

**CASTLEDERMOT
COUNTY OF KILDARE**

PARKING BYE-LAWS

DRAFT - UNDER REVIEW

May 2017

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THE COUNTY COUNCIL OF THE COUNTY OF KILDARE (in these Bye-Laws referred to as “The Council”) having consulted with the Commissioner of the Garda Síochána and

- a) In pursuance of the powers vested in the Council by Section 101 of the Road Traffic Act 1961 (No. 24 of 1961) as amended by Section 6 of the Road Traffic Act 1968 (No. 25 of 1968) and amended by Sections 4 and 49 of the Road Traffic Act, 1994 (No. 7 of 1994) make the following Bye-Laws in respect of the under-mentioned Car Park and
- b) In pursuance of the powers vested in the Council by Section 36 of the Road Traffic Act 1994 make the following Bye-Laws in respect of the Public Roads in the village of Castledermot identified in the Schedules attached hereto

PART 1

PRELIMINARY

| | | |
|--|----------|--|
| Short Title | 1 | These Bye-Laws may be cited as “The Kildare County Council, Castledermot Parking Bye-Laws, 2017” |
| Commencement | 2 | These Bye-Laws shall come into operation on the _____. |
| | 3 | These Bye-Laws apply to the village of Castledermot in the County of Kildare which Town is referred to in these Bye-Laws as “Castledermot”. |
| Interpretation/ Definitions | 4 | <p>In these Bye-Laws the following words have the following meaning viz:-</p> <p>“<i>The Regulations of 1997</i>” means the Road Traffic (Traffic and Parking) Regulations 1997 (S.I. No. 182 of 1997).</p> <p>“<i>The Signs Regulations of 1997</i>” means the Road Traffic Signs Regulations 1997 (S.I. No. 181 of 1997).</p> <p>“<i>Car Park</i>” means the car park provided by and in the control of the Council situate in Castledermot and shown on the plans attached hereto</p> <p>“<i>Maximum Parking Period</i>” means a designated parking space and the public roads in Castledermot as described in the Schedule hereto where the lawful parking of a vehicle is conditional on the forgoing vehicle is parked for a maximum of two hours in the same designated parking space as provided for in these Bye-Laws.</p> <p>“<i>Buffer Area</i>” means an area between two parking bays.</p> <p>“<i>Public Service Vehicle</i>” means a mechanically propelled vehicle used for the carriage of persons for reward.</p> <p>“<i>Large Public Service Vehicle</i>” means a public service vehicle having seating passenger accommodation for more than 8 persons exclusive of the driver.</p> <p>“<i>Residential Parking Permit Area</i>” means a parking area where traffic sign No., RUS018 authorised by the Signs</p> |

“*Visitor*” means one who visits, calls on, or makes a stay with the resident or is engaged by the resident to carry out works on the dwelling or provide any other service ancillary to the use of the dwelling.

“*Residential Parking Permit Place*” means a ticket parking place in a residential parking permit area.

“*Residential parking permit zone*” means the street or streets indicated on a residents or visitor’s parking permit which are parked of a residential parking permit area.

“*Road*” has the meaning defined in the Roads Act, 1993 and as same may be amended or extended.

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

“*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.

“*Loading Bay*” means that portion of a road indicated by means of the appropriate Traffic Sign provided for in the Signs Regulations of 1997 or as marked appropriately on the ground as a location on which at certain times a vehicle being a goods vehicle which is being used for loading or unloading may be lawfully parked.

“*Traffic Sign*” means a sign provided for in the Signs Regulations of 1997 as same may be amended or extended.

“*Business Hours*” means the following period:-

from 08.30 a.m. to 06.30 p.m. (08.30 to 18.30) on each day other than Sunday or a Public Holiday

“*Disabled Persons Parking Permit*” means a permit granted in accordance with Article 43 of the Regulations of 1997.

PART II RESTRICTED PARKING

5 In this Bye-Law:-
“*disabled person*” means a person who is suffering from a permanent disability that prevents that person from walking or causes undue hardship to that person in walking.

6 **Prohibition on re-parking** (a) A vehicle which had been lawfully parked in a designated parking place for the maximum period permitted (two hours) for that place as indicated on an authorised information plate standing at that location accompanying Traffic Sign No. RUS018 of the Signs Regulations, 1976 shall not be parked again in the same designated parking space until at least an one hour has elapsed since the vehicle being removed from the said designated parking space.

