

SLIGO BOROUGH COUNCIL

DRAFT CAR PARK BYE-LAWS 2010

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Sligo Borough Council in exercise of the powers conferred on them 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 Section 36 of the Road Traffic Act, 1994 (No. 7 of 1994) and all other powers thereunto enabling hereby make the following Bye-Laws as to the use of car parks provided by them as set out in Article 1 of these Bye-Laws:

1. In these Bye-Laws :

Car Park has the meaning assigned to it in Section 101 of the Road Traffic Act, 1961.

“Car Park” includes each of the car parks provided by Sligo Borough Council being those described as Wine Street Car Park ; Stephen Street Car Park ; Abbey Street Car Park ; Quay Street Car Park ; Market Place Car Park ; John F. Kennedy Parade Car Park ; West Gardens Car Park ; Lower Connaughton Road Car Park ; **Upper Connaughton Road Car Park**, St. Anne’s Car Park, Lower New Street Car Park, Lower Forthill Car Park, **Upper Forthill Car Park**, **Finisklin Road Car Park**, **Showgrounds Car Park**, **Adelaide Street Car Park** and **The Mall Car Park**

“Officer of Sligo Borough Council” means a person employed by Sligo Borough Council or its Agents having duties relating to the operation, management and control of car parks.

‘Annual Parking Permit’ and ‘Monthly Parking Permit’ means a Parking Permit issued by Sligo Borough Council in respect of the parking of a vehicle in either:-

(a) **The car parks in Part I, II, III, IV of the Schedule to these Bye-Laws which indicates;-**

(i) a date of expiry;

(ii) the Registration Number of the vehicle authorised to be so parked; and

(iii) the Car Park or group of Car Parks to which it relates as listed in **Part I, II, III, IV** of the schedule to these Bye-Laws

“Holiday” means Good Friday or any day that is a public holiday for the purposes of the Holidays (Employees) Act, 1973 (No. 25 of 1973) as amended.

“Business Hours” means with respect to any Monday, Tuesday, Wednesday, Thursday, Friday or Saturday which is not a holiday, the period commencing at 8.30 a.m. and terminating at 6.30 p.m. and any Sunday, the period commencing at 12.00 noon and terminating at 6.00 p.m. and any day that is a public holiday, the period commencing 12.00 noon. and terminating at 6.00 pm.

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

“Parking Ticket” means a ticket issued by Sligo Borough Council by means of a Parking Ticketing Issuing Machine which indicates the date of issue of the ticket and time at which it ceases to be valid.

“Valid Annual Parking Permit” means an annual parking permit issued by Sligo Borough Council in respect of the vehicle on which the annual parking permit is displayed and relates to a period which has not expired and is issued in respect of the car park in which the vehicle is parked.

“Valid Monthly Parking Permit” means a monthly parking permit issued by Sligo Borough Council in respect of the vehicle on which the monthly parking permit is displayed and relates to a period which has not expired and is issued in respect of the pay and display area in which the vehicle is parked.

“Valid Parking Ticket” means a parking ticket which:

- (a) has been issued by Sligo Borough Council by means of the Parking Ticket Issuing Machine.
- (b) which clearly indicates the minute of the hour of commencement of a period of parking of the vehicle and the time at which the parking period expires and the parking ticket shall be so exhibited in accordance with these Bye-Laws in respect of the car parks listed in **Part I & II** of the Schedule to these Bye-Laws.
- (c) has been issued by the Borough Council by means of the parking ticket machine, which clearly indicates the year, month and day in the month in the respect of the Car Parks listed in the **Part III & IV** of the Schedule of these Bye –Laws.
- (d) indicates no other year, month, day, hour, or minute and
- (e) indicates that the vehicle is so parked for a period not exceeding the period for which it may be parked in a pay and display parking place in accordance with these Bye-Laws.

“Resident” means a person whose normal residence is at premises situated in a street containing a pay and display area .

“Resident’s Parking Permit” means a document issued by Sligo Borough Council for the purposes of Bye-Laws 11 to 16 and containing the particulars specified in Bye-Law 12.

“Valid Resident’s Parking Permit” means a resident’s parking permit which relates to a particular pay and display area(s) and to a period which has not expired and which is issued by Sligo Borough Council in respect of the pay and display area(s) on which the vehicle is parked.

“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;

“visitor parking permit” means a visitor-parking permit issued by Sligo Borough Council, its agents or authorised officers only containing the particulars in Bye-Law No. 17.

