

DRAFT
CONTROL OF PARKING BYE-LAWS
2009

September 2009

**SOUTH DUBLIN COUNTY COUNCIL
CONTROL OF PARKING BYE-LAWS 2009**

ARRANGEMENT OF BYE-LAWS

PART I Preliminary

- 1 Short Title:**
- 2 Commencement:**
- 3 Area of Application:**
- 4 Repeals:**
- 5 Interpretation/ Definitions'**

PART II Pay and Display Ticket Parking

- 6 Conditions for Parking in pay parking places**
- 7 Obligation to display valid parking ticket/permit**
- 8 Issue of parking permits**
- 9 Vehicles prohibited from parking in pay parking places.**
- 10 Suspension of pay and display machines or ticket parking places**
- 11 Interference**
- 12 Vehicles which may be parked in a ticket parking place**
- 13 Parking Fees**
- 14 Manner and time of payment of parking fee**
- 15 Period of parking in pay parking place**

PART III Parking Permits for Residents

- 16 Particulars of residents parking permit**
- 17 Permission to park vehicle displaying residents parking permit**
- 18 Issue of, and fee for residents parking permits**
- 19 Issue of replacement residents parking permit**
- 20 Return of resident's parking permit**
- 21 Transfer of resident's parking permit**
- 22 Renewal of Resident's Parking Permit**
- 23 Provision of Acceptable Evidence**
- 24 Display of a void resident's parking permit**
- 25 Issue of Resident parking permits to non-resident family members:**
- 26 Falsified documents:**
- 27 Issuing of complimentary parking permits and provisional parking permits:**

PART IV Parking Permits for Visitors

28 Permission to park vehicle displaying visitors parking permit

29 Issue of, and fee for visitors parking permits

30 Disposal of Visitors Parking permits

PART V Commercial Parking Permits

31 Particulars of commercial parking permit

32 Issue of permits in the event of over subscription for permits

33 Permission to park vehicle displaying valid commercial permit

34 Issue of, and fee for commercial parking permit

35 Replacement of commercial parking permit

36 Transfer of commercial parking permit

37 Display of a void or falsified commercial parking permit

38 Falsified documents:

PART VI Miscellaneous

39 Non-application of Bye-Laws:

40 Disclaimer

41 Continuity of repealed Bye-Laws and Transitional Provisions:

Appendix A - Guidelines for the Implementation of Pay and Display Parking Control Schemes

Details of the Scheme

The Mayor and Members of South Dublin County Council (hereafter referred to as 'the Council') in exercise of the powers vested in them by Section 36 of the Road Traffic Act 1994 as amended and Section 101 of the Road Traffic Act 1961, and having consulted with the Commissioner of the Garda Síochána hereby make the following Bye-Laws.

PART I Preliminary

- Short Title:** 1 These Bye-Laws may be cited as the South Dublin County Council Control of Parking Bye-Laws 2009
- Commencement:** 2 These Bye-Laws shall come into operation on the ____ of _____ 2009.
- Area of Application:** 3 These Bye-Laws apply to the administrative area of the county of South Dublin
- Repeals:** 4 Subject to Bye-Law 41, the South Dublin County Council Control of Parking Bye-Laws 2005 are hereby repealed.
- Interpretation/ Definitions'** 5 In these Bye-Laws:
'acceptable evidence' means the following:
- (1) A current insurance certificate confirming that the vehicle is normally kept by the resident at the residents address in the residents parking place to which the permit will relate and
 - (2) (a) A vehicle licensing certificate or a registration book confirming that the resident applying for a residents parking permit is the registered owner of the vehicle in respect of which the application for a residents parking permit is being made and that the vehicle is registered at the residents address in the residents parking place to which the permit will relate or
 - (b) Where the applicant is not the registered owner of the vehicle in respect of which the application for a residents parking permit is being made, the vehicle licensing certificate or a registration book for the vehicle , satisfactory documentary evidence from the registered owner that the vehicle is normally kept by the applicant at the residents address in the residents parking place to which the permit will relate and evidence from the Revenue Commissioners that a vehicle owned by the registered owner is normally kept by the applicant and

- (c) A driving or provisional licence in the name of the resident applying for the residents parking permit and
- (d) Utility bills, bank statements or other documentation, acceptable to South Dublin County Council, addressed to the applicant at his/her address in the residents parking place to which the residents parking permit will relate and
- (e) where the applicant is resident in a rented house, confirmation that the dwelling is registered with South Dublin County Council in accordance with the provisions of the Housing (Registration of Rented Houses) Regulations 1996.
- (f) Any other information which may be requested by South Dublin County Council

'agent of the Council' means any person employed by South Dublin County Council or any other person authorised by the Council to carry out functions under these Bye-Laws;

'appropriate parking fee' means the fee, prescribed in these Bye-Laws, for the pay parking place in which the vehicle is parked;

'appropriate pay & display parking ticket machine' means a pay and display parking ticket machine located on the public road or car park in which the vehicle is parked or, where indicated on an information sign, on an adjoining public road;

'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;

'buffer area' means an area between two pay parking bays;

"carpark" means an area comprising pay parking places designated especially for parking in which the Council has a legal, proprietary or equitable interest;

"Commercial Parking Permit " means a parking permit issued to an employee of a 'qualifying business' issued by the Council or its agents for the purposes of Bye-Laws 31 to 38 and containing the particulars specified in Bye-Law 31.

“Qualifying Business” means a Commercial Business that satisfies the following criteria necessary for the provision of a ‘Commercial Parking Permit’

- a) The premises of the Commercial Business must be located upon one of the roads specified in Schedule 2 of these Bye-Laws

‘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;

‘holiday’ is a public holiday for the purposes of the Organisation of Working Time Act, 1997;

‘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;

‘large public service vehicle’ means a public service vehicle having seating passenger accommodation for more than 12 persons, exclusive of the driver;

‘loading bay’ means that portion of a road indicated by means of a traffic sign No. RRM 009 on which a vehicle, other than a goods vehicle being used for loading or unloading, shall not be parked during a period which shall be indicated on an information plate;

‘mobile phone payment’ means payment by mobile phone which can be used for the payment of goods and services either whether by means of credit, direct debit or charging the mobile phone holders account;

‘operational hours’ means the periods of operation indicated on the appropriate pay and display parking ticket machine, or the appropriate information plate;

‘owner’ means a resident by whom a vehicle is habitually kept and used;

‘parking fee’ means a fee payable in accordance with these Bye-Laws for the parking of a vehicle;

‘pay and display parking ticket’ means a parking ticket which is issued by the Council by means of a pay and display parking ticket machine and which contains the following particulars:-

- (a) the words ‘South Dublin County Council’
- (b) the fee paid in respect of the ticket,

- (c) the date and time of issue of the ticket.
- (d) the time of expiry of the ticket
- (e) the location of issue of the ticket

'pay and display parking ticket machine' means a machine capable of automatically delivering a pay and display parking ticket when the appropriate parking fee prescribed by these Bye-Laws is inserted into the machine;