(b) A vehicle shall not be parked in a buffer zone.

7 **Pedal cycles prohibited from parking in a parking place** A pedal cycle shall not be parked in a designated parking space on a business day and during a period which is indicated on an authorised information plate standing at that location, accompanying Traffic Sign number RUS018 of the Signs Regulations of 1997.

8 **Suspension of Parking Places** (a) The Council may suspend from operation a parking bay in a Parking Place. 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 maximum fee/fees payable shall be as indicated in Part IV.

(c) The suspension of a parking place as aforesaid shall be indicated by the placing thereon of a sign or other device clearly indicating that the parking of a vehicle in such place is prohibited.

(d) It shall be an offence under these Bye-Laws to park a vehicle in a Parking Place which has been suspended and such parking shall be deemed to be unlawful for the purposes of the Road Traffic Acts 1961 to 1994 and these Bye-Laws.

**Vehicles which
may be parked in
a parking place**

9 Mechanically propelled vehicles only, of the following classes, may be parked in a restricted 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 3.5 tonnes, which is not actively loading in or on to it or unloading from it and not drawing a trailer or other vehicle;
- (c) Motorcycles.

**Conditions to
Parking**

- 10**
- (a) No person shall park or cause to be parked in a Parking Place a vehicle in such a position or in such condition or in such circumstances that it would be likely to cause danger to other persons using such place or which would obstruct the exit or entrance from such place or otherwise obstruct the flow of traffic.
 - (b) A person shall not park or cause to be parked a vehicle in a Parking Place in such a position that it or any portion of it extends from one parking bay into another
 - (c) A person shall not overhaul or carry out repairs to a vehicle while it is parked in a Parking Place, save where it is necessary in order to enable the vehicle to be removed.
 - (d) A vehicle while parked in a Parking Place shall not be used for the sale of goods 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.
 - (e) A person shall not make any unnecessary noise by means of or in relation to a vehicle while parked in a Parking Place, or by means of any equipment or instruments fitted to or carried on the vehicle or any loudspeaker or radio in or on or in any way connected to the vehicle.
 - (f) Every person using a Parking Place shall comply with the lawful directions given by a Traffic Warden or Member of the Garda Síochána in relation to the parking of a vehicle in or its removal from a Parking Place or in relation to compliance with any of these Bye-Laws.
 - (g) A person shall not in a Parking Place wilfully obstruct, disturb, interrupt or annoy a Traffic Warden or Agent/workperson, contractor of the Council, or other authorised person in the execution of his or her duty including the execution of any work in connection with laying out, improvement or maintenance of any part of a Parking Place.

- (h) A person shall give on demand to the Traffic Warden or to a member of the Garda Síochána, his or her name and address and shall not in any Parking Place resist, obstruct or aid or incite any person to resist or obstruct any agent of the Council or other person in the execution of his or her duty or lawful exercise of his or her authority.
- (i) Any person on reasonable request by the Traffic Warden or a member of the Garda Síochána shall quit or leave a Parking Place and shall forthwith comply with any such request.
- (j) A Traffic Warden shall produce, if required to do so evidence of his or her identity and authorisation to act for the Council to any person alleged to be in breach of these Bye-Laws.

PART III

PARKING PERMITS FOR RESIDENTS

Definitions for Part 111

18 In this part of these Bye-Laws

“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, who satisfies the Council that his/her normal dwelling place is situated in a street or road comprised in a Ticket Parking Place.

“Resident’s parking permit” means a permit or document issued by the Council or its agents for the purposes of Bye-Laws 18 to 28 and containing the particulars specified by bye law 20.

“Valid resident’s parking permit” means a resident’s parking permit issued to a “resident” as above defined for a period which has not expired and issued to the said resident by the Council or its agents.

“vehicle” means a passenger vehicle with passenger accommodation for not more than twelve persons excluding the driver and not drawing a trailer or other vehicle or a goods vehicle whose unladen weight does not exceed 3 tonnes and not drawing a trailer or other vehicle.

Particulars of resident’s parking permit

19 A resident’s parking permit shall contain the following particulars

- (a) the words Kildare County Council;
- (b) the registration number of the vehicle in respect of which it is issued;
- (c) the make, model and colour of the vehicle in respect of which it is issued;
- (d) the Ticket Parking Place to which it relates;
- (e) the date of expiry;

(f) the signature of the Authorised Person issuing it.