“carer” means a person who is providing care to a Resident who requires on-going daily care for a chronic illness.

“carer's parking permit” means a document issued by Sligo Borough Council which fulfils the purpose of Bye-Laws No. 18.

“Disabled Persons Parking Card” means a card issued by The Disabled Drivers Association or the Irish Wheelchair Association under authorisation by the Minister for the Environment and Local Government.

“Disabled Person” means a person who is suffering from a disability that prevents that person from walking or causes undue hardship to that person in walking.

“Casual Trading” and “Casual Trading Area” have the meanings assigned to them by the [Casual Trading Act, 1995](#) (No. 19 of 1995);

“Casual Trading Hours” are the hours assigned in the Casual Trading Act 1995 – Byelaws 2008.

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

2. These Bye Laws apply to the Car Parks mentioned in **Parts I, 11, III and IV** of the Schedule to these Bye-Laws.
3. No person shall use a car park for any purpose other than for the parking of a mechanically propelled vehicle.

4. Where a vehicle, other than a motorcycle, is parked in a car park during business hours it shall display:
 1. a valid annual parking permit or
 2. a valid monthly parking permit or
 3. a valid parking ticket or
 4. a valid residents parking permit or
 5. a valid visitors parking permit or
 6. a valid carer's parking permit

such that for each daily, hourly, part of an hour (minimum period of 20 minutes increasing at five minute intervals up to one hour) or two hourly period as appropriate during which it is so parked :

- (a) In the case of 1, 2, 4, 5 and 6 above markings indicating the year, month, day in the month, when the parking commences shall be made on a parking permit at such commencement in respect of the car parks listed in Part I and Part II of the Schedule to these Bye-Laws.

In the case of 3 above, a valid Parking Ticket which clearly indicates the minute of the hour of commencement of parking of the vehicle and the time at which the parking period expires in respect of the car parks listed in Part I and Part II of the Schedule to these Bye Laws.

- (b) In the case of 1,2,4,5 and 6 above has been marked as appropriate to the particular type of parking permit as to indicate clearly the year, month and day in the month in respect of the Car Parks listed in Part III and Part IV of the Schedule to these Bye-Laws. In the case of 3 above has exhibited a particular type of parking ticket which clearly indicates the minute of the hour of commencement of parking of the vehicle and the time at which the parking period expires in respect of the car parks listed in Part III & Part IV of the Schedule to these Bye Laws

- (c) A valid parking ticket shall be so exhibited in the interior of the Vehicle that an Officer of Sligo Borough Council outside the vehicle can ascertain by reference to the markings when the parking commenced,

- (d) A valid annual parking permit or a valid monthly parking permit or a valid parking ticket or valid residents parking permit or a valid visitors permit or valid carer's permit shall be exhibited in accordance with this Bye Law in respect of each hour or day as appropriate for so long as the vehicle is parked in that car park during business hours

5. Where a vehicle is parked in a car park, during business hours, a person shall not interfere with a valid annual parking permit or a monthly parking permit or parking ticket or a valid residents parking permit or a valid visitors parking permit or a valid carer's permit exhibited on the vehicle.

6. A vehicle 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 valid annual parking permit or a valid monthly parking permit or a valid parking ticket or a valid residents permit or a valid carers permit or a valid visitor's permit is exhibited in the interior of the vehicle in accordance with Bye-Law 4 of these Bye-Laws.
7. Bye-Laws 4 and 6 shall not apply to a vehicle the registered owner and the driver of which is a disabled person.
8. Annual Parking Permits, Monthly Parking Permits, Residents Parking Permits, Carers Parking Permits and Visitor's Parking Permits shall be made available by Sligo Borough Council and put on sale. Parking Tickets shall be issued by the parking ticket machine provided.
9. The minimum parking period in respect of each of the car parks listed in Part I of the Schedule in these Bye-Laws shall be for a period of 20 minutes. The fee for a parking ticket shall be 40 cents for 20 minutes. The parking period will increase at 5 minute intervals and the fee per 5 minute interval will be 10 cents. The fee of €1.20 will apply for a period of up to one hour.

The minimum parking period in respect of the car parks listed in Part II of the Schedule to these Bye-Laws shall be for a period of 20 minutes. The fee for a parking ticket shall be 40 cents for 20 mins. The parking period will increase at 10 minute intervals and the fee per 10 minute interval will be 10 cents. The fee of 80 cent will apply for a period of up to one hour.