'pay parking bay' means a place, space or bay for the parking of a vehicle in a pay parking area on a public road or car park intended for the parking of mechanically propelled vehicles and where traffic sign number RUS 018 and any one of the following roadway markings RRM 011, RRM 012, RRM 013 or RRM 014 of the Signs Regulations are provided;

'pay parking place' means a place on a public road or car park which is a ticket parking place or a resident parking place;

'payment card' means any card which can be used for the payment of goods and services whether by means of credit, direct debit or charging the cardholder's account;

'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;

'public service vehicle' means a mechanically propelled vehicle used for the carriage of persons for reward;

'purpose built apartment block' is a residential block containing more than six units;

'resident' means a person who is the occupant of a dwelling other than a purpose built apartment block, who satisfies the Council that his/her normal dwelling place is at premises situated in a street containing a pay parking place;

'resident's parking permit' means a document issued by the Council or its agents for the purposes of Bye-Laws 16 to 27 and containing the particulars specified in Bye-Law 16;

'residents parking place' means an area on a public road as per Schedule 2 where traffic sign or signs together with an accompanying information plate(s) indicates or indicate that parking of vehicles is permitted subject to the exhibition of a valid residents parking permit or a valid visitors parking permit or a valid pay and display parking ticket;

'Schedule' means a separate document forming part of these Bye-Laws, and which should be read together with these Bye-Laws, containing information regarding fees, charges and specification of locations relating to these Bye-Laws which may be amended from time to time by the council. The latest, dated, approved version of each Schedule should be taken as the current version in conjunction with these Bye-Laws

'The Road Traffic Acts' means the Road Traffic Acts, 1961 to 2006

'the Regulations of 1997' means the Road Traffic (Traffic and Parking) Regulations 1997 (S.I. No 182 of 1997) as amended;

'the Signs Regulations of 1997' means the Road Traffic (Signs) Regulations 1997 (S.I. No 181 of 1997) as amended;

'ticket parking place' means an area on a public road or car park as per Schedule 2 where traffic sign or signs together with an accompanying information plate(s) indicates or indicate that parking of vehicles is permitted subject to the exhibition of a valid pay and display parking ticket;

'traffic warden' has the meaning assigned to it by Section 2 of the Local Authorities (Traffic Wardens) Act 1975 as amended;

'valid coins' means the coins indicated on the appropriate pay and display parking ticket machine;

'valid pay and display parking ticket' means a pay and display parking ticket which has not expired, which is valid in the ticket parking place in which the vehicle is parked and which is displayed in accordance with these Bye-Laws

'valid resident's parking permit' means a resident's parking permit which is issued by the Council or its agents which relates to a particular residents parking place and to a period which has not expired;

'valid visitors parking permit' means a visitors parking permit which -

- (a) has been issued by the Council, or its agents
- (b) has been issued in respect of the residents parking place in which the vehicle is parked and is being displayed by a visitor and which relates to a period which has not expired

'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:

'visitors parking permit' means a permit or document, or a combination of both, having marks or symbols capable of indicating the year, date and time when the permit, document or combination becomes a valid parking permit and containing inter alia the following particulars;

- (a) the words "South Dublin County Council"
- (b) the words "Visitors Parking Permit"; and
- (c) the residents parking place to which it relates

'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

PART II

Pay and Display Ticket Parking

***Conditions for Parking
in pay parking places***

- 6** (1) The following provisions shall apply during operational hours to the parking of a vehicle in a pay parking place:-
- (a) subject to paragraph (2) of this Bye-Law, a vehicle which is parked in a pay parking place during operational hours shall, where parking bays are provided at that pay parking place, be parked within the area comprising a pay parking bay,
 - (b) a vehicle which had been parked in a pay parking place for the maximum period permitted in that pay parking place, as indicated on the appropriate pay and display ticket parking machine in accordance with Bye-Law 14, shall not be parked again in a ticket parking place on the public road or car park in which that pay parking place is situated until at least one hour has elapsed since the vehicle was last parked in that pay parking place,
 - (c) a vehicle shall not be parked in a buffer area,
 - (d) a vehicle parked in a pay parking place at a time which is not during operational hours shall be removed from the pay parking place when a period of operational hours commences, unless at such commencement and during the remainder of the period of parking, a valid pay and display parking ticket or valid residents parking permit or a valid visitors parking permit is exhibited in the interior of the vehicle in accordance with Bye-Law 7 of these Bye-Laws and these Bye-Laws shall apply from the commencement of such parking,
 - (e) where a vehicle being parked in a pay parking place during operational hours is a goods vehicle parked while goods are being actively loaded in or on to it or unloaded from it paragraph (1) of Bye-Law 7 shall not apply until the expiration of 30 minutes after the commencement of the parking,
 - (f) a person shall not overhaul or carry out repairs to a vehicle while it is parked in a pay parking place, save where it is necessary in order to enable the vehicle to be removed from the pay parking place

(g) a vehicle, while parked in a pay parking place, shall not be used for the sale of goods 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. A person shall not make any unnecessary noise by means of, or in relation to, a vehicle while it is parked in a pay parking place, or by means of any equipment, fitting or instruments fitted to or carried on the vehicle or any loud speaker or radio in anyway connected to the vehicle.

(2) Notwithstanding paragraph (1)(a) of this Bye-Law, a vehicle parked in a pay parking bay during operational hours may project into an adjoining buffer area if the length of the vehicle prevents its being parked wholly in accordance with paragraph (1)(a) of this Bye-Law.

(3) This Bye-Law shall not apply to a pay parking bay when the pay and display parking ticket machine for that parking bay is temporarily suspended from operation in accordance with Bye-Law 10.

***Obligation to display
valid parking
ticket/permit***

7

(1) Where a vehicle is parked in a ticket parking place during operational hours -

(a) A valid pay and display parking ticket shall be displayed as specified in this Bye-Law on the interior of a vehicle lawfully parked in a ticket parking place at the commencement of the parking;

(b) the valid pay and display parking ticket shall be so exhibited in the interior of the vehicle in a manner which will permit a person outside the vehicle to see clearly all the information indicated on the said ticket and sufficient to enable such person to ascertain by reference to the ticket when such parking commenced.

(c) the valid pay and display parking ticket shall be exhibited in accordance with paragraph (b) of this Bye-Law so long as the vehicle is parked in that ticket parking place.

(2) Where a vehicle is parked in a residents parking place during operational hours -

(a) A valid residents parking permit or valid visitors parking permit or valid pay and display parking ticket shall be displayed as specified in this Bye-Law on the interior of a vehicle lawfully parked in a residents parking place at the commencement of the parking.

- (b) the valid residents parking permit or valid visitors parking permit or valid pay and display parking ticket shall be so exhibited in the interior of the vehicle in a manner which will permit a person outside the vehicle to see clearly all the information indicated on the said permit or ticket.
- (c) the valid residents parking permit or valid visitors parking permit or valid pay and display parking ticket shall be exhibited in accordance with paragraph (b) of this Bye-Law so long as the vehicle is parked in that residents parking place.

