

**KILDARE TOWN
COUNTY OF KILDARE**

PARKING BYE-LAWS

ADOPTED

March 2012

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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 as 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 Town of Kildare identified in the Schedules attached hereto.

PART 1

PRELIMINARY

- | | | |
|--------------------------------|---|---|
| Short Title | 1 | These Bye-Laws may be cited as “The Kildare County Council, Kildare Parking Bye-Laws, 2012” |
| Commencement | 2 | These Bye-Laws shall come into operation on the <u>21st May 2012</u> . |
| | 3 | These Bye-Laws apply to the Town of Kildare in the County of Kildare which Town is referred to in these Bye-Laws as “Kildare”. |
| Interpretation/
Definitions | 4 | In these Bye-Laws the following words have the following meaning viz:-

“ <i>The Regulations of 1997</i> ” means the Road Traffic (Traffic and Parking) Regulations 1997 (S.I. No. 182 of 1997).

“ <i>The Signs Regulations of 1997</i> ” means the Road Traffic Signs Regulations 1997 (S.I. No. 181 of 1997).

“ <i>Car Park</i> ” means the car park provided by and in the control of the Council situate in Kildare and shown on the plans attached hereto

“ <i>Ticket Parking Place</i> ” means the “car park” and the public roads in Kildare described in the Schedules hereto where the lawful parking of a vehicle is conditional on the foregoing vehicle displaying a valid pre-paid pay and display parking ticket as provided for in these Bye-Laws.

“ <i>Ticket Parking Area</i> ” means an area on a public road or in a public car park where traffic sign No. RUS018 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.

“ <i>Buffer Area</i> ” means an area between two parking bays.

“ <i>Pay and Display Parking Ticket</i> ” means a parking ticket or other form of document issued by the Council by means of |

a pay and display Parking Ticket Machine and which contains the following particulars:

- (a) the words Kildare County Council (Comhairle Chondae Chill Dara)
- (b) the fee paid in respect of the ticket
- (c) the date and the time of issue of the ticket
- (d) the time of expiry of the ticket

“*Valid Pay & 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. The pay and display ticket may only be used in a pay parking place/zone/street/car park where the pay and display ticket was purchased.

“*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 Bye-Laws is paid.

“*Public Service Vehicle*” means a mechanically propelled vehicle used for the carriage of persons for reward.

“*Large Public Service Vehicle*” means a public service vehicle having seating passenger accommodation for more than 8 persons exclusive of the driver.

“*Valid Coins*” means the coins indicated on the appropriate pay and display parking ticket machine.

“*Residential Parking Permit Area*” means a ticket parking area where traffic sign No., RUS018 authorised by the Signs Regulations, 1997 together with an accompanying information sign indicates that parking of vehicles is subject to the exhibition of a Residential Parking Disc.

“*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 disc which are part 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 09.00 a.m. to 05.00 p.m. (09.00 to 17.00) on each day other than Saturday, Sunday or a Public Holiday

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

“*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) as same may be or has been amended or extended.

“*Parking Fee*” means a fee payable in accordance with these Bye-Laws for the parking of a vehicle.

“*Authorised Information Plate*” means a plate accompanying a Traffic Sign, which indicates the period during which the restriction or prohibition indicated by such Traffic Sign applies.

“*Agent for the Council*” means any person employed by the Council, or any person authorised by the Council to carry out functions under these Bye-Laws.

“*Vehicle*” means a mechanically propelled vehicle only of the following classes, viz:-

- (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 three tonnes and not drawing a trailer or other vehicle.

PART II

PAY AND DISPLAY TICKET PARKING

Obligation to display a valid Pay and Display Parking Ticket 5 (1)

Where a vehicle is parked in a Ticket Parking Place on a day during business hours and during a period which is indicated on an authorised information plate accompanying a Traffic Sign number RRM016 of the Signs Regulations 1997 such vehicle shall display in the said vehicle

(a) A valid Pay & Display Parking Ticket as required by these Bye-Laws at commencement of such parking.

