

Ballina Town Council

[Car-Park] Bye-Laws 2005

Ballina Town Council (hereinafter referred to as "The Council") in exercise of the powers vested 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:

- 1 These Bye-Laws may be cited as the Ballina Town Council (Car Park) Bye Laws 2005
- 2 These Bye-Laws shall come into operation on the 01st day of July 2005
- 3 These Bye-Laws shall apply to the Car Parks provided by the Council at:
 - (a) **Emmett Street**
 - (b) **Market Square**
 - (c) **Teeling Street**
 - (d) **Humbert Street**
 - (e) **Barrett Street**

4. The Ballina Town Council (Car Park) Bye Laws 2003 are hereby revoked.

5. **"Car Park"** means a car park specified in bye-law 3 of these bye-laws.

"Business Hours" means the period from 8:30 a.m. to 6:30 p.m. on a weekday from Monday to Saturday inclusive, which is not a holiday, except where otherwise stated.

"Holiday" means Good Friday or any other day that's not a public holiday for the purpose of the Holiday (Employees) Act, 1973 (No. 25 of 1973).

"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, of more than one such vehicle, and so indicated by surface or other signs or markings.

"Parking Ticket Machine" means a machine capable of automatically delivering a parking ticket when the fee prescribed by bye-law 11 of these bye-laws is inserted into the machine.

"Disabled Persons Parking Bay" means a space intended for the parking of a mechanically propelled vehicle on which is displayed a Disabled Persons Permit granted in respect of such vehicle.

"Disabled Persons Permit" means a permit issued under article 43 of the Road Traffic (Traffic and Parking) Regulations, 1997.

"Long Stay Users Parking Disc" means a disc issued by the Council for and containing the particulars specified in bye-law 15.

"Valid Long Stay Users Parking Disc" means a long stay user parking

disc which relates to a period which has not expired and which is issued by the Council in whose car parks the vehicle on which the disc is displayed is parked.

6. (1) A person shall not use a car park for any other purpose other than for the parking of a mechanically propelled vehicle.
- (2) Paragraph (1) of this bye-law shall not operate so as to prohibit the use of a car park for access to or egress from any premises adjacent to the car park where the proprietor has a right of such access to or egress from the said premises by virtue of an agreement with the Council or to prohibit the use of the Market Square Park for casual trading as provided for in the Ballina Urban District Council, Casual Trading Act, 1995, Bye-Laws.
7. (1) Where a vehicle other than a motorcycle is parked in a car park during business hours a parking ticket issued in respect of the vehicle 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 and the parking ticket shall be so exhibited for so long as the vehicle is parked in the car park.
- (2) Where a ticket is exhibited on a vehicle other than a motor cycle parked in a car park during business hours the vehicle shall not be so parked for longer than the period between the time the ticket is issued and the time it ceases to be valid.
8. Where a vehicle is parked in a car park during business hours and a ticket is exhibited in accordance with bye-law 7 of these bye-laws, no further ticket shall be exhibited in that vehicle.
9. Where a vehicle is parked in a car park during business hours a person shall not interfere with a parking ticket exhibited in the vehicle.
10. A vehicle other than a motor cycle 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 or tickets is or are exhibited in the interior of the vehicle in accordance with bye-law 7 of these bye-laws.
11. In all the car parks referred to in bye-law number 3:
 - (a) A fee of €0.50 shall be paid for a parking ticket for each hour, or part thereof of parking.
 - (b) The maximum continuous parking time allowed shall be 4 hours.
12. 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 11 of these bye-laws.
13. Where a parking ticket machine in working order has not been provided for a car park or where a parking ticket machine provided for a car park has ceased to be in working order and there is no other parking ticket machine in working order for that car park bye-law 7 and bye-law 10 will cease to have effect in respect of such car park.