<i>Issue of parking permits</i>	8	Parking permits shall be issued and distributed by the Council or its agents
<i>Vehicles prohibited from parking in pay parking places.</i>	9	<ul style="list-style-type: none"> (1) A pedal cycle shall not be parked during operational hours in pay parking places. (2) A large public service vehicle shall only be parked in a pay parking place during operational hours, where traffic sign number RUS019 accompanied by an information plate containing the words '<i>except buses - ach amhain busanna</i>' is provided.
<i>Suspension of pay and display machines or ticket parking places</i>	10	<ul style="list-style-type: none"> (1) The Council or its agents may suspend from operation pay and display parking ticket machine or a pay parking place. The suspension shall be subject to any conditions which may be specified in writing by the Council, including the payment of a fee/fees by the person requesting the suspension (2) The maximum fee/fees payable for suspension or renewal shall be as indicated in Schedule 1. (3) The suspension of a pay and display parking ticket machine or a pay parking place shall be indicated by the placing thereon of a sign or other device clearly indicating that it is non-operational or by the temporary removal of the pay and display parking ticket machine and the erection of a sign indicating that the parking of vehicles is prohibited in the pay parking place. (4) It shall be an offence to breach a condition specified in writing by the Council when a pay and display ticket parking machine or a pay parking place is being suspended. In the event of vehicles being parked in contravention of these conditions they shall be deemed to be unlawfully parked for the purposes of the Road Traffic Acts and any Regulations made thereunder.

Interference

- 11**
- (1) No person shall insert any coin, article, or object, other than a payment card or the coins specified for the purchase of a pay and display parking ticket, in a pay and display parking ticket machine, or interfere in any other way with a pay and display parking ticket machine in a pay parking place.
 - (2) No person other than an agent of the Council, a member of the Garda Síochána, an authorised person, or a traffic warden shall interfere in any way with a hood, sign or other device placed on a pay and display parking ticket machine in a ticket parking place.
 - (3) A person shall not interfere with, alter or deface a pay and display parking ticket, residents parking permit or visitors parking permit.
 - (4) An agent of the Council, authorised officer or traffic warden shall not be interfered with in any way while performing his/her duties under these Bye-Laws.

Vehicles which may be parked in a ticket parking place

- 12**
- Mechanically propelled vehicles only, of the following classes, may be parked in a ticket parking place during operational hours;
- (1) a passenger vehicle with passenger accommodation for not more than twelve persons excluding the driver and not drawing a trailer or other vehicle
 - (2) a goods vehicle whose unladen weight does not exceed 3 tonnes and not drawing a trailer or other vehicle
 - (3) a motorcycle
 - (4) a goods vehicle, other than a vehicle described in paragraph (2) of this Bye-Law, which is parked while goods are being actively loaded in or on to it or unloaded from it, for a period not exceeding 30 minutes from the commencement of parking.
 - (5) A large public service vehicle shall only be parked in a pay parking place during operational hours, where traffic sign number RUS019 accompanied by an information plate containing the words '*except buses - ach amhain busanna*' is provided

Parking Fees

- 13**
- The parking fee payable for a pay and display parking ticket are shown in Schedule 1.

***Manner and time of
payment of parking fee***

14

- (1) A pay and display parking ticket shall be purchased from an appropriate pay and display parking ticket machine
- (2) The fee for the pay and display parking ticket shall be payable by means of any combination of valid coins, or, where the facility is provided, by payment card or by mobile phone payment. The method/methods of payment will be indicated on the pay and display parking ticket machine.
- (3) Payment by cash shall be made by inserting the appropriate fee for the parking time required into the appropriate pay and display parking ticket machine and following the instructions on the parking ticket machine in order to obtain a valid pay & display parking ticket.
- (4) Payment by payment card shall be made by inserting the payment card into the pay and display parking ticket machine and following the instructions on the parking ticket machine in order to obtain a valid pay & display parking ticket.
- (5) Payment by mobile phone shall be made by connecting to a pre-registered site and following the instructions on the phone or the pay and display parking ticket machine in order to obtain a valid pay and display parking ticket.
- (6) The valid parking ticket shall be displayed immediately on parking provided that, where a vehicle is parked at a time not during operational hours, the valid pay and display parking ticket shall be displayed in accordance with Bye-Law 7 at the commencement of operational hours.

***Period of parking in
pay parking place***

15

A vehicle parked in a ticket-parking place during operational hours shall not be so parked for a period longer than the maximum period for which parking is permitted on that day in that ticket parking place as indicated on the appropriate parking ticket machine or information plate located on the public road or car park in which the vehicle is parked or located on an adjacent public road, where indicated by a sign;

PART III

Parking Permits for Residents

Particulars of residents parking permit

- 16.** A resident's parking permit shall contain the following particulars –
- (1) the words 'South Dublin County Council'
 - (2) the registration number of the vehicle in respect of which it is issued,
 - (3) the date of issue,
 - (4) the residents parking place to which it relates,
 - (5) the period to which it relates, including the date of expiry.

Permission to park vehicle displaying residents parking permit

- 17** The display, in accordance with Bye-Law 7 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/her consent) to park it without limitation as to time, unless otherwise stated on the information plate, in a residents parking place in a street to which the permit relates.

Issue of, and fee for residents parking permits

- 18** (1) A resident's parking permit may be issued by the Council or its agents in respect of the parking of a vehicle in a residents parking place when the council are satisfied following production of acceptable evidence that the applicant is a resident in a street in respect of which the permit will relate.
- (2) The fee for each resident's parking permit shall be as specified in Schedule 1.
- (3) A resident's parking permit shall be valid up to and including the expiry date shown on the parking permit, in respect of that vehicle and for the residents parking places to which the permit relates.

Issue of replacement residents parking permit

- 19** Where the Council are satisfied that a valid residents parking permit has been lost, destroyed or stolen the Council or its agents shall issue a replacement to the owner on payment of the fee as specified in Schedule 1 and such replacement permit shall be substituted for the original permit and the original permit shall be void.

Return of resident's parking permit

- 20** 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/she shall return the resident's parking permit to the Council or its agents.