(b) Such Ticket shall be displayed in the interior of the vehicle in a manner which will permit a person outside the vehicle to see clearly all of the information indicated on the said Ticket and sufficient to enable such person to ascertain by reference to the Ticket when such parking commenced.

(c) Such Ticket shall be displayed as required by sub-paragraph (b) above for so long as the vehicle is so parked

(2) Where a goods vehicle is parked in a Ticket Parking Place during business hours while goods are being actively loaded in or on to it or unloaded from it paragraphs (1) and (2) of this Bye Law shall not apply until the expiration of 20 minutes after the commencement of the parking.

Period of parking 6 (1)

A vehicle parked in a Ticket Parking Place during business hours shall not be so parked for 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 or public car park in which the vehicle is parked or on adjacent public road where indicated on an authorised information plate. In the event of malfunction of the closest adjacent machine the nearest functioning Pay and Display Ticket Parking Machine shall be used within the appropriate parking time limit area.

(2) Where a vehicle is lawfully parked in a Ticket Parking Place in accordance with these Bye-Laws and is subsequently lawfully parked in a different parking bay on the same day and within the maximum parking period permitted by a valid parking Ticket it shall not be necessary to comply with paragraph 5 (1) of these Bye-Laws provided such subsequent parking is only for a period equal to the unused period of the maximum period permitted by the foregoing valid parking Ticket.

Interference with 7

Where a vehicle is parked in a Ticket Parking Place during business hours, a person shall not interfere with a

parking Ticket displayed on such vehicle.

8 Removal of vehicle
A vehicle parked in a Ticket Parking Place at a time which is not during business hours shall be removed from the Ticket Parking Place as soon as a period of business hours commences unless at such commencement Bye Law 5 is complied with in respect of such parking.

9 (1)
Bye-Laws 5, 6 and 8 shall not apply to a vehicle, which is parked in a Ticket Parking Place by a disabled person who holds a disabled persons parking permit in respect of the parking of such vehicle provided the permit is prominently displayed in the vehicle so parked.

(2)
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.

10 Prohibition on re-parking
A vehicle which had been lawfully parked in a Ticket Parking Place for the maximum period permitted for that place as indicated on the appropriate Pay and Display Ticket Parking Machine, or on an authorised information plate standing at that location accompanying Traffic Sign No. RRM016 of the Signs Regulations, 1976 shall not be parked again in a pay parking place in the public road in which that pay - parking place is situated until at least an one hour has elapsed since the expiry of its earlier pay parking period.

11 Conditions of parking
(a) A vehicle which is parked in a Ticket Parking Place on a business day and during a period which is indicated on the appropriate Pay and Display Ticket Parking Machine or on an authorised information plate standing at that location, accompanying Traffic Sign number RRM016 of the Signs Regulations of 1997 shall, where parking bays are provided be parked within the area comprising a parking bay.
(b) A vehicle shall not be parked in a buffer zone.

12 Pedal cycles prohibited from parking in pay and display ticket parking places
A pedal cycle shall not be parked in a Ticket Parking Place on a business day and during a period which is indicated on an authorised information plate standing at that location, accompanying Traffic Sign number RRM016 of the Signs Regulations of 1997.

13 Suspension of Ticket Parking Places
(a) The Council may suspend from operation a parking bay in a Ticket 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 VI.

(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
pay and display
ticket parking
places** **14**

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 3.5 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.