- 21** **Permission to park vehicle displaying resident's parking permit**
The display, in accordance with bye law 22 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 consent) to park it without limitation as to time in the Ticket Parking Place referred to in that resident's valid parking permit.
- 22** **Display of resident's parking permit**
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 and be clearly and fully visible from outside the vehicle.
- 23** **Interference with resident's parking permit**
Where a vehicle displaying a resident's parking permit is parked in a Ticket Parking Place a person shall not interfere with the permit.
- 24** **Issue of and fee for resident's parking permit**
(1) Subject to the aforesaid a resident's parking permit may be issued by the Council or its agent.
(2) The fee for a resident's parking permit shall be **€10.00** each per annum or part thereof (subject to terms and conditions)
(3) The total number of residential permits which may be issued to each household in a residential parking permit place zone is 3 in any calendar year.
(4) A resident's parking permit shall become invalid if the vehicle of which the resident is the owner and to which the permit relates is disposed of by the resident.
- 25** **Issue of replacement resident's parking permit**
If the Council is satisfied that a valid resident's parking permit has been lost, destroyed or stolen the Council or its agent shall issue a replacement to the resident on payment of a fee of **€10.00** each and such replacement permit shall be substituted for the original permit and the original permit shall then become invalid.
- 26** **Return of resident's parking permit**
Where, during the period to which a resident's parking permit relates, the resident ceases to reside at the address notified at the time of issue of the permit or ceases to be an owner of the vehicle to which the permit relates, he or she shall return the resident's parking permit to the Council.

Transfer of resident's parking permit 27 If the holder of a resident's parking permit for a vehicle replaces that vehicle with another, he shall be entitled, following the surrender of the original permit, to receive a resident's parking permit in respect of the new vehicle which shall be valid for the period specified on the original permit.

Display of a void resident's parking permit 28 It shall be an offence to display a void resident's parking permit.

PART IV PARKING PERMITS FOR VISITORS

Definitions for Part IV 29 In this part of these Bye-Laws

"*visitors parking permits*" means a permit or document, or a combination of both, having marks or symbols capable of indicating the year, date and time when the permit, document or combination becomes a valid parking permit and containing inter alia the following particulars:

- (a) the words Kildare County Council;
- (b) the words visitors parking permit;
- (c) the residential parking permit zone/location/street/address to which it relates;
- (d) the words that the vehicle parked shall not be so parked for a period exceeding 24 hours on the day following from the time when the permit is first used.
- (e) the visitors parking permit number.

"*Valid visitors parking permit*" means a visitors parking permit which:-

- (a) has been issued by Kildare County Council or its agents;
- (b) has been marked as appropriate to the particular type of parking permit, so as to indicate clearly the year, month, day in the month, when the permit is valid from, and,
- (c) indicates that the vehicle is so parked for a period not exceeding a continuous period of 24 hours from the time parking commenced,
- (d) has been issued in respect of the residential parking permit zone in which the vehicle is parked,
- (e) is being displayed by a visitor.

"*Resident*" means a person aged 17 or over, other than the occupant of a purpose built apartment block, or a premises

which has more than 2 residential units, who satisfies the Council that his/her normal dwelling place is situated in a street or road in a residential parking permit area.

“*vehicle*” means a passenger vehicle with passenger accommodation for not more than twelve persons excluding the driver and not drawing a trailer or other vehicle or a goods vehicle whose unladen weight does not exceed 3 tonnes and not drawing a trailer or other vehicle.

30 Non-application of these Bye-Laws 5 to 17 Bye-Laws 5 to 17 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 Law 32 of these Bye-Laws in the vehicle when it is so parked, a valid visitors parking permit.

31 Permission to park vehicle displaying a visitors parking disc The display, in accordance with Bye-Law 32 of a valid visitors 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 consent) to park it for a period not in excess of 24 hours from commencement of parking in a ticket parking place or in the residential parking permit zone/location to which it relates.

32 Display of visitors parking disc A valid visitors parking permit shall be so displayed in the interior of the vehicle in respect of which it is issued that it can be read and be clearly and fully visible from outside the vehicle.

33 Interference with visitors parking disc Where a vehicle displaying a visitors parking permit is parked in a ticket parking place a person shall not interfere with the disc.

