

**Castlebar Town Council
[Car-Park] Bye-Laws 2013**

Adopted 25th day of March 2013

Castlebar Town Council

[Car-Park] Bye-Laws 2013

The Mayor and Members of Castlebar 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) and Section 49 Road Traffic Act 1994(No. 7 of 1994) hereby makes the following bye-laws as to the use of car parks provided by them as set out in the definition of car parks in bye-law 3 of these bye laws:

1. These Bye-Laws may be cited as the Castlebar Town Council (Car Park) **Bye Laws 2013**.
2. **These Bye-Laws shall come into operation on the 25th day of March 2013 and the Car Park Byelaws 2010 are hereby revoked.**
3. These Bye-Laws shall apply to the Car Parks provided by the Council at:
Castle Street
Market Square
Spencer Street
Hopkins Road Car Park (Dunnes Stores)
Pavillion Road Car Park
Any other Car Park under the control of Castlebar Town Council
4. **"Car Park"** means a car park specified in bye-law 3 of these bye-laws.

"Business Hours" means the period of operation indicated on the appropriate parking ticket machine or appropriate information plate.

"Holiday" means Good Friday or any other day that is a public holiday for the purpose of the Organisation of Working Time Act 1977(no.20 of 1997).

"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 9 of these bye-laws is inserted into the machine.

"Parking Ticket" means a ticket issued by the Council either by means of a parking ticketing machine which indicates the date of issue of the ticket, and the time at which it ceases to be valid or at the offices of the Council.

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

“Disabled Persons Parking 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 the purposes of bye-laws and containing the particulars specified in bye-law 14.

“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.

5. A person shall not use a car park for any other purpose other than for the parking of a mechanically propelled vehicle.
6. 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.
7. Where a ticket is exhibited on a vehicle other than a motorcycle 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 6 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 6 of these bye-laws.
11. In all the car parks referred to in bye-law No. 3, the fee shall be paid, as displayed in each car park for each hour or part thereof. The fee may be varied from time to time by resolution of the elected members of Castlebar Town Council. The Spencer Street and Pavillion Road car parks referred to in bye-law No. 3, there shall be a specified daily rate based on a single payment to cover one full days parking during business hours. The fee shall be as displayed in each car park. The fee may be varied from time to time by resolution of the elected members of Castlebar Town Council. The fee shall allow for parking for one day during business 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. Bye-laws 6 to 11 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 14 of these bye-laws, in the vehicle when it is so parked, a valid long stay users parking disc.
14. In any prosecution for an offence under these bye-laws, a parking ticket machine relied on in such prosecution shall be presumed, until the contrary is shown by the defendant,

to have been duly placed there under these bye-laws and to have been accurate and in good working order.

15. Long stay users parking disc shall contain the following particulars:-

- (a) The registration number of the vehicle in respect of which it 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 Castlebar Town Council.

16. The display, in accordance with bye-law 15 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 on the dashboard 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. A long stay users parking disc may be issued by the Council in respect of any car park under the control of Castlebar Town Council.

(1) The fee for a long stay users parking disc shall be payable in advance per calendar month in respect of Castle Street car park, Market Street car park, Spencer Street car park and Pavillion Road car park . The fee may be varied from time to time by resolution of the elected members of Castlebar Town Council. A discount of 10% will apply if six months supply of long stay parking discs are purchased per vehicle in one transaction, a discount of 20% if twelve months supply of long stay parking discs are purchased per vehicle in one transaction.

(2) 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, for the car park indicated on the Long Stay Disc.

(3) 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.

(4) 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 €5.00 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.

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 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 person shall not park or cause to be parked a vehicle, in any place in a car park:-
- a. Other than in a parking bay, or
 - b. In such a position that the vehicle or any portion of it extends from one parking bay to another.
22. A person shall not park a vehicle in a Disabled Driver's Parking Bay without having displayed thereon a Disabled Persons Permit.
23. 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.
24. 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, without the written consent of Castlebar Town Council.
25. 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.
26. 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.
27. A person shall not skateboard in a car park.
28. No caravan, mobile home, dormobile or other similar vehicle which is used or capable of being used for habitation shall park or remain in a car park.
29. A person using a car park shall comply with any lawful direction, in
- (1) relation to the parking of a vehicle in, or its removal from, a car park
 - or
 - (2) in relation to any of these bye-laws, given by a member of the Garda Siochána or by an officer or employee of the Council authorised for the purposes of these bye-laws by the Council.
30. Where a person is directed, in accordance with paragraph 29 (1) of this bye-law, to leave a car park he shall comply with such direction forthwith.
31. 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.

32. 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 31 in the execution of his or her duty or lawful exercise of his or her authority.
33. 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 31.
34. These bye-laws shall be known as the Castlebar Town Council (Car Park) Bye-Laws, 2013.
35. 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 Castlebar Town Council this

_____ **which Seal was affixed here to**

In the presence of:

CASTLEBAR TOWN MANAGER

TOWN CLERK

NOMINATED MEMBER