<i>Transfer of resident's parking permit</i>	21	If the holder of a resident's parking permit for a vehicle replaces that vehicle with another he/she shall be entitled, following the surrender of the original permit, to receive a resident's parking permit in respect of the new vehicle which shall be valid for the period specified on the original permit.
<i>Renewal of Resident's Parking Permit</i>	22	The Council may renew a resident's parking permit on submission of a completed application form and on payment of the appropriate fee without submission of 'acceptable evidence';
<i>Provision of Acceptable Evidence</i>	23	<p>(1) At any stage prior to the expiry of a resident's parking permit the Council may request the person to whom a permit was issued to produce 'acceptable evidence' to satisfy the Council that they were entitled to be issued with the permit. Any such request will be made in writing to the person to whom the permit was issued at the address given by that person on the application form;</p> <p>(2) In the event of 'acceptable evidence' not being produced to the Council within one month from the date of the written request the Council may, at its discretion, deem the resident's parking permit to be invalid and cancel the permit without further notice.</p>
<i>Display of a void resident's parking permit</i>	24	It shall be an offence to display a void or expired resident parking permit.
<i>Issue of Resident parking permits to non-resident family members:</i>	25	A residents parking permit (with a maximum of two vehicle registration numbers on the permit) may be issued for up to two non resident immediate family members who act as voluntary carers for a resident whose normal dwelling place is in a pay parking area in respect of which the Council issues residents permits and who requires on-going daily care for a chronic illness. The residents parking permit shall be issued annually subject to submission of the immediate family member(s) insurance certificate and written confirmation from the resident's doctor that the resident requires on-going daily care for a chronic illness.
<i>Falsified documents:</i>	26	Where a resident or applicant submits falsified documentation to support his/her application for a resident's parking permit or for a visitors parking permit/permits the Council may, at its absolute discretion, decide not to issue a resident's parking permit or a visitor parking permit/permits to that applicant/resident.
<i>Issuing of complimentary parking permits and provisional parking permits:</i>	27	The Council may issue complimentary and provisional parking permits which when correctly displayed in a vehicle, will enable that vehicle to be parked in any ticket parking place, to which these Bye-Laws relate, without displaying a valid pay and display parking ticket, resident's parking permit or visitor parking permit, provided that the vehicle is otherwise legally parked, and subject to compliance with the conditions set out on the complimentary parking permit.

PART IV

Parking Permits for Visitors

Permission to park vehicle displaying visitors parking permit

- 28.** The display, in accordance with Bye-Law 7 of a valid visitors parking permit on a vehicle, shall permit the owner of the vehicle (or any person using it with his/her consent) to park the vehicle in a residents parking place to which it relates

Issue of, and fee for visitors parking permits

- 29.** (1) Visitors parking permits may be issued by the Council or its agents to each resident in a residents parking place in respect of the parking of vehicles which are not normally kept in that place and which require to be parked temporarily in a residents parking place for a purpose which is ancillary to the use of the residents dwelling.
- (2) The fee for each visitors parking permit shall be as specified in Schedule1.
- (3) A visitors parking permit shall only be valid for use in the residents parking place to which the permit relates.

Disposal of Visitors Parking permits

- 30.** It shall be an offence for a resident
- (1) to sell a visitors parking permit to any person, or
- (2) to dispose of a visitors parking permit to a person other than a visitor.

PART V

Commercial Parking Permits

- Particulars of commercial parking permit*** **31.** A valid Commercial Parking Permit shall contain the following particulars;
- (1) the words 'South Dublin County Council'
 - (2) the registered name of the Qualifying Commercial Business
 - (3) the make, model and registration number of the vehicle in respect of which it is issued;
 - (4) the date of expiry;
 - (5) the signature of the person issuing it.
- Issue of permits in the event of over subscription for permits*** **32** In the event that greater than the number of commercial parking permits for any area, as specified in Schedule 2, are applied for by Qualifying Commercial Businesses, the parking permits will be issued at the discretion of Local Authority.
- Permission to park vehicle displaying valid commercial permit*** **33** The display in accordance with Bye-Law 7 of a valid commercial parking permit on a vehicle in respect of which the parking permit was issued shall permit the owner of the vehicle (or any person using it with his/her consent) to park it without limitation as to duration, unless otherwise stated on the information plate, in the designated Pay and Display Pay and Display Ticket Parking Places or car parks denoted within Schedule 2 of these Bye-Laws.
- Issue of, and fee for commercial parking permit*** **34** (1) A commercial parking permit may be issued by the Council or its agents only, in respect of the parking of a vehicle in the designated Pay and Display Pay and Display Ticket Parking Places or car parks denoted within Schedule 2 of these Bye-Laws.
- (2) The fee for each parking permit shall be as indicated in Schedule 1;
 - (3) A parking permit shall be valid up to and including the expiry date shown on the parking permit, in respect of that vehicle and for the parking places to which the permit relates.
- Replacement of commercial parking permit*** **35** Replacement commercial parking permits shall not be issued.
- Transfer of commercial parking permit*** **36** Commercial parking permits shall not be transferable.
- Display of a void or falsified commercial parking permit*** **37** It shall be an offence to display a void or falsified commercial parking permit;

Falsified documents: **38** Where an applicant submits falsified documentation to support his/her application for a commercial parking permit the Council may, at its absolute discretion, decide not to issue a commercial parking permit to that applicant.

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PART VI

Miscellaneous

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

39 Bye-Laws 6 to 15 of these Bye- laws shall not apply to -

- (1) a vehicle being used specifically in connection with the removal of an obstruction to traffic, the removal of a vehicle pursuant to Section 97 of the Road Traffic Act 1961 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,
- (2) a fire brigade vehicle, an ambulance, a vehicle being used by a traffic warden or for the collection of refuse, an authorised person or a member of the Garda Síochána or the Defence Forces in the performance of his/her duties as such member,
- (3) 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 pay and display ticket parking place, or a residents parking place on a day and during a period which is indicated on an authorised information plate accompanying traffic sign number RRM016 of the Signs Regulations 1997.

Disclaimer

40 In accordance with Section 36(13) of the Road Traffic Act, 1994, the performance by the County Council or its agents of their functions under these Bye-Laws shall not render the Council subject to any liability in respect of loss of or damage to any vehicle in a parking place or the contents of such vehicle.

**Continuity of repealed
Bye-Laws and
Transitional
Provisions:**

41

- (1) Nothing in Bye-Law 4 shall affect the validity of anything done under the 2005 Bye-Laws. Any actions taken under the 2005 Bye-Laws or any other thing done shall not be invalidated by any repeal of the said Bye-Laws but shall, if in force immediately before the said repeal was effected, have effect as if made or done under the 2005 Bye-Laws unless otherwise provided;
- (2) The continuity of the operation of the law relating matters provided for in the repealed 2005 Bye-Laws shall not be affected by the substitution of these Bye-Laws for the said 2005 Bye-Laws and –
 - (a) so much of any other Bye-Law, act or document refers, whether expressly or by implication, to, or things done or falling to be done under or for the purposes of, any provision of these Bye-Laws, shall, and so far as the nature of the subject matter of the other Bye-Law, act or document permits, be construed as including, in relation to the times, years or periods, circumstances or purposes in relation to which the corresponding provision in the repealed 2005 Bye-Laws has or had effect, a reference to, or, as the case may be, things done or falling to be done under or for the purposes of, that corresponding provision;
 - (b) so much of any other Bye-Law, act or document (whether repealed, passed or made after the commencement of these Bye-Laws) as refers, whether expressly or by implication, to, or to things done or falling to be done under or for the purposes of, any provision of these Bye-Laws, shall, if and so far as the nature of the subject matter of the other Bye-Law, act or document permits, be construed as including, in relation to the times, years or periods, circumstances or purposes in relation to which the corresponding provision in the repealed 2005 Bye-Laws has or had effect, a reference to, or, as the case may be, things done or falling to be done under or for the purposes of, that corresponding provision.

