1) No person shall park or cause to be parked in a car park a vehicle in such a position or 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 free flow of traffic within the car park.

7. (2) A person shall not park or cause to be parked in a car-park a vehicle in such position that it or any portion of it extends from one parking bay to another.

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7. (3) A person shall not overhaul or carry out repairs to a vehicle while it is parked in a car-park save where it is necessary to do so in order to enable the vehicle to be removed from the car-park.

7. (4) A vehicle while parked in a car-park shall not be used for the sale of goods, tickets or any service in or from the vehicle or as an office, nor shall any such vehicle be offered or displayed for sale or for hire or as a prize.

7. (5) A person shall not make any unnecessary noise by means of, or in relation to a vehicle while it is parked in a car-park or by means of any equipment fitting or instrument fitted to, or carried on the vehicle or any loudspeaker or radio, in or on, or in any-way connected with the vehicle.

7. (6) A vehicle other than a motorcycle parked in a car park at a time which is not during business hours shall be removed from the car park when a period of business hours commences unless at such commencement and during the remainder of the period of parking a parking ticket is exhibited in the interior of the vehicle in accordance with bye-law 4(1) of these bye-laws.

7. (7) A person shall not use a car park for any purpose other than for parking of a mechanically propelled vehicle except where a person has a Casual Trading Permit issued by Nenagh Municipal District in accordance with the Casual Trading Act 1995.

7. (8) A person shall not park a vehicle in a Disabled Person's Parking Bay without having displayed thereon a Disabled Person's Parking Permit and is parked for the convenience of the person to whom that permit was granted.

### **Fees for Parking Tickets and Permits**

8. (1) The scale of charges and the periods to which they apply shall be determined by Nenagh Municipal District and shall for the time being be as per the attached schedules.

8. (2) A person shall not insert into a parking ticket machine any coins other than a two euro piece, a one euro piece, a 50 cent piece, or 20 cent piece, 10 cent piece or 5 cent, or any combination of these which totals the prescribed fee.

8. (3) A person shall not insert into a parking ticket machine any coin or object other than a coin required to pay the fee prescribed by bye-law 9(1) above.

8. (4) A person shall not interfere with or damage a parking ticket machine or post any advertising or other materials on them.

### **Non application of certain bye-laws**

9(1) Bye-laws 4, 5 and 8 of these bye-laws shall not apply to any carpark where all the relevant parking ticket machines in that location are not in proper working order.

9. (2) Bye-laws 4, 5 and 8 shall not apply to a vehicle in which a disabled persons' parking permit, issued pursuant to or recognised under the National Parking Regulations, is displayed and which is parked for the convenience of the person to whom that permit was granted.

9. (3) Bye-laws 4, 5 and 8 shall not apply to a vehicle in the interior of which is displayed a valid Parking Permit which relates to the carpark in which the vehicle is parked.

### **Non-application of these bye-laws to certain vehicles**

Bye-laws 4 to 8 of these bye-laws shall not apply to:

10. (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;

10. (b) a fire brigade vehicle, an ambulance, or a vehicle being used by a member of the Garda Síochána or a traffic warden in the performance of his/her duties as such member or warden.

### **Prohibitions**

11. (1) A person shall not throw, place or leave any bottle, or any broken glass, nail, litter or other substance on or in the car park, and no person shall at any time play ball or any game in a car park.

11. (2) A caravan, used for trade or residential purposes shall not be parked in a car park.

### **Compliance with lawful direction or request of authorised persons**

12. (1) Every person using a car park shall comply with any lawful direction given by an officer of the Council or any member of the Garda Síochána in relation to the parking of a vehicle in or its removal from a car park or in relation to any of these byelaws.

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12. (2) A person shall not in any car park willfully obstruct, disturb or interrupt an agent, officer or servant of the Council in the execution of his or her duty, including the execution of any work in connection with the laying out or maintenance of any part of a car park by the council staff or agents.

12. (3) A person shall give on demand to an officer of the Council authorised for purpose of these bye-laws, his or her name and address in exercise of the powers conferred on them by Section 11(20) of the Road Traffic Act 2002 (No. 12 of 2002) and a person shall not in any way resist, obstruct or aid or incite any person to resist or obstruct any of the persons referred to in bye-law 12(1) in the execution of his or her duty of lawful exercise of his authority.

12. (4) Where a person is required by an officer of the Council or a member of the Garda Síochána to leave the car park he or she shall comply with such request.

12. (5) An officer of the Council shall produce, if requested to do so, evidence of his or her identity and of 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 car park under bye-law 12(4).

### **PART III**

#### **Parking Permits for Residents**

##### **Definitions for Part III**

13. 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 Pay & Display parking area;

**"Residents Parking Permit"** means a permit which should be affixed to the inside windscreen and which is issued by Nenagh Municipal District for the purposes of bye-laws 14 to 19 and containing the particulars specified in bye-law 14;

**"Valid Residents Parking Permit"** means a resident's parking permit which relates to a designated carpark and which is issued by Nenagh Municipal District in whose functional area the vehicle on which the permit 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.

##### **Particulars of Residents' parking permit**

14. A valid residents' parking permit shall contain the following particulars:

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- \* the name of Nenagh Municipal District by whom the permit is issued
- \* the year for which the permit is valid
- \* Nenagh Municipal District's reference number
- \* Car Registration Number

### **Permission to park a vehicle displaying a residents' parking permit**

15. The display, in accordance with bye-law 16 of these bye-laws of a valid residents' parking permit on the vehicle in respect of which the permit is 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 carpark to which the permit relates.

### **Display of valid Residents' parking permit**

16. A valid resident's parking permit shall be so displayed in the interior of the vehicle in respect of which it is issued so that it can be read from outside the vehicle.

### **Interference with resident's parking permit**

17. Where a vehicle displaying a residents' parking permit is parked in a carpark specified in the schedules, a person shall not interfere with the permit.

### **Issue of and fee for Resident's parking permit**

18. (1) A residents parking permit shall be issued by Nenagh Municipal District in respect of the parking of a vehicle in a carpark as specified in the schedules within the functional area of the former Nenagh Town Council.

18. (2) The fee for a resident's parking permit shall be €65 per annum and €30 per annum for OAP's.

18. (3) A residents' parking permit shall be issued by Nenagh Municipal District in respect of one vehicle only of which the resident is the owner and shall be valid for a period of one year in respect of that vehicle and for the carpark(s) to which the permit relates.

### **Return and transfer of resident's parking permit**

19. (1) Where during the period to which a residents' parking permit relates, the resident to whom it is issued ceases to reside at the address to which the permit

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relates or ceases to be an owner by disposing of the vehicle to which the permit relates, (s)he shall return it to Nenagh Municipal District by whom the permit was issued.

19. (2) Where during the period to which a residents' 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, (s)he shall notify Nenagh Municipal District **in writing** of the change of registration details.

19. (3) Nenagh Municipal District does not provide refunds of partially used residents permits.

### **Commencement Date**

These byelaws shall come into operation on 1<sup>st</sup> June 2016.

### **Revocations**

The Nenagh Town Car park pay & Display Bye-Laws 2013 are hereby revoked.

A person who contravenes these Bye-Laws shall be guilty of an offence in accordance with Section 36(8) of the Road Traffic Act 1994.



**Schedules**

**First schedule: Four-Hour Car Parks**

Car parks in which parking is limited to four hours between the hours of 8.30 a.m. and 6.30 p.m., Monday to Saturday inclusive.

<b>Car park</b>
Abbey Street Car park
Friar Street Car park
Kenyon Street Car park
Hanlys Place Car park

**Second schedule: All-Day Car Parks**

Car parks in which parking is all day between the hours of 8.30 a.m and 6.30 p.m., Monday to Saturday inclusive.

<b>Car park</b>
Courthouse Car park
Johns Lane Car park
Johns Place Car park
O' Rahilly Street Car park
Railway Car park
Scouts Hall Car park

**SCHEDULE OF CHARGES**

<b>CAR PARK</b>	<b>FEE MON. TO FRI.</b>	<b>FEE SATURDAY</b>	<b>DURATION</b>
<b>Kenyon Street Car park</b>	<b>50c per hour</b>	<b>3 hours free – balance 50c per hour</b>	<b>4 Hours Max</b>
<b>Friar Street Car park</b>	<b>50c per hour</b>	<b>3 hours free – balance 50c per hour</b>	<b>4 Hours Max</b>
<b>Abbey Street Car park</b>	<b>50c per hour</b>	<b>3 hours free – balance 50c per hour</b>	<b>4 Hours Max</b>
<b>Hanlys Place Car park</b>	<b>50c per hour</b>	<b>3 hours free – balance 50c per hour</b>	<b>4 Hours Max</b>
<b>Johns Lane Car park</b>	<b>50c per hour or €3.00 for all day</b>	<b>3 hours free – balance 50c per hour or €3.00 for all day</b>	<b>All Day</b>
<b>Johns Place Car park</b>	<b>50c per hour or €3.00 for all day</b>	<b>3 hours free – balance 50c per hour or €3.00 for all day</b>	<b>All Day</b>
<b>Courthouse Car park</b>	<b>50c per hour or €3.00 for all day</b>	<b>3 hours free – balance 50c per hour or €3.00 for all day</b>	<b>All Day</b>

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<b>O' Rahilly Street Car park</b>	<b>50c per hour or €3.00 for all day</b>	<b>3 hours free – balance 50c per hour or €3.00 for all day</b>	<b>All Day</b>
<b>Scouts Hall Car park</b>	<b>50c per hour or €3.00 for all day</b>	<b>3 hours free – balance 50c per hour or €3.00 for all day</b>	<b>All Day</b>
<b>Railway Car park</b>	<b>50c per hour or €2.40 for all day</b>	<b>Free All Day</b>	<b>All Day</b>

**SCHEDULE OF CHARGES FOR LONG TERM  
PARKING PERMITS**

<b>DURATION</b>	<b>FEE</b>	<b>LOCATION OF USE</b>
Weekly Permit	€12.00	Johns Lane Carpark, Johns Place Carpark, Railway Station Carpark or Scouts Hall Carpark
Monthly Permit	€35.00	Johns Lane Carpark, Johns Place Carpark , Railway Station Carpark or Scouts Hall Carpark
Quarterly Permit	€90.00	Johns Lane Carpark, Johns Place Carpark or Scouts Hall Carpark
	€45.00	Railway Station Carpark
Half Yearly Permit	€ 155.00	Johns Lane Carpark, Johns Place Carpark or Scouts Hall Carpark
	€80.00	Railway Station Carpark
Yearly Permit	€300.00	Johns Lane Carpark, Johns Place Carpark or Scouts Hall Carpark
	€150.00	Railway Station Carpark*

\* Applications may be made directly to the Nenagh Municipal District or through Chamber of Commerce and it is open to employers to further discount cost e.g. employer pays €75, employee pays €75