The fee for parking ticket in respect of the car parks listed in Part III of the Schedule to these Bye-Laws shall be €2.50 for a period of up to one day.

The fee for a parking tickets in respect of the car parks listed in Part IV of the Schedule to these Bye-Laws shall be €1.00 for a period of up to one day.

The fee for an annual parking permit shall be €2240.00 in respect of the car parks listed in Part I of the Schedule to these Bye-Laws and the fee for an annual parking permit shall be €580.00 in respect of the car parks listed in Part III of the schedule of these Bye-Laws.

The fee for a monthly parking permit shall be €85.00 in respect of the car parks listed in Part I of the schedule to these Bye-Laws and €48.00 in respect of the car parks listed in Part III of the schedule of these Bye-Laws.

The fee for an annual parking permit shall be €1,495 in respect of the car parks listed in Part II of the Schedule to these Bye-Laws and the fee for an annual parking permit shall be €230.00 in respect of the car parks listed in Part IV of the schedule of these Bye-Laws.

The fee for a monthly parking permit shall be €24.00 in respect of the car parks listed in Part II of the schedule to these Bye-Laws and €9.00 in respect of the car parks listed in Part IV of the schedule of these Bye-Laws.

10. In the event of Abbey Street Car Park being designated as a temporary casual trading area on Saturdays between the hours of 8.00 am and 3.00 pm or such times deemed necessary for the holding of the markets, the following restrictions will come into operation in Abbey Street Car Park each Saturday
 - A maximum of two hours free parking per vehicle for the period between 9.00 am and 3.00 pm will apply in designated areas after which normal parking charges and penalties will be enforced.
 - Normal penalties will apply to vehicles parked in a manner or place prohibited
 - There will be certain parking spaces designated as casual trading places. These designated casual trading parking places may be used by casual traders only. Casual traders cannot park in parking spaces that have not been designated as casual trading spaces.
 - Existing disabled areas will be maintained for the use only by customers and traders who have a disabled persons parking card
 - Signs and markings will outline the restricted areas for parking and trading.
 - At the close of casual trading hours, normal Car Park Byelaws for that car park come into force.

11. No resident shall be entitled to hold a Residents Parking Permit in respect of more than one vehicle.

12. A resident's parking permit shall contain the following particulars :-
 - (a) The name of the Local Authority by whom it is issued,
 - (b) the make and registration number of the vehicle in respect of which it is issued,
 - (c) the date of issue,
 - (d) The pay and display area to which it relates,
 - (e) the period to which it relates, including the date of expiry,
 - (f) A copy of the signature, and the description, of the officer of the Local Authority issuing it.

13. The display, in accordance with Bye-Law 12 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 consent) to park it without limitation as to time in a pay and display parking area to which the permit relates.

14. 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.

15. Where a vehicle displaying a resident's parking permit is parked in a pay and display parking area a person shall not interfere with the permit.
- (1) A resident's parking permit shall be issued by Sligo Borough Council in respect of the parking of a vehicle in a pay and display parking area in its functional area.
 - (2) The fee for a resident's parking permit shall be €50.00.
 - (3) A resident's parking permit shall be issued by Sligo Borough Council in respect of the vehicle of which the resident is the owner and shall be valid for a period of one year from the date of issue, in respect of that vehicle and for the pay and display area to which the permit relates.
- 16.
- (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, he shall return it (addressed to the person a copy of whose signature appears on it) to Sligo Borough Council.
 - (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, he shall return the permit (addressed to the person a copy of whose signature appears on it) to Sligo Borough Council which, upon payment of a fee of €10.00 by the resident, shall either insert the make and registration number of the substituted vehicle on the permit or issue to the resident a new permit in respect of that vehicle, and such new permit shall be valid for the period specified.
17. A visitor's parking permit shall contain the following particulars:
- (1) the words Sligo Borough Council /Comhairle Bhuirg Shligigh;
 - (2) the words 'visitor parking permit',
 - (3) the pay and display area(s) to which it relates;
 - (4) indicates the year, month, day of the commencement of a period of the parking of the vehicle;
 - (5) The vehicle registration number.

Visitor's parking permits may be issued by Sligo Borough Council to a resident in a pay and display area, subject to production of acceptable evidence, in respect of the parking of

vehicles which require to be parked temporarily and is ancillary to the use of the applicant's dwelling.

