



DRAFT

LEITRIM COUNTY COUNCIL

(PARKING PLACES) BYE-LAWS 2020

July 2020

**IN RESPECT OF “FLYNN’S FIELD” CAR
PARK IN THE TOWN OF CARRICK-ON-
SHANNON**

READ IN CONJUNCTION WITH DWG. No.CAR-PBL-001. DATED 09/03/2020.

July, 2020.

Draft

Leitrim County Council

(Parking Places) Bye-Laws 2020

In respect of “Flynn’s Field” Car Park in the Town of Carrick-on-Shannon.

Leitrim County Council (hereinafter referred to as “the Council”) in exercise of the powers vested on them by Section 36 of the Road Traffic Act, 1994 (No. 7 of 1974) and having consulted with the Commissioner of the Garda Síochána, hereby makes the following Bye-Laws:-“

Short Title/

Citation:

1. - These bye-laws may be cited as the Leitrim County Council (Parking Places) Bye-Laws 2020, in respect of “Flynn’s Field” Car Park the Town of Carrick-on-Shannon

Commencement:

2. - These Bye-Laws shall come into operation on the 20th July 2020.

Area of Application:

3. - These Bye-Laws apply to the area comprising “Flynn’s Field” Car Park in the town of Carrick-on-Shannon in the administrative area of County Leitrim, as delineated in the map attached hereto

Repeals:

4. - The Leitrim County Council Parking Places Bye-Laws 2020 in respect of the town of Carrick-on-Shannon amended by these bye laws.

Interpretation:

5. - In these Bye-Laws:

“Act of 1994” means the Road Traffic Act, 1994 (No. 7 of 1994)

“disabled persons parking bay” means a space intended for the parking of a mechanically propelled vehicle in which is displayed a disabled persons parking permit

“disabled persons permit” means a permit issued under Article 43 of the Regulations of 1997

“the Regulations of 1997” means the Road Traffic (Traffic and Parking) Regulations 1997 (S.I. No. 182 of 1997)

“the Regulations of 1997 (Amended)” means the Road Traffic (Traffic and Parking) (Amendment) Regulations, 1998 (S.I. No 274 of 1998)

“the Regulations of 1998” means the Road Traffic (Traffic and Parking) (Amendment) (No.2) Regulations, 1998 (S.I. No.441 of 1998)

“the Signs Regulations of 1997” means the Road Traffic (Signs) (Amendment) Regulations 1997 (S.I. No. 181 of 1997)

“the Regulations of 1997 (Amended)” means the Road Traffic (Signs) (Amendment) Regulations, 1998 (S.I. No. 273 of 1998)

“business hours” means the period from 8.30 a.m. to 6.30 p.m. on a weekday which is not a holiday

“holiday” means Good Friday or any day that is a Public Holiday for the purposes of the Organisation of Working Time Act, 1997

“Loading bay” means that portion of a road indicated by means of a traffic sign on which, at certain times, a vehicle, other than a goods vehicle being used for loading or unloading, shall not be parked

“Class B vehicle” means a mechanically propelled vehicle for which a class B type driving licence is required.

“parking disc” means a disc or document, or a combination of both, issued by a local authority whether obtained by means of a disc parking machine or otherwise and having marks or symbols capable of indicating the year, date and time when the disc document or combination becomes a valid parking disc

“valid parking disc” means a parking disc which

(a) has been issued by Leitrim County Council

(b) has been perforated or otherwise marked as appropriate to the particular type of parking disc, so as to indicate clearly the year, month, day in the month, hour of the day and (to the nearest following five-minute period) minute of the hour of the commencement of a period of parking of the vehicle in which the parking disc is exhibited in accordance with these Bye-Laws

(c) indicate no other year, month, day, hour or minute and,

(d) indicates that the vehicle is so parked for a period for which it may be parked in a disc parking place in accordance with these bye-laws.

“Resident” means a person who is the occupant of a dwelling and who satisfies the Council that his or her normal dwelling place is situated in a street within the pay-parking area and which dwelling has no access to private parking within the confines of the dwelling place.

“Residents Parking Permit” means a document issued by Leitrim County Council or its agents for the purpose of these bye-laws.

Specification of
Parking Places:

6. (a) The location defined in The Leitrim County Council Parking Places Bye-Laws 2020 in respect of “Flynn’s Field” Car Park in the town of Carrick-on-Shannon is the location within the town where paid parking will occur at barrier on outgoing lane from the car park.

(b) The following locations (as delineated on the map attached at Schedule 1) shall represent the locations within the town of Carrick-on-Shannon where restricted parking shall apply as detailed:

Flynn’s Field Car Park

Located at the rear of Bridge St. & Main St., Carrick on Shannon.

The area highlighted on the attached map will have paid parking. A barrier will be in placed on the entry and exit location. Payment will be made on exit with card or coins.

Restrictions

7(a) These Bye-laws apply to “Flynn’s Field” Car Park, as follows:

(b) The fee for a parking ticket and a parking permit within a car park shall be free for the first 20 minutes and €0.80 per hour thereafter and such fees are displayed on information signs at the entrances and exits to the car park.

(c) A person shall not use the car park for any purpose other than parking a vehicle except with the prior written approval of Leitrim County Council and terms specified by Leitrim County Council.

(d) Apart from normal parking noise a person shall not create, generate or make noise or music at the car park without prior approval of the council.

(e) A person shall not play a radio loudly; operate a loud speaker or offer tickets, goods or services for sale at the car park.