14. Bye-laws 7 to 12 of these bye-laws shall not apply to the parking of a vehicle in a car park if there is displayed, in accordance with bye-law 17 of these bye-laws, in the vehicle when it is so parked, a valid long stay users parking disc.
- (a) long stay parking discs are applicable to Humbert Street, Teeling Street and Barrett Street car-parks.
 - (b) Long stay parking discs are not applicable to Emmet Street car-park and Market Square car-park
15. A long stay users parking disc shall contain the following particulars:-
- (a) the make and registration number of the vehicle in respect of which is issued.
 - (b) the date of issue
 - (c) the period to which it relates, including the date of expiry.
 - (d) a copy of the signature, and the description, of an officer of Ballina Town Council.
16. The display, in accordance with bye-law 17 of these bye-laws of a valid Long Stay Users 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 consent) to park it without limitation as to time in the car parks specified herein.
17. A valid Long Stay users parking disc 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.
18. Where a vehicle displaying Long Stay users parking disc is parked in a car park, a person shall not interfere with the said disc.
19. (1) A long stay users parking disc shall be issued by the Council in respect of the parking of a vehicle in the car parks at Teeling Street, Humbert Street and Hill Street only.
- (2) The fee for a long stay users parking disc shall be payable per calendar month or part thereof at the following rates :
€20 per month for Teeling Street, Humbert Street and Barrett Street car-parks.
- (3) A long stay users parking disc shall be issued by the Council in respect of the vehicle of which the user is the owner and shall be valid for a period of one calendar month beginning on the first day of the said month in respect of that vehicle.
- (4) Certain restrictions as to the use of the long stay parking disc shall apply.
- (i) the use of long stay parking discs issued at the rate of €20 shall be restricted for use only in Teeling Street, Humbert Street and Barrett Street car-parks and such discs shall be prohibited from use in any other area in the town.

20. (1) Where, during the period to which a long stay users parking disc relates, the user to whom it is issued ceases to be the owner of the vehicle to which the disc relates, he shall return it forthwith to the Council.
- (2) Where during the period to which a long stay users parking disc relates the person to whom it is issued ceases to be the owner of the vehicle to which the disc relates and substitutes another vehicle for same; the Council shall upon payment of a fee of €1.27 by the person, either insert the make and registration number of the substituted vehicle on the disc or issue to the user a new disc in respect of that vehicle and such new disc shall be valid for the period specified.
21. A person shall not park or cause to be parked in a car park a vehicle in such a position or in such condition 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.
22. A person shall not park or cause to be parked a vehicle, in any place in a car park:-
 - (1) other than in a parking bay, or
 - (2) in such a position that the vehicle or any portion of it extends from one parking bay to another.
23. A person shall not park a vehicle in a Disabled Driver's Parking Bay without having displayed thereon a Disabled Persons Permit.
24. 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 to enable the vehicle to be removed from the car park.
25. 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.
26. 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 instruments fitted to or carried on the vehicle or any loudspeaker or radio in or on in any way connected with the vehicle.
27. A person shall not throw, place or leave any bottle, or any broken glass, nail, litter or other substances on or in a car park, and a person shall not at any time play any ball or other game in a car park.
28. (1) A person using a car park shall comply with any lawful direction, in relation to the parking of a vehicle in, or its removal from, a car park or in relation to any of these bye-laws, given by a member of the Garda Siochana or by an officer or employee of the Council authorised for the purposes of these bye-laws by the Council.


(2) Where a person is directed, in accordance with paragraph (1) of this bye-law, to leave a car park he shall comply with such direction.

29. A person shall not in any car park wilfully obstruct, disturb or interrupt an agent, officer or employee 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 staff or agents of the Council.
30. A person in a car park shall give on demand to an officer or employee of the Council, authorised for the purposes of these bye-laws by the Council his or her name and address and a person shall not in any car park resist, obstruct or aid or incite any person to resist or obstruct any of the persons referred to in bye-law 28 in the execution of his or her duty or lawful exercise of his or her authority.
31. An officer or employee of the Council shall produce, if requested to do so, evidence of his identity and employment by the Council to any person alleged by him to be in breach of these bye-laws or who has been requested to leave a car park under bye-law 28.
32. These bye-laws shall be known as the Ballina Town Council (Car Park) Bye-Laws, 2005.
33. Nothing in these bye laws shall operate so as to prohibit the Council from entering into temporary arrangements with individuals and/or groups relating to the use of the car parks set out in bye law 3 for the purpose of car parking fairs, amusements and other such events.

Made and adopted under the Common seal of the Ballina Town Council this

28th day of June, 2005 which seal was affixed hereto

in the presence of:



DIRECTOR OF SERVICES



TOWN CLERK



NOMINATED MEMBER