Fee for Parking Tickets	15	2 HOUR LIMIT (eighty cent per hour to a maximum of two hours maximum parking) - SCHEDULE A	LONG STAY PARKING AREA - SCHEDULE B
		€0.20 - first 15 minutes €0.40 - 30 minutes €0.60 - 45 minutes €0.80 - 1 hour €1.60 - 2 hours	€0.20 - first 15 minutes €0.40 - 30 minutes €0.60 - 45 minutes €0.80 - 1 hour €1.60 - 2 hours €3.20 - 4 Hour Parking (Within period from 09:00 to 17:00 on same day)
			€4.00 - All Day Parking €15.00 - Weekly Parking Ticket €40.00 - Monthly Parking Ticket

Tariffs for Off Street Parking and Parking Permits are inclusive of VAT

Manner and time of payment of parking	16	A Pay and Display Parking Ticket shall be purchased from an appropriate pay and display parking ticket machine.
Conditions to Parking	17	<p>(a) No person shall park or cause to be parked in a Ticket 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.</p> <p>(b) A person shall not park or cause to be parked a vehicle in a Ticket Parking Place in such a position that it or any portion of it extends from one parking bay into another</p> <p>(c) A person shall not overhaul or carry out repairs to a vehicle while it is parked in a Ticket Parking Place, save where it is necessary in order to enable the vehicle to be removed.</p> <p>(d) A vehicle while parked in a Ticket 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.</p> <p>(e) A person shall not make any unnecessary noise by means of or in relation to a vehicle while parked in a Ticket 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.</p> <p>(f) Every person using a Ticket 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 Ticket Parking Place or in relation to compliance with any of these Bye-Laws.</p> <p>(g) A person shall not in a Ticket Parking Place willfully obstruct, disturb, interrupt or annoy a Traffic Warden or Agent/workman, 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 Ticket Parking Place.</p> <p>(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 Ticket 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.</p> <p>(i) Any person on reasonable request by the Traffic Warden or a member of the Garda Síochána shall quit or</p>

- leave a Ticket 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 DISCS 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 disc” 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 disc” means a resident’s parking disc 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.

Non-application of Bye 5 to 17 of these Bye-Laws 19 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 Laws 21 and 22 of these bye laws in the vehicle when it is so parked, a valid resident’s parking disc.

Particulars of resident’s parking disc 20 A resident’s parking disc 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 person issuing it.

21 **Permission to park vehicle displaying resident's parking disc**
The display, in accordance with bye law 22 of a valid resident's parking disc on the vehicle in respect of which the disc 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 disc.

22 **Display of resident's parking disc**
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 and be clearly and fully visible from outside the vehicle.

23 **Interference with resident's parking disc**
Where a vehicle displaying a resident's parking disc is parked in a Ticket Parking Place a person shall not interfere with the disc.

24 **Issue of and fee for resident's parking discs**
(1) Subject to the aforesaid a resident's parking disc may be issued by the Council or its agent to a maximum of three residential permits per household.

(2) The fee for a resident's parking disc shall be **€5.00** each per annum or part thereof.

(3) A resident's parking disc shall become invalid if the vehicle of which the resident is the owner and to which the disc relates is disposed of by the resident.

25 **Issue of replacement resident's parking disc**
If the Council is satisfied that a valid resident's parking disc has been lost, destroyed or stolen the Council or its agent shall issue a replacement to the resident on payment of a fee of **€20.00** and such replacement disc shall be substituted for the original disc and the original disc shall then become invalid.

26 **Return of resident's parking disc**
Where, during the period to which a resident's parking disc relates, the resident ceases to reside at the address notified at the time of issue of the disc or ceases to be an owner of the vehicle to which the disc relates, he or she shall return the resident's parking disc to the Council.

27 **Transfer of resident's parking disc**
If the holder of a resident's parking disc for a vehicle replaces that vehicle with another, he shall be entitled, following the surrender of the original disc, to receive a resident's parking disc in respect of the new vehicle which

parking disc
Display of a void
resident's
parking disc

28

shall be valid for the period specified on the original disc.
It shall be an offence to display a void resident's parking disc.

**PART IV
PARKING DISCS FOR VISITORS**

Definitions for Part IV 29

In this part of these Bye-Laws

“*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 Kildare County Council;
- (b) the words visitors parking disc;
- (c) the residential parking permit zone/location to which it relates;
- (d) the words that the vehicle parked shall not be so parked for a period exceeding a continuous period of 24 hours from the time parking commenced;
- (e) the visitors parking disc number.