Appendix A - Guidelines for the Implementation of Pay and Display Parking Control Schemes

1. Guidelines for the Implementation of Pay and Display Parking Control Schemes

The purpose of these Guidelines is to outline the procedures that will be followed by the Council in making a decision on the implementation of Pay and Display parking controls on any public road in the county or in any car park owned or managed by the Council.

2. Rationale for Pay and Display Parking Controls

The main reasons for implementing Pay and Display parking controls are as follows:

- To manage car parking within the County more effectively in areas where there is evidence of excess demand for the available spaces,
- To increase turnover of parking spaces both on-street and in off-street car parks in areas,
- To improve the prospects of residents accessing parking at or near their homes,
- To promote the use of alternative modes of travel (e.g. public transport, cycling and walking),
- To discourage extraneous parking in residential areas which has a detrimental impact on the quality of life of residents and
- To generate revenue for the Council which can be used to fund expenditure by the Council in the roads/traffic area.

3. Demand for Pay and Display Parking Controls

The demand for the implementation of Pay and Display parking control schemes usually arises from one or other of the following sources:

- Retail/commercial interests who want to improve turnover and the utilisation of parking spaces in retail areas,
- Residents who are concerned that parking is impinging on their enjoyment of their property and who are experiencing difficulty in accessing parking at or near their homes due to the volume of extraneous parking and
- Members of the public, Council staff and An Garda Síochána who are concerned at the adverse road safety implications of uncontrolled car parking at certain locations.

4. Procedure for the Implementation Pay and Display Parking Controls in a Particular Location

Every request for the implementation of Pay and Display parking controls will be assessed by the Roads Department prior to a report being brought to the relevant Area Committee. The assessment will consider the following factors:

- The nature and extent of the parking problem in the area and the difficulty residents have in accessing parking. A traffic parking survey will usually be undertaken,
- Whether the implementation of Pay and Display parking controls is considered appropriate in seeking to overcome the problems identified,
- The suitability of the area and its capacity to accommodate a Pay and Display parking control scheme.
- The optimal operating hours/days for any Pay and Display parking control scheme, the appropriate tariff and the maximum time limit that should be applied.

The matter will be considered by the members for that area and representatives of An Garda Síochána. A report will then be presented to the Area Committee for decision.

Where it is proposed to introduce Pay and Display parking controls in primarily residential areas then the following procedures will be followed prior to a report being submitted to the area Committee:

- All residents in the area, recommended for a Pay and Display parking control scheme, listed on the current Register of Electors, except residents of buildings consisting of more than 4 housing units, will receive a survey paper together with a prepaid envelope returnable to the Council for the purposes of carrying out a survey to ascertain the residents' preference in relation to the proposed introduction of Pay and Display parking controls,
- Residents will also receive a drawing showing the details of the proposed Pay and Display Scheme in their particular area. The drawing will identify the location and layout of the parking management proposal.

The following will be brought to the Area Committee in which the proposed Scheme is located.

*Traffic / parking Survey of the Area
Details of the Scheme
The results of the survey of residents
Any other relevant information*

The Area Committee, having regard to all the information provided in relation to the Scheme, will determine whether or not the proposed Pay and Display Parking Scheme is introduced. A Report will be brought to the monthly Council meeting for approval.

These Bye-Laws may be cited as the **South Dublin County Council (Control of Parking) Bye-Laws, 2009**

The operation of these Bye-Laws shall commence on the

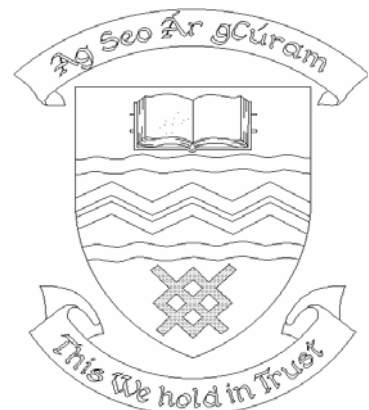
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PRESENT WHEN THE COMMON SEAL OF SOUTH DUBLIN COUNTY COUNCIL WAS AFFIXED HERETO:-

MAYOR / DEPUTY MAYOR / NOMINATED EMPLOYEE OF SOUTH DUBLIN COUNTY COUNCIL

DATED THE _____ DAY OF _____ 20_____

DRAFT



DRAFT
Schedule 1
to
CONTROL OF PARKING BYE-LAWS
2009

September 2009

**SOUTH DUBLIN COUNTY COUNCIL
SCHEDULE 1
TO
CONTROL OF PARKING BYE-LAWS 2009**

ARRANGEMENT OF SCHEDULE

PART I Preliminary

- 1 Short Title:**
- 2 Commencement:**
- 3 Repeals:**

PART II Parking Ticket Fees

PART III Charges for Temporary Removal/Suspension of Metered Parking Bays and for Alterations to Parking Layout

This Schedule forms part of and shall be read together with the South Dublin County Council (Control of Parking) Bye-Laws, 2009. All terms used in this schedule which are defined in the South Dublin County Council (Control of Parking) Bye-Laws, 2009 shall have the meaning assigned therein.

PART I Preliminary

- Short Title:** **1** This schedule may be cited as Schedule 1 to the South Dublin County Council Control of Parking Bye-laws 2009
- Commencement:** **2** This schedule shall come into operation on the ____ of _____ 2009.
- Repeals:** **3** Subject to Bye-Law 41, any earlier dated documents entitled Schedule 1 to the South Dublin County Council Control of Parking Bye-laws 2009 are hereby repealed.

PART II Parking Ticket Fees

Tariff	Appropriate Parking Fee	Maximum stay
Parking in locations designated Tariff A (high charge)	10 cent per 4 Minutes (€1 per 40 minutes)	3 Hours
Parking in locations designated Tariff B (reduced charge)	10 cent per 8 Minutes (€1 per 80 minutes)	3 Hours
Parking in locations designated Tariff C (ordinary charge *)	10 cent per 6 minutes (€1 per 60 minutes) Max €3.00 per day	10 hours unless otherwise stated on information plate

* Tariff C (ordinary charge) applies to all public roads and public car parks in South Dublin County Council's administrative area other than those mentioned in schedule 2 as Tariff A or Tariff B.

Type of Permit	Bye-Law	Appropriate Fee
Residents Parking permit	Bye-Law 16	€25 for one year permit €50 for two year permit
Replacement Residents Parking permit	Bye-Law 19	€5
Visitors Parking permit	Bye-Law 28	€30 for first and second one year permits €45 for subsequent one year permits
Commercial Parking Permit	Bye-Law 31	€60 for one calendar month permit

PART III
**Charges for Temporary Removal/Suspension of Metered
Parking Bays and for Alterations to Parking Layout**

Item No.	Item	Charges
1.	Suspension/Temporary Removal of Parking Space	Cost of parking for period of suspension.
2.	Alteration to Parking Layout	POA

Where parking bays are not provided a parking space shall be a 5 metre linear unit of space on a public road in a ticket parking area.