Visitor's parking permits issued under this Bye-Law shall only be valid for use in the pay and display area to which the resident's parking permit relates.

Visitors parking permits issued under this Bye-Law shall permit the vehicle to be parked for a period not in excess of 24 hours from commencement of parking in the pay and display area(s) to which the resident's parking permit relates.

The total number of parking permits for visitors which may be issued to each resident or applicant in accordance with these Bye-Laws is 52 in any 12 month period subject to an overall limit of 104 permits per housing unit.

The fee for each visitor's parking permit shall be €2.50.

The display of a valid visitor parking permit on a vehicle, shall permit the owner of the vehicle (or any person using it with his/her consent) to park it continuously on the date indicated on the displayed visitor parking permit in the pay and display area on a public road to which it relates, provided the parking permit -

(a) has been issued in respect of the pay and display area in which the vehicle is parked and

(b) shall be so displayed in the interior of the vehicle in respect of which it is issued, in such a manner that the particulars specified thereon can be easily read outside the vehicle.

It shall be an offence for a resident to sell or otherwise dispose of a visitors permit to a person other than a visitor as defined in these Bye-Laws.

- 18.** (1) A resident's parking permit may be issued by Sligo Borough Council to a non-resident family member(s)/ nominated person(s) or carer who act as voluntary carers for a resident in a pay and display area and who requires on-going daily care for a chronic illness.
- (2) A parking permit shall be issued annually to a qualified resident subject to the submission of proof of residency, submission by a non-resident family member(s) or carer's vehicle insurance certificate and written confirmation from the resident's doctor that the resident requires ongoing daily care for a chronic illness
- (3) A non-resident family member(s)/nominated person(s)/ carer's parking permit shall be valid for a period of one year from the date of issue. A maximum of 2 permits may be issued to a qualifying Resident. The fee for the issue of a non-resident family member(s)/nominated person(s)/carer's parking permit(s) shall be €50.00.
- (4) A non-resident family member(s)/nominated person(s)/carer's parking permit may be issued by Sligo Borough Council to a Resident who requires care in accordance with Bye-Law 18 (1) of these Bye-Laws and who resides at premises situated in a pay and display area. The non-resident family member(s)/nominated person(s)/carer's parking permit shall be issued in respect of the pay and display area in which the normal place of residence of the person requiring care is situated and one other such adjacent zone, as the case may be.

- (5) A non-resident family member(s)/nominated person(s)/carer's parking permit shall be used by Sligo Borough Council in respect of
- (a) a motor car;
 - (b) a van;
 - (c) a passenger vehicle (having accommodation for not more than seven passengers excluding the driver).
- (6) A non-resident family member(s)/nominated person(s)/ Carers Parking Permit shall contain the following particulars:
- (1) the words Sligo Borough Council/Comhairle Bhuirg Shligigh;
 - (2) the pay and display area to which it relates,
 - (3) the date of issue,
 - (4) the period to which it relates and date of expiry;
 - (5) Carer's Permit Number,
 - (6) Vehicle Registration Number
 - (7) the signature of the person issuing it.
- (7) Where, during the period to which a non-resident family member(s)/nominated person(s)/ Carers Parking Permit relates, the resident to whom it is issued ceases to reside at the address specified, he or she shall forthwith return the permit to Sligo Borough Council. A non-resident family member(s)/nominated person(s)/ Carers Parking Permit is non-transferable and remains the property of Sligo Borough Council from the date of issue.
- (8) It shall be an offence for a resident to:
- (1) Sell or otherwise dispose of a non-resident family member(s)/nominated person(s)/ Carer's Parking Permit.
 - (2) Abuse of a non-resident family member(s)/nominated person(s)/Carer's Parking Permit shall result in the cancellation and or withdrawal of the Parking Permit.
 - (3) To display a void or expired Parking Permit.

Where a resident or applicant submits falsified documentation to support his/her application for a resident's, a non-resident family member(s)/nominated person(s)/ carer's parking permit or for a visitors parking permit the Council may, at its absolute discretion, decide not to issue and/or to cancel a resident's, a non-resident family member(s)/nominated person(s)/ carer's parking permit or a visitor parking permit to that applicant/resident.

