

COMHAIRLE CHONTAE NA h-ÍARMHÍ

Westmeath County Council

Athlone Municipal District



DRAFT

WESTMEATH COUNTY COUNCIL

Control of Parking Bye-Laws 2016

Moate

WESTMEATH COUNTY COUNCIL CONTROL OF PARKING BYE-LAWS 2016 – MOATE TOWN

ARRANGEMENT OF BYE-LAWS

- 1. Citation**
- 2. Commencement**
- 3. Area of Application**
- 4. Interpretation**

PART II – Restricted Parking

- 5. General**

PART III – Parking Permit for Residents

- 6. Definitions for Part III**
- 7. Non-application of bye-law 5 of these bye-laws**
- 8. Particulars of Resident's Parking Permit**
- 9. Permission to park a vehicle displaying a Resident's Parking Permit**
- 10. Display of Resident's Parking Permit**
- 11. Interference with Resident's Parking Permit**
- 12. Issue of Resident's Parking Permit**
- 13. Issue of Replacement Resident's Parking Permit**
- 14. Return of Resident's Parking Permit**
- 15. Transfer of Resident's Parking Permit**
- 16. Display of a void Resident's Parking Permit**

PART IV – Exemptions

- 17. Non-application of bye-laws**

PART V – Penalties

- 18. Penalties for breach of bye-laws**

FIRST SCHEDULE – Double Yellow Lines

SECOND SCHEDULE – Parking

WESTMEATH COUNTY COUNCIL

Control of Parking Bye-Laws, 2016 - Moate Town

Long Title: Westmeath County Council (hereinafter referred to as “the Council”) in exercise of the powers vested on it by Section 36 of the Road Traffic Act 1994 (no. 7 of 1994) and having consulted with the Commissioner of the Garda Síochána hereby makes the following Bye-laws.

PART I *Preliminary*

- Citation:** 1. These bye-laws may be cited as the County of Westmeath Control of Parking Bye-Laws 2016 - Moate Town
- Commencement:** 2. These bye-laws shall come into operation on the ** ***** **2016.**
- Area of Application:** 3. These bye-laws shall apply to the area of Moate Town comprised within the administrative County of Westmeath as detailed in the Schedules attached hereto.
- Interpretation:** 4. In these bye-laws:
- “the Regulations of 1997” means the Road Traffic (Traffic and Parking) Regulations 1997 (S.I. No. 182 of 1997);
- “the Signs Regulations of 1997” means the Road Traffic (Signs) Regulations 1997 (S.I. No. 181 of 1997);
- “agent of the Council” means any person employed by Westmeath County Council or any other person authorised by the Council to carry out functions under these bye-laws;
- “authorised person” has the meaning assigned to it by Section 103 (8) (inserted by the Road Traffic Act 1968) (No. 25 of 1968) of the Road Traffic Act 1961;
- “business hours” means the period from 9.00 a.m. to 5:30 p.m. from Monday to Saturday inclusive other than a holiday;
- “holiday” means any day that is a public holiday for the purposes of the Holidays (Employees) Act 1973 (No. 25 of 1973);
- “disabled persons parking permit” means a permit granted in accordance with Article 43 of the Regulations of 1997;

“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;

“information plate” means a plate accompanying a traffic sign which indicates the period during which the restrictions or prohibition indicated by such traffic sign applies;

“parking place” means a space intended for the parking of a mechanically propelled vehicle and defined by traffic sign numbers RRM 011, RRM 012, RRM 013 and RRM 014, as authorised by the Signs Regulations 1997;

“public road” means a road over which a public right of way exists and the responsibility for the maintenance of which lies on a road authority;

“street” means a public road;

Drawing No. PBL_01_2016 Westmeath County Council
Proposed Restricted Parking in Moate attached hereto shall be deemed to form part of these bye-laws.

PART II

Restricted Parking

General:

5. (a) A vehicle may not be parked in any place other than a designated parking place.
- (b) A vehicle shall not be parked **AT ALL TIMES** in the streets or portions of streets identified in the First Schedule attached hereto except while taking up or setting down passengers or loading or unloading goods or in any event not exceeding a period of 20 minutes.
- (c) A vehicle shall not be parked during business hours for any period **EXCEEDING 2 HOURS** in the street or portion of street identified in the Second Schedule attached hereto.
- (d) A vehicle shall not be parked during business hours for any period **EXCEEDING 2 HOURS** in the street or portion of street identified in the Third Schedule attached hereto.

PART III

Parking Permit for Residents

Definitions for Part III:

6. In this part of these bye-laws:

“acceptable evidence” means certification, proofs or information required by the Council;

“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 or a premises which has more than 4 residential units, who satisfies the Council that his/her normal dwelling place is at premises situated in a street in a restricted parking area;

“resident’s parking permit” means a document issued by the Council or its agents for the purposes of these bye-laws and containing the particulars specified in bye-law 8.

“valid resident’s parking permit” means a resident’s parking permit issued in respect of the vehicle on which the residents parking permit is displayed which relates to the restricted parking place in which the vehicle is parked and to a period which has not expired and which is issued by the Council or its agents;

“vehicle” means:

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

Non-application of bye – law 5

7. Bye-law 5 of these bye-laws shall not apply to parking of a vehicle in a restricted parking place if there is displayed, in accordance with bye-law 10 of these bye-laws, in the vehicle when it is so parked, a valid resident’s parking permit appropriate to that place.

Particulars of Resident’s Parking Permit:

8. A resident’s parking permit shall contain the following particulars:-

- (a) the registration number of the vehicle in respect of which it is issued;
- (b) the restricted parking place to which it relates;
- (c) the date of expiry of the resident’s parking permit.