This schedule may be cited as **Schedule 1 to the South Dublin County Council Control of Parking Bye-laws 2009**

This schedule shall come into operation on the _____ of _____, 2009.

PRESENT WHEN THE COMMON SEAL OF SOUTH DUBLIN COUNTY COUNCIL WAS AFFIXED HERETO:-

Eamonn Maloney

MAYOR / DEPUTY MAYOR / NOMINATED EMPLOYEE OF SOUTH DUBLIN COUNTY COUNCIL

DATED THE _____ DAY OF _____ 2009 _____

These Bye-Laws may be cited as the **South Dublin County Council (Control of Parking) Bye-Laws, 2009**

The operation of these Bye-Laws shall commence on the

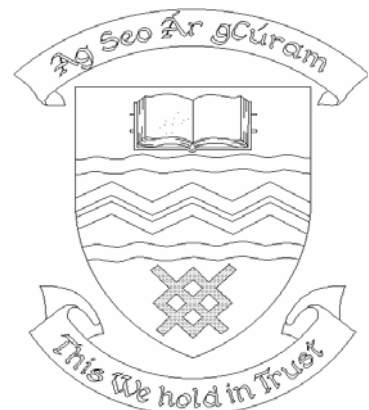
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PRESENT WHEN THE COMMON SEAL OF SOUTH DUBLIN COUNTY COUNCIL WAS AFFIXED HERETO:-

MAYOR / DEPUTY MAYOR / NOMINATED EMPLOYEE OF SOUTH DUBLIN COUNTY COUNCIL

DATED THE _____ DAY OF _____ 20_____

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Schedule 2
To the
CONTROL OF PARKING BYE-LAWS
2009

September 2009

**SOUTH DUBLIN COUNTY COUNCIL
SCHEDULE 2
TO
CONTROL OF PARKING BYE-LAWS 2009**

ARRANGEMENT OF SCHEDULE

PART I Preliminary

- 1 Short Title:**
- 2 Commencement:**
- 3 Repeals:**

PART I Parking Control Areas (including Commercial Parking Permit Areas)

This Schedule forms part of and shall be read together with the South Dublin County Council (Control of Parking) Bye-Laws, 2009. All terms used in this schedule which are defined in the South Dublin County Council (Control of Parking) Bye-Laws, 2009 shall have the meaning assigned therein.

PART I Preliminary

- Short Title:** **1** This schedule may be cited as Schedule 2 to the South Dublin County Council Control of Parking Bye-laws 2009
- Commencement:** **2** This schedule shall come into operation on the ____ of _____ 2009.
- Repeals:** **3** Subject to Bye-Law 41, any earlier dated documents entitled Schedule 2 to the South Dublin County Council Control of Parking Bye-laws 2009 are hereby repealed.

PART I

Parking Control Areas (including Commercial Parking Permit Areas)

- Number of commercial permits in brackets when available (permits can be used across all commercial permit parking zones)

Clondalkin

Street or section of street	Tariff applied	Resident's & Visitor's Parking Permits permitted	Commercial parking permit permitted
Tower Road including public service road to shops	A	No	No
Castle Crescent	A	No	Yes (20)
New Road	A	Yes	No
Laurel Park	A	Yes	No
Ninth Lock Road	A	No	No
Orchard Lane	A	No	No
Floraville, outside house numbers up to no. 62	A	Yes	No

Lucan

Street or section of street	Tariff applied	Resident's & Visitor's Parking Permits permitted	Commercial parking permit permitted
Main Street,	A	Yes	No
Dispensary Lane	A	No	No
The Old Hill	A	No	No
Lucan Road, west of a point 62m East of its junction with Lucan-Newlands Rd	A	No	No
Lucan Road, east of a point 62m East of its junction with Lucan-Newlands Rd	B	No	Yes (10)
Brookvale	A	Yes	No
Sarsfield Park	A	Yes	No
Sarsfield Court (The Square)	A	Yes	No

Hanbury Lane	A	Yes	No
Lucan Demesne car park	B	No	No

Palmerston

Street or section of street	Tariff applied	Resident's & Visitor's Parking Permits permitted	Commercial parking permit permitted
Kennelsfort Road Lower,	A	Yes	No
Old Lucan Road, south side all parts and north side west of its junction with Mill Lane	A	Yes	No
Kennelsfort Road Upper, public car park	B	No	Yes (10)
Old Lucan Road, north side, east of its junction with Mill Lane	B	No	Yes (20)

Rathcoole

Street or section of street	Tariff applied	Resident's & Visitor's Parking Permits permitted	Commercial parking permit permitted
Main Street, north side, east of a point 12 meters west of its junction with Coolamber Road	A	Yes	No
Main Street, south side, east of a point 40 meters west of its junction with Coolamber Road	A	Yes	No
Main Street, north side, west of a point 12 meters of its junction with Coolamber Road	B	Yes	Yes (15)
Main Street, south side, west of a point 40 meters west of its junction with Coolamber Road	B	Yes	Yes (15)

Rathfarnham

Street or section of street	Tariff applied	Resident's & Visitor's Parking Permits permitted	Commercial parking permit permitted
Main street	A	No	No
Wolfe Tone Terrace	A	No	No
Butterfield Avenue, east of Butterfield Park	A	No	No
Grange Road	A	No	No

St Mary's Lane	A	Yes	No
Dodder Dale	A	Yes	No
Castleside Drive	A	Yes	No
Woodview Cottages	A	Yes	No
Owendore Crescent	A	Yes	No
The Woodlands	A	Yes	No
The Lakelands	A	Yes	No
Village Court public car park	B	No	Yes (40)
Rathfarnham Castle car park	B	No	No
Grange Road public car park opposite Nutgrove Avenue	B	No	No
Marion Road public car park at Ballyroan Church	B	No	Yes (20)
Fairways	A	Yes	No

Saggart

Street or section of street	Tariff applied	Resident's & Visitor's Parking Permits permitted	Commercial parking permit permitted
Garters Lane south of Fortunestown Lane	A	Yes	No

Tallaght

Street or section of street	Tariff applied	Resident's & Visitor's Parking Permits permitted	Commercial parking permit permitted
Old Greenhills Road	A	No	No
Main Street, Tallaght	A	No	No
Tallaght Road	A	No	No
Blessington Road	A	No	No
Belgard Square North	A	No	No

Belgard Square East	A	No	No
Belgard Square West	A	No	No
Westpark	A	Yes	No
Airton Road	B	No	Yes (70)
Oldbawn Road public car park	B	No	Yes (25)

Templeogue

Street or section of street	Tariff applied	Resident's & Visitor's Parking Permits permitted	Commercial parking permit permitted
Templeogue Road between Old Bridge Road and Templeville Road	A	Yes	No
Riverside Cottages public car park	A	No	Yes (5)

These Bye-Laws may be cited as the **South Dublin County Council (Control of Parking) Bye-Laws, 2009**

