

## TIPPERARY TOWN COUNCIL

### ABBEY STREET CAR PARK BYE-LAWS 2009

Tipperary Town Council (hereafter referred to as the Council) in exercise of the powers conferred on them by Section 101 of the Road Traffic Act 196 (No. 24 of 1961) as amended by Section 6 of the Road Traffic Act, 1968 (No. 25 of 1968) as amended by Sections 4 and 49 of the Road Traffic Act, 1994 (No. 7 of 1994) hereby make the following Bye-Laws as to the use of the car park provided by them as defined in Bye-Law 1 of these Bye-Laws.

1. In these Bye-Laws “Car Park” means the Car Park in Abbey Street. “Parking Bay” means a space in the car park intended for the parking of one 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. “Car” means a mechanically propelled vehicle having seating accommodation for not more than eight passengers.  
“Parking Ticket” means a parking ticket issued by the Council by means of a parking ticket machine which indicates the date of issue of the ticket and the time at which it ceases to be valid.  
“Parking Ticket Machine” means a machine capable of automatically delivering a parking ticket when the fee prescribed by Bye-Law 4. of these bye-laws is inserted into the machine.  
“Motor Cycle” means a mechanically propelled bicycle with or without a sidecar.
2. A person using the car park shall be required to purchase a ticket for such use and to display same as prescribed in Bye-Law (4) hereof.
3. (a) A person shall not use the car park for any other purpose other than for parking of a car, a motorcycle or a tour bus.  
(b) The car park may not be used for the parking of trucks, articulated vehicles, trailers, caravans, vans, tractors, pick-up trucks, drawn vehicles or mobile food vans.  
(c) Paragraph (a) of this Bye-Law shall not be operated so as to prohibit the use of the 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.  
(d) Paragraph (a) or (b) of this Bye Law shall not operate to prevent the use of the car park for casual trading in accordance with the Casual trading Act, 1996.
4. (a) Where a vehicle other than a Motorcycle is parked in the car park, during the period 9.00 a.m. – 6.00p.m., Monday to Saturday, both days inclusive, the following scale of charges shall apply or as shall be determined by Resolution of the Council from time to time.  
Parking fees are as follows:
  - Up to 1 hour €1.00
  - All Day €3.00

(b) A parking ticket to cover these periods will be available from the Parking Ticket Machine, and 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.

(c) Where the ticket is exhibited on a vehicle other than a motor cycle parked in the car park during the period 9 a.m. – 6 p.m., Monday to Saturday, both days inclusive, 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.

(d) A vehicle parked in the car park during the period 9 a.m. – 6 p.m., Monday to Saturday, both days inclusive, shall not be so parked for longer than a period of four hours.

5. A person shall not interfere with, or damage, a barrier or parking ticket machine.
  6. A person using the car park shall be required to purchase a ticket for such use and to display same as prescribed in Bye-Law 4 hereof.
    - (a) A person shall not park a vehicle in a disabled driver parking bay without having displayed thereon a disabled person's permit.
    - (b) A mechanically propelled vehicle, on which is displayed a disabled person's permit granted in respect of such vehicle, shall be exempt from the payment of fees specified in Bye-Law 4 of these Bye-laws.
- In this Bye-Law:-
- (i) "Disabled Person's Parking Bay" means a space intended for the parking of a mechanically propelled vehicle on which is displayed a disabled person's permit granted in respect of such vehicle;
  - (ii) "Disabled Person's Permit" means a permit granted in accordance with the Road Traffic (Traffic & Parking) Regulations, 1997.
7. Where a vehicle is parked in the Car Park during the period 9 a.m. to 6 p.m., Monday to Saturday, both days inclusive, and a ticket is exhibited in accordance with Bye-Law 4 of these Bye-Laws, no further ticket shall be exhibited in that vehicle.
  8. Where a vehicle is parked in a car park during the period 9 a.m. to 6 p.m., Monday to Saturday, both days inclusive, a person shall not interfere with a parking ticket exhibited in the vehicle.
  9. A vehicle other than a motor cycle parked in the Car Park at a time which is not during the period 9 a.m. to 6 p.m., Monday to Saturday, both days inclusive, shall be removed from the car park when such period 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 4 of these Bye-Laws.
  10. A person shall not insert into a parking ticket machine, any coin or object, other than a coin or an approved card required to pay the fee prescribed by Bye-Law 4 of these Bye-Laws.

11. A person shall not park or cause to be parked in the car park a vehicle in such a position or in such condition or in such circumstances that it would cause, or 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.
12. A person shall not park or cause to be parked in the car park a vehicle in such a position that it or any portion of it extends from one parking bay to another.
13. A person shall not overhaul or execute repairs to a vehicle while it is parked in the car park, save where it is necessary to carry out repairs to the vehicle in order to enable it to be removed from the car park.
14. A vehicle while parked in the car park shall not be used for the sale of food, tickets or goods of any description or for the provision of 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.
15. A person shall not make any unnecessary noise by means of, or in relation to a vehicle while it is parked in the 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 or in any way connected with the vehicle.
16. A person shall not throw, place or leave any bottle, or any broken glass, nail, litter, or other substance on or in the car park and no person shall at any time play ball or any game in the car park.
17. Every person using the car park shall comply with any lawful direction given by an Agent, Officer, or Employee of the Council (authorised for the purposes of the Bye-Laws by the Council) or by a member of the Garda Siochana in relation to the parking of a vehicle in, or its removal from the car park or in relation to any of these Bye-Laws.

Where a person who is considered to be in breach of any of these Bye-laws is requested by an Agent or Officer or Employee of the Council or a member of the Garda Siochana to leave the car park, such request shall be complied with.

18. A person shall not in the 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 the car park by Staff of Agents of the Council.
19. A person shall give on demand, to an Agent, 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 the car park resist, obstruct or aid or incite any person to resist or obstruct any persons referred to in Bye-Law Nos. 17, 18, and 19 in the execution of his or her duty or lawful exercise of his or her authority.

20. An Agent, Officer or Employee of the Council shall produce, if requested to do so, evidence of his or her identity and employment by the Council to any person alleged to be in breach of these Bye-Laws or who has been requested to leave the car park under Bye-Law No.17 of the Bye-Laws.
21. These Bye-Laws shall be known as the Tipperary Town Council Abbey Street Car Park Bye-Laws, 2008.
22. These Bye-Laws shall come into operation of the 5th day of October, 2009.
23. The Tipperary Town Council Abbey Street car Park Bye-Laws, 2008, are hereby revoked.

Made and Adopted under the Common Seal of Tipperary Town Council this 28<sup>th</sup> day of September 2009.