“*Valid visitors parking disc*” means a visitors parking disc which:-

- (a) has been issued by Kildare County Council or its agents;
- (b) has been marked as appropriate to the particular type of parking disc, so as to indicate clearly the year, month, day in the month, when the disc expires
- (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 residential parking permit zone in which the vehicle is parked,
- (f) 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.

Non-application of Bye-Laws 5 to 17 30

Bye-Laws 5 to 17 of these Bye-Laws shall not apply to the parking of a vehicle in a Disc 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 resident’s

of these Bye-Laws		parking disc.
Permission to park vehicle displaying a visitors parking disc	31	The display, in accordance with Bye-Law 32 of a valid visitors parking disc on the vehicle in respect of which the disc 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 parking place in the residential parking permit zone/location to which it relates.
Display of visitors parking disc	32	A valid visitors parking disc 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.
Interference with visitors parking disc	33	Where a vehicle displaying a visitors parking disc is parked in a Disc Parking Place a person shall not interfere with the disc.
Issue of and fee for visitors parking discs	34	(1) Subject to the aforesaid a visitors parking disc 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. (2) The fee for a visitors parking disc shall be €15.00 for a book of 10 (ten) 24 hour visitor parking permits to a maximum of 160 permits (16 books) per year.
Offences	35	(3) A visitors parking disc shall only be valid for use in the residential parking permit zone to which the disc relates. (1) It shall be an offence for a resident (a) to sell a visitors disc to any person; (b) to sell or otherwise dispose of a visitors parking disc to a person other than a visitor. (2) It shall be an offence to display an invalid visitors parking disc.
Return of visitors parking disc	36	Where, during the period to which a visitors parking disc relates, the resident ceases to reside at the address notified at the time of issue of the disc he/she shall return the visitors parking disc to the Council.

PART V

MISCELLANEOUS

Non-application of Bye-Laws 5 - 17 of these Bye-Laws to certain vehicles

29 Bye-Laws 5 - 17 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, 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

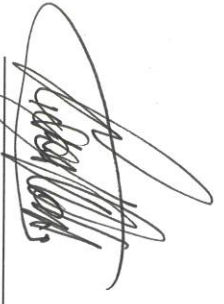
**MAXIMUM CHARGES FOR TEMPORARY REMOVAL
AND SUSPENSION OF PARKING PLACES**

ITEM NO.	ITEM	CHARGES
1	Suspension of each parking place	125 Euro per week and 25 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	7 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 26th DAY OF March 2012

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



THE MAYOR OF THE COUNTY OF KILDARE/NOMINATED MEMBER



COUNTY MANAGER



COUNTY SECRETARY



**KILDARE TOWN
COUNTY OF KILDARE**

PARKING BYE-LAWS

ADOPTED

SCHEDULE

March 2012

SCHEDULE INDEX

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SCHEDULE A

**STREETS OR PORTIONS OF STREETS IN WHICH
PARKING IS LIMITED TO TWO HOURS (eighty cent for each hour to a maximum of two hours)
DURING THE HOURS OF 09.00-17.00**

Claregate Street

Market Square

Market Square Car Park

Dublin Street

Bride Street

Bang Up Lane

Grey Abbey Road

Tully Road

White Abbey Road

Sráid na bPáistí

SCHEDULE B

**AREAS IN WHICH
LONG STAY PARKING IS PERMITTED DURING THE HOURS OF 09.00 – 17.00**

Top Nolan's Car Park

St. Brigid's Square Car Park

SCHEDULE C

**AREAS IN WHICH
COMMERCIAL UNLOADING IS PERMITTED BETWEEN 09.00AM – 11.30AM
PAY PARKING BETWEEN 11.30AM-17.00PM**

Claregate Street

Market Square

SCHEDULE D

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

Dublin Road

Market Square

Sráid na bPáistí