19. A person shall not park or cause to be parked a vehicle in a parking bay which is designated for parking of a vehicle by a disabled driver in a car park unless there is displayed in such vehicle a disabled persons parking card which is clearly visible from the outside.
20. A person shall not 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 be 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.
21. A valid annual parking permit, a valid monthly parking permit, a valid resident's parking permit, a valid carer's parking permit, a valid visitor's permit or a valid parking ticket shall be so displayed in the interior of the vehicle during business hours that it can be read from the outside.
22. 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 in order to enable the vehicle to be removed from the car park.
23. A person shall not park or cause to be parked in a car park a vehicle in such a position that it or any portion of it extends from one parking bay to another.
24. A vehicle while parked in a car park shall not be used for the sale of goods or the provision of services 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.
25.
 - (1) A vehicle shall not be parked or left unattended on a part of a Car Park which is a casual trading area during hours of trading unless the vehicle is for the time being in use for the purposes of casual trading.
 - (2) A vehicle shall not be parked or left unattended on a part of a Car Park which is a disabled parking bay during business hours unless the vehicle is displaying a valid disabled parking card.
 - (3) Vehicles other than buses shall not be parked or left unattended on a part of a Car Park which is a Bus Parking Bay during business hours.
26.
 - (1) Any vehicle parked or left unattended in a casual trading area, during Casual Trading Hours, will be removed at the expense of the owner.
 - (2) Any vehicle parked or left unattended in a disabled parking bay, during business hours, without displaying a valid disabled parking card, will be removed at the expense of the owner.
 - (3) Any vehicles other than buses parked or left unattended in a bus parking bay during business hours will be removed at the expense of the owner.
 - (4) A vehicle which has been issued with 6 or more consecutive traffic fines to an address that is no longer applicable and remains unpaid after 56 days of the date of issue of the fines and is found to be in breach of another traffic offence will be removed at the expense of the owner.

27. 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 loud speaker or radio in or on or in anyway connected to the vehicle.
28. 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 no person shall at any time without the consent in writing of Sligo Borough Council play ball or any game in a car park.
29. Every person using a car park shall comply with all lawful directions given by an Officer of Sligo Borough Council authorised for the purposes of these Bye-Laws by Sligo Borough Council or by a member of the Garda Siochana in relation to parking of a vehicle in or its removal from a car park or in relation to any of these Bye-Laws.
30. A person shall not in any car park wilfully obstruct, disturb, interrupt or annoy an Officer of Sligo Borough Council in the execution of his / her duty including the execution of any work in connection with laying out or maintenance of any part of a car park by Sligo Borough Council on Staff and Agents.
31. A person shall give on demand to an Officer of Sligo Borough Council or a member of the Garda Siochana his/her name and address and a person shall not in any car park resist, obstruct, aid or incite any person to resist or obstruct any Officer of Sligo Borough Council or other person in the execution of his / her duty or lawful exercise of his /her authority.
32. Any person may be requested by an Officer of Sligo Borough Council or a member of the Garda Siochana to quit or leave a car park and shall forthwith comply with such request.
33. An Officer of Sligo Borough Council shall produce, if required to do so, evidence of his/her identity and employment by Sligo Borough Council as such to any person alleged by him to be in breach of these Bye-Laws.
34. These Bye-Laws or sections of these Bye-Laws may be suspended when the Borough Council by resolution deems it appropriate.
35. Sligo Borough Council Car Park Bye-Laws 2008 are hereby revoked.
36. These Bye-Laws shall be known as the “Sligo Borough Council Draft Car Park Bye-Laws 2010”.

SCHEDULE OF CAR PARKS

PART I

- (a) Wine Street Car park
- (b) Stephen Street Car Park
- (c) Quay Street Car Park
- (d) John F. Kennedy Parade Car Park
- (e) West Gardens Car Park
- (f) Lower New Street Car Park
- (g) Adelaide Street Car Park, Adelaide Street

PART II

- (a) Abbey Street Car Park
- (b) The Mall Car Park

PART III

- (a) Market Place Car Park.
- (b) St. Anne's Car Park
- (c) Lower Connaughton Road Car Park
- (d) Lower Forthill Car Park
- (e) Upper Forthill Car Park
- (f) Upper Connaughton Road

PART IV

- (a) Finisklin Road Car Park
- (b) Showgrounds Car Park

**MADE AND ADOPTED UNDER THE COMMON SEAL OF THE SLIGO
BOROUGH COUNCIL THIS DAY OF 2010.**

**PRESENT WHEN THE COMMON SEAL OF THE SLIGO BOROUGH
COUNCIL WAS AFFIXED HERETO :-**

MAYOR OF SLIGO.

HEAD OF FINANCE