The operation of these Bye-Laws shall commence on the

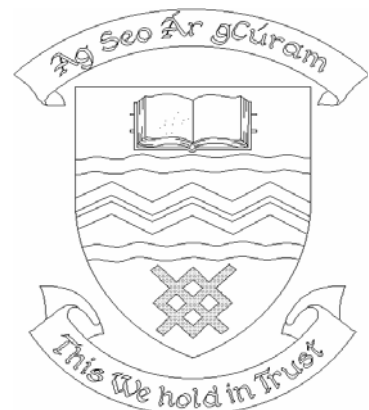
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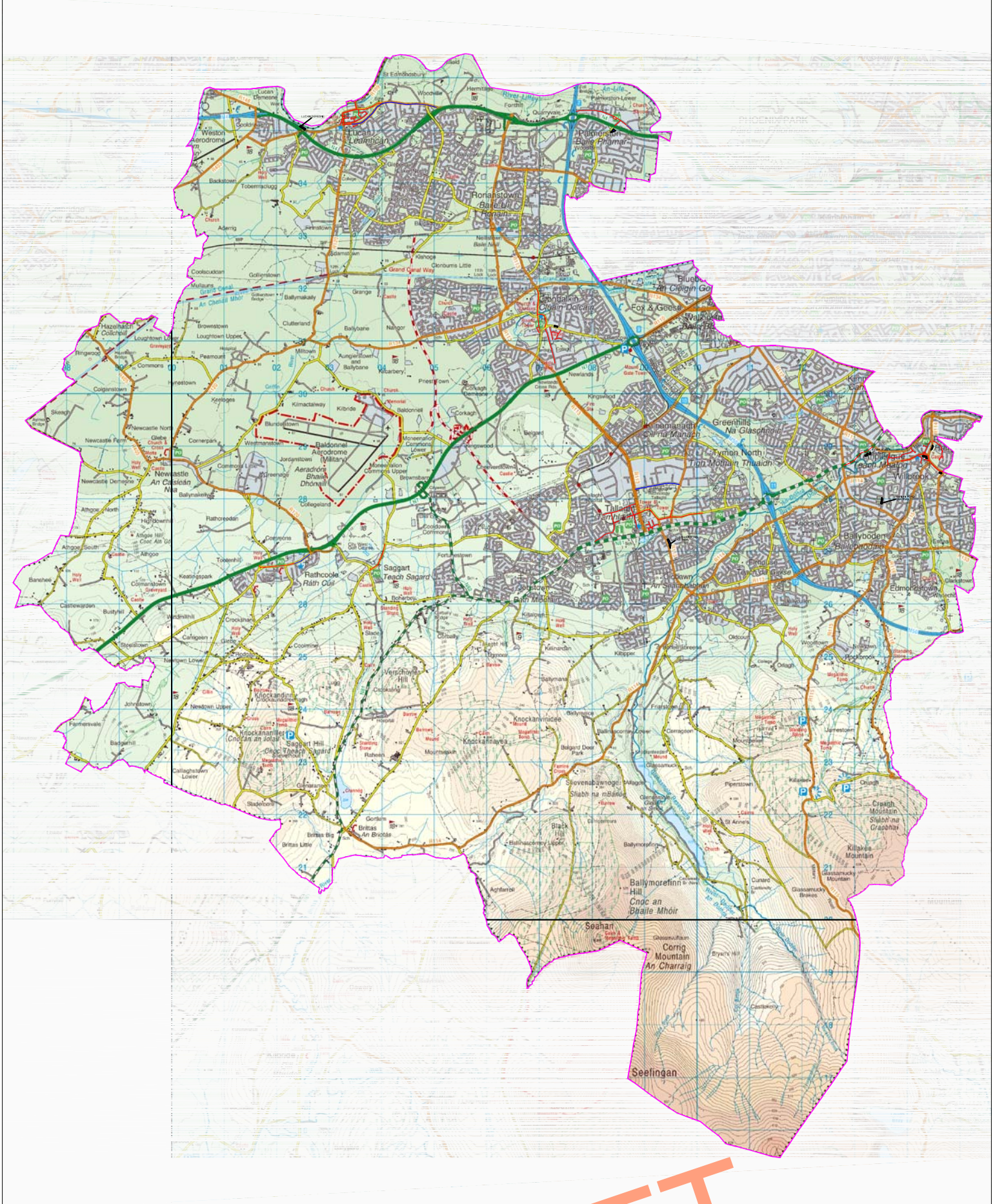
PRESENT WHEN THE COMMON SEAL OF SOUTH DUBLIN COUNTY COUNCIL WAS AFFIXED HERETO:-

MAYOR / DEPUTY MAYOR / NOMINATED EMPLOYEE OF SOUTH DUBLIN COUNTY COUNCIL

DATED THE _____ DAY OF _____ 20_____

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CONTROL OF PARKING BYE-LAWS 2009