Permission to park a Vehicle displaying a

9. The display, in accordance with bye-law 10, of a valid resident’s parking permit on the vehicle in

Resident's Parking Permit:		respect of which the permit was issued, shall permit the vehicle to be parked without limitation as to time in a parking place in the restricted parking area to which the permit relates.
Display of Resident's Parking Permit:	10.	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.
Interference with Resident's Parking Permit:	11.	Where a vehicle displaying a resident's parking permit is parked in a parking place a person shall not interfere with the resident's parking permit.
Issue of Resident's Parking Permit:	12.	<p>(a) A resident's parking permit may be issued by the Council or its agents in respect of the parking of a vehicle in a restricted parking place.</p> <p>(b) A resident's parking permit may be issued by the Council or its agents subject to the provision of subsection (c) of this bye-law in respect of one vehicle of which the resident is the owner where the Council is satisfied, following production of acceptable evidence, that the applicant is resident in a street in the restricted parking place to which the permit will relate and that the vehicle is normally kept at the resident's normal dwelling place in that street. The resident's parking permit shall be granted for a period of one year from the date of issue, in respect of that vehicle and for the restricted parking place to which the permit relates.</p> <p>(c) (i) Where the premises is a single housing unit, one permit only for a street parking area shall be issued. The issue of additional permits shall be at the discretion of the Council.</p> <p>(ii) Where the premises consists of not more than one residential unit, one permit only for a street parking area shall be issued. The issue of additional permits shall be at the discretion of the Council.</p> <p>(iii) Where off-street car parking has been provided or is required to be provided pursuant to a planning permission in respect of any premises, a resident's parking permit will not be issued to any resident thereof.</p>
Issue of replacement Resident's Parking Permit:	13.	Where the Council is satisfied that a valid resident's parking permit has been lost, destroyed or stolen, the Council or its agents shall issue a replacement to the owner, on payment of an appropriate fee, and such

replacement disc shall be substituted for the original disc and the original disc shall be void.

**Return of Resident's
Parking Permit:**

14. Where, during the period to which a resident's parking permit relates, the holder ceases to reside at the address notified at the time of issue of the permit or ceases to be an owner by disposing of the vehicle to which the permit relates, he shall return the resident's parking permit to the Council or its agents.

**Transfer of Resident's
Parking Permit:**

15. If the holder of a resident's parking permit for a vehicle replaces that vehicle with another, the Council or its agents may, following the surrender of the original permit, issue a resident's parking permit in respect of the new vehicle which shall be valid for the remainder of the period specified on the original permit.

**Display of a void
Resident's Parking
Permit:**

16. It shall be an offence to display a void resident's parking permit.

PART IV
Exemptions

**Non-application of
Bye-Laws:**

17. 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, 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 telephone line or the provision of a traffic sign;
 - (b) a fire brigade vehicle, ambulance or a vehicle being used by a traffic warden, an authorised person or a member of An Garda Síochána or the Defence Forces in the performance of his/her duties as such member;
 - (c) a vehicle in which a valid disabled persons permit is displayed and which is parked for the convenience of the person to whom that permit was granted if the permit is prominently displayed on the vehicle when that vehicle is parked in a restricted parking place.

PART V

Penalties for breach of Bye-Laws:

- €80 fine for parking in a disabled persons parking bay without having displayed a valid disabled persons parking permit.

€60 fine for failure to display a current vehicle licence disc.

€40 fine applies to the following offences:

- Parking at a time prohibited in a restricted parking place, i.e. for more than 2 hours.
- Parking a vehicle on double yellow lines
- Parking a vehicle within 5m of a junction
- Obstructing entrance to a premises
- Parking a vehicle on a footway/grass margin/median strip
- Parking a vehicle on a pedestrian crossing or within 15m (on approach side) or 5m (on other than approach side)
- Parking a vehicle other than a goods vehicle in a Loading Bay
- Parking a goods vehicle in a Loading Bay for over 30 minutes
- Parking in a box junction – yellow box
- Parking a vehicle wholly or partly within roadway markings at an omnibus stopping place/stand.

Made and adopted under the common Seal of Westmeath County Council

this day of , 2016 which Seal was affixed hereto

Present when the Seal of the Council was affixed hereto

Mayor of Athlone

Director of Services

DRAFT

FIRST SCHEDULE

DOUBLE YELLOW LINES

Streets or portions of streets in which parking **is prohibited AT ALL TIMES** except while taking up or setting down passengers or loading or unloading goods.

[illegible]

SECOND SCHEDULE

PART 1 PARKING

Streets or portions of streets on which a vehicle shall **not** be parked **DURING BUSINESS HOURS** for any period **exceeding two hours**.

Ref No (1)	Name of Street (2)	Portion of Street (3)
------------	--------------------	-----------------------

As per Drawing PBL – 01 – 2016 dated 28th September 2016.

DRAFT



KEY

Extent of Proposed Parking Bye-Laws

Westmeath Co. Council O.S. Map License No. CCMA2882

REVISION	DESCRIPTION	DATE

SUB-TITLE

Location Map

OS Refs: WH 310748, 310724, 310706



WESTMEATH COUNTY COUNCIL

**Draft Control of Parking Bye-Laws
for Main Street, Moate**



SUPPLIED
DRAWN
CHECKED
APPROVED

DATE
O.S. Ref
BATH

SCALE
1:1000
DATE
20-05-2016
O.S. Ref
BATH

Drawn No. 101
PBL_01_2016

FILE NAME & DIRECTORY
Moate Draft Parking Bye-Laws
G:\Hare\Moate