34 Issue of and fee for visitors parking discs (1) Subject to the aforesaid a visitors parking permit may be issued by the Council or its agent to each household in a residential parking permit zone/location in respect of the parking of vehicles which are not normally kept in that zone and which require to be parked temporarily in a residential permit place in that zone for a purpose which is ancillary to the use of the residents dwelling. Visitor permits will not be issued for Main Streets or high density shopping/business area within the bye-law area.

(2) The fee for a visitors parking permit shall be **€15.00 for a book of 10 (ten) or €1.50 for an individual 24 hour visitors parking permit to a maximum of 160 permits (16 books) per year.**

(4) A visitors parking permit shall only be valid for use in the residential parking permit zone to which the permit relates.

35 Offences (1) It shall be an offence for a resident

- (a) to sell a visitors permit to any person;
 - (b) to sell or otherwise dispose of a visitors parking permit to a person other than a visitor.
- (2) It shall be an offence to display an invalid visitors parking permit.
- Where, during the period to which a visitors parking permit relates, the resident ceases to reside at the address notified at the time of issue of the permit he/she shall return the visitors parking permit to the Council.

Return of visitors parking disc 36

PART V

MISCELLANEOUS

11
Non-application
of Bye-Laws of
these Bye-Laws to
certain vehicles

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, or used for or in connection with the maintenance, improvement or reconstruction of a public road, the provision, alteration or repair of a sewer, drain, pipe or apparatus for the supply of gas, oil, water, other substance or electricity or of a telephone line or the provision of a Traffic Sign or other such use.
- (b) a fire brigade vehicle, an ambulance or a vehicle being used by a traffic warden, or agents of the Council or a member of the Garda Síochána or the Defence Forces in the performance of his/her duties as such.

PART VI

**MAXIMUM CHARGES FOR TEMPORARY REMOVAL
AND SUSPENSION OF PARKING PLACES**

| ITEM NO. | ITEM | CHARGES |
|-----------------|---|---|
| 1 | Suspension of each parking place | 0.00 Euro per week and 0.00 Euro per day |
| 2 | Laying of single yellow lines | 6 Euro per linear meter |
| 3 | Removal of single yellow lines | 12 Euro per linear meter |
| 4 | Laying of double yellow lines | 10 Euro per linear meter |
| 5 | Removal of double yellow lines | 20 Euro per linear meter |

MADE AND ADOPTED UNDER THE COMMON SEAL OF THE COUNCIL

THIS _____ DAY OF _____

PRESENT WHEN THIS COMMON SEAL OF THE COUNCIL WAS AFFIXED HERETO:-

THE MAYOR OF THE COUNTY OF KILDARE/NOMINATED MEMBER

CHIEF EXECUTIVE

COUNTY SECRETARY

**CASTLEDERMOT
COUNTY OF KILDARE**

PARKING BYE-LAWS

DRAFT

SCHEDULE

May- 2017

SCHEDULE INDEX

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SCHEDULE A

**STREETS OR PORTIONS OF STREETS IN WHICH
PARKING IS LIMITED TO TWO HOURS MAXIMUM STAY DURING BUSINESS HOURS (08.30 – 18.30)**

Keenan's Lane

Main Street

Barrack Road

Carlowgate

Woodlands

Hamilton Road

SCHEDULE B

**AREAS IN WHICH
LONG STAY PARKING IS PERMITTED DURING BUSINESS HOURS (08.30–18.30)**

No Long Stay Parking Designated

SCHEDULE C

**AREAS IN WHICH
BUS STEP-DOWN ONLY IS PERMITTED AT ANY TIME**

Main Street

SCHEDULE D

**AREAS IN WHICH
UN/LOADING IS PERMITTED BETWEEN 08.30AM-11:30AM
PARKING PERMITTED BETWEEN 11.30-18.30**

Barrack Road

Main Street

SCHEDULE E

**AREAS IN WHICH
Appointed Taxi Stand “only” is Designated At Any Time**

No designated appointed taxi stands.

SCHEDULE F

**AREAS IN WHICH
Accessible Parking Spaces are Designated
DURING BUSINESS HOURS (08.30-18.30)**

Abbey Street

Barrack Road

Keenan's Lane

SCHEDULE G

**AREAS IN WHICH
Electric Vehicle Charging ONLY are Designated
At Any Time**

Abbey Street

Schedule H

**STREETS OR PORTIONS OF STREETS IN WHICH
PARKING IS LIMITED AGE FRIENDLY ONLY PARKING AT ANY TIME**

Main Street