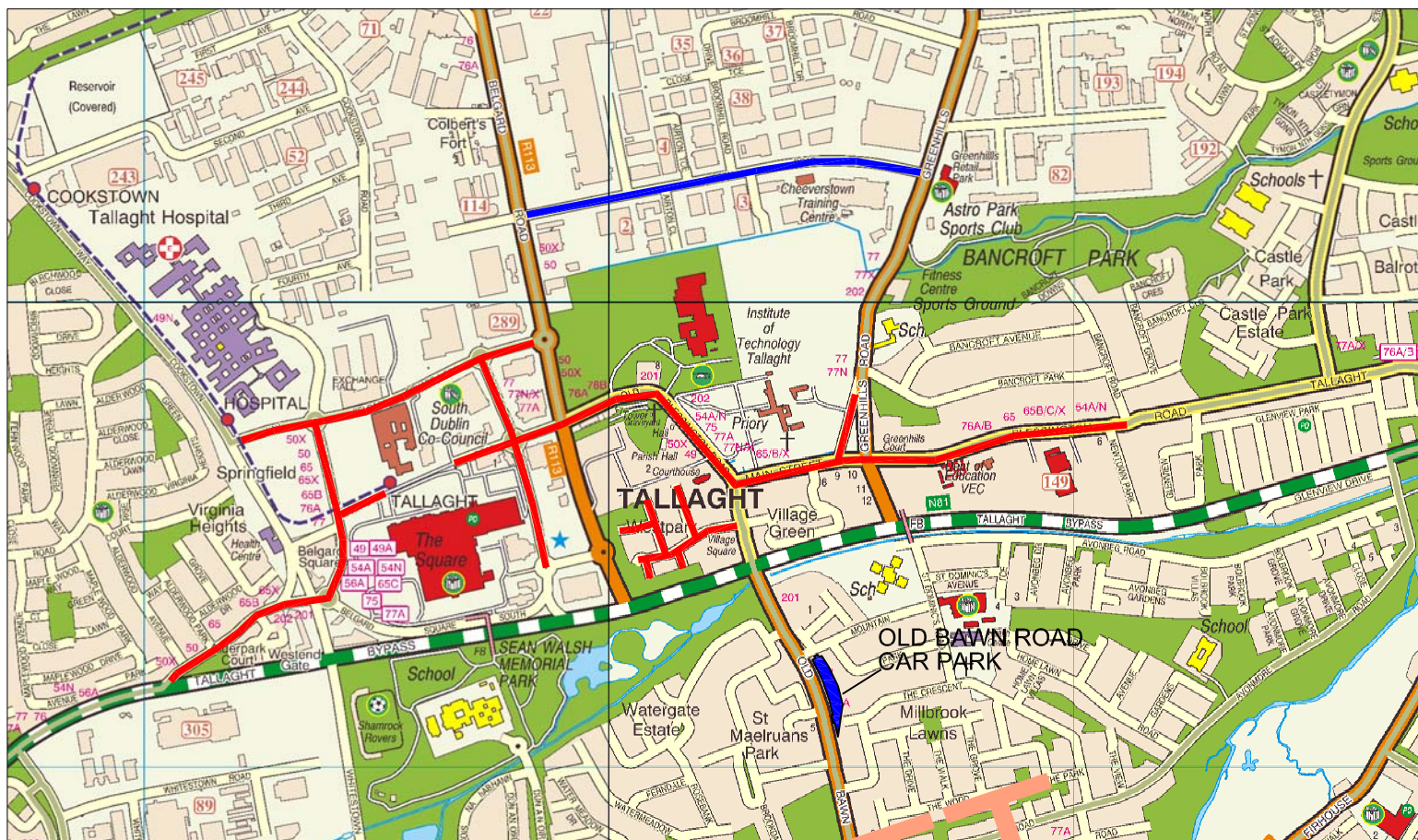
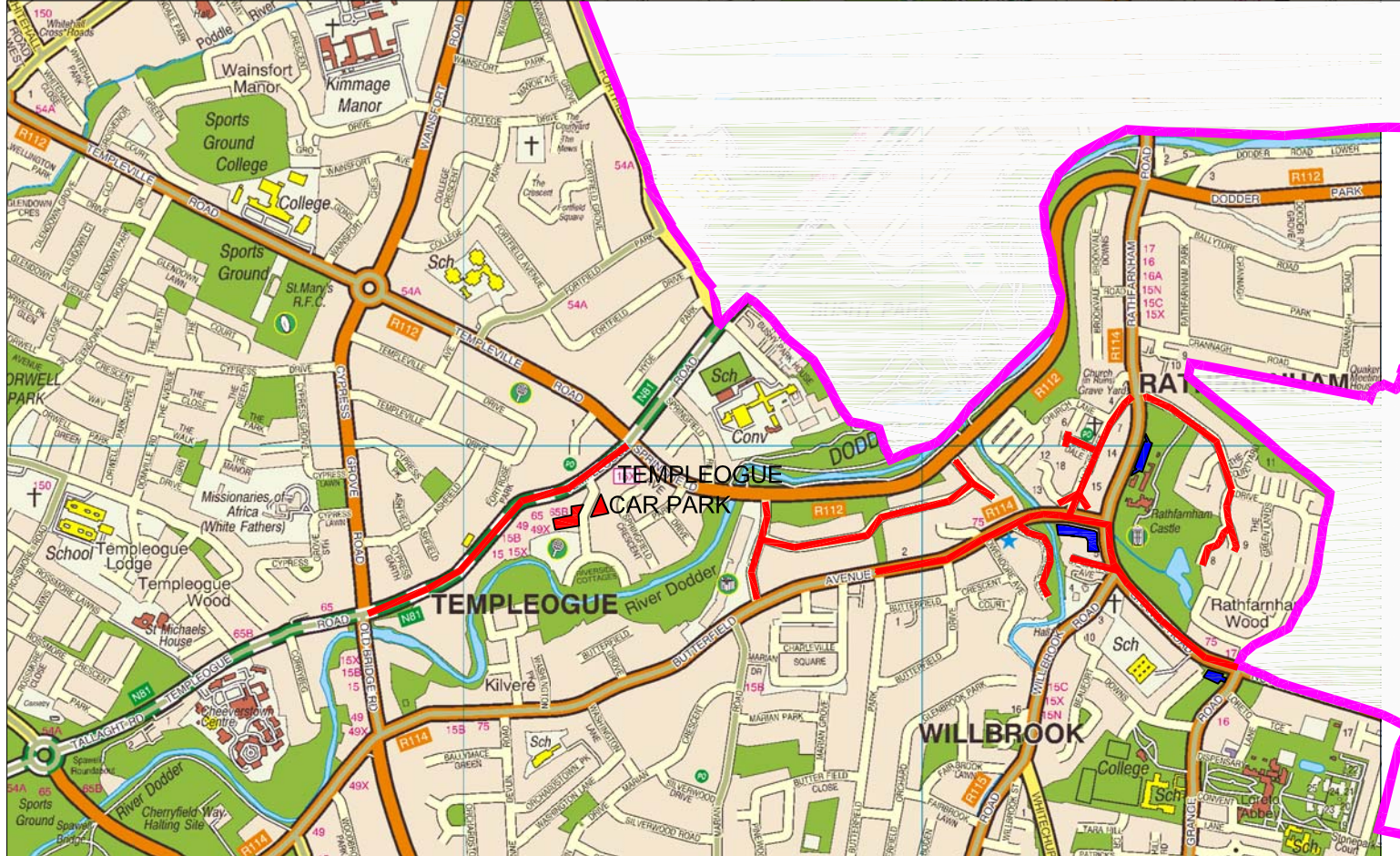
Diagram 1

Parking in locations designated Tariff A, B and C
 General arrangement as described in schedule 2 and Tariff Zone C

LEGEND

TARIFF A	█
TARIFF B	█
TARIFF C	█ (Boundary)





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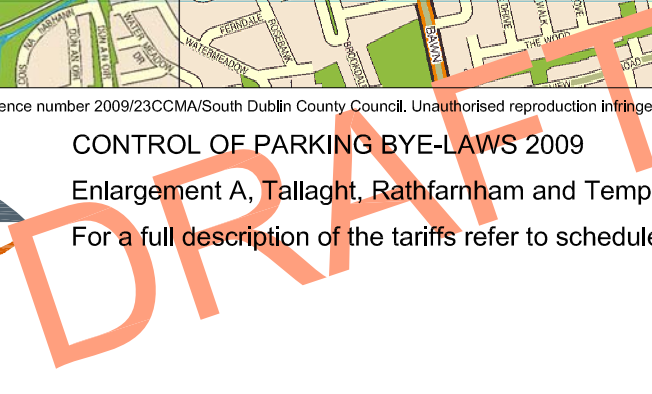
CONTROL OF PARKING BYE-LAWS 2009

Enlargement A, Tallaght, Rathfarnham and Templeogue

For a full description of the tariffs refer to schedule 2

LEGEND

- TARIFF A █
- TARIFF B █
- TARIFF C █ (Boundary)