(f) A car park may not be used for overnight accommodation purposes whether by camper van, caravan, van, car or otherwise, save where a valid permit issued by Leitrim County Council is displayed in the interior of the vehicle in respect of which it is issued, so that it can be read clearly from outside the vehicle .

(g) Parking of buses and coaches with a seating capacity in excess of eight passengers in a car park is prohibited save with the prior written approval of the Leitrim County Council on terms including parking location and parking charge specified by Leitrim County Council.

(h) A vehicle other than a vehicle the driver of which or a passenger in which is a person with disabilities shall not be parked in a disabled persons parking bay.

(i) A vehicle shall not be parked in the car park except fully within a parking bay.

(j) Where a parking ticket machine is provided at the car park, a valid parking ticket or a valid parking permit shall be kept exhibited in the interior of a vehicle parked there so that a person outside the vehicle can readily ascertain the time of issue and the time of expiry.

(k) A valid disabled persons parking permit in the name of the driver or a passenger in a vehicle parked in a disabled persons parking bay shall be kept exhibited in the interior of the vehicle so that a person outside the vehicle can readily ascertain the issuing authority, the name and address of the person to whom the Permit was issued, the date on which it was issued and the date on which it expires.

(l) A person shall not damage or deface a barrier, coin unit or parking ticket machine.

- (m) A person shall not insert coins in a coin machine or parking ticket machine other than coins of the currency and denomination shown in the coin unit or parking ticket machine.
- (n) A person shall not discard anything in the car park.
- (o) A vehicle, other than a goods vehicle, shall not be parked in a loading bay. A goods vehicle shall not be parked in a loading bay except for the purpose of being actively involved in loading or unloading goods. A goods vehicle shall not be parked in a loading bay for a continuous period exceeding thirty minutes.
- (p) A person using the car park shall comply with directions given to him or her by an authorised person.
- (q) A person using the car park shall not obstruct, disturb or interfere with an authorised person in the discharge of his or her duties or the execution of any work being carried out at the car park by the Council or its agents or aid or incite another person to do so.
- (r) A vehicle of any kind whether having seating capacity for not more than eight passengers or otherwise or any non mechanically propelled vehicle including a caravan parked in a car park in contravention of any provision of these Bye-Laws may be removed from the car park by the Council or its agents to any place it considers convenient and will be released by the Council to a person claiming and producing evidence of ownership of the vehicle satisfactory to the Council and on payment of €150.00 in respect of the cost of such removal and €50.00 in respect of each day the vehicle remains in the Council's possession following such removal.
- (s) If ownership of a vehicle removed by the Council from the car park pursuant to Bye-Law No. 14 (18) is not claimed, proven and the removal and storage charges paid within ten days of the date of removal of the vehicle from the car park, the Council shall notify the owner of the vehicle (in so far as his or her identity can be ascertained) by post or a notice published in a local newspaper of its intention to dispose of the vehicle.
- (t) The Council shall dispose of a vehicle the subject of a Notice under Bye-Law No. 14 (19) in whatever manner it considers appropriate and the proceeds of such disposal shall be retained by the Council for use in the discharge of any of its functions.

(u) A vehicle shall not be parked in the car park in a manner which causes or is likely in the opinion of an authorised person to cause damage to persons using the car park or in the opinion of an authorised person obstructs the entrance to or exit from a car park or the free flow of traffic within a car park.

(v) A vehicle shall not be driven within the car park in excess of a speed of 20 kilometres per hour.

(w) A person shall not exit the car park by means of tailgating the vehicle in front.

(x) A vehicle shall not be driven in the car park contrary to the flow of traffic in the car park indicated by ground or other markings or signs.

(y) Skateboarding or any such activities are prohibited in the car park. No person shall at any time without the consent in writing of the Council play ball or any other game in the car park.

(z) An authorised person may give a person in charge of a vehicle parked in the car park in contravention of any of the provisions of these ByeLaws or place on such vehicle a Notice of such contravention giving the owner of the vehicle a twenty-one day option of paying a Fixed Charge, as may determined by The Minister from time to time, as an alternative to being prosecuted for the contravention as an offence.

Parking Fee

8. - The fee for a parking ticket shall be free of charge for the first 20 minutes and €0.80 per hour thereafter.

Offences

9. - A person who contravenes any part of these Bye-Laws shall be guilty of an offence in accordance with the said Section 36 of the Road Traffic Act 1994.

Exemptions

10. - The provisions of these Bye-Laws shall not apply to

- (a) A fire brigade vehicle, an ambulance or a vehicle being used by a member of the Garda Síochána or a member of the Defence Forces in the performance of duty, as such member.
- (b) A vehicle being used in connection with the removal of an obstruction to traffic, 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 water, oil, gas,

electricity or of a telecommunications line or the provision of a traffic sign.

- (c) A vehicle displaying a “disabled person’s permit” parked in an area reserved for such parking.
- (d) A vehicle which has been damaged or has broken down, during the period necessary to effect repairs to the vehicle or remove it from the location.

Made and Adopted by LEITRIM COUNTY COUNCIL under the Common Seal of the COUNCIL on ____ DAY OF _____ 2020

Present when the Seal of Leitrim County Council was affixed hereto

Cathaoirleach

Senior Executive Officer

COMPUTER REF: M \USERS\ROADS\PARKING BYE LAWS ADDENDUM JULY 2016\ CARRICK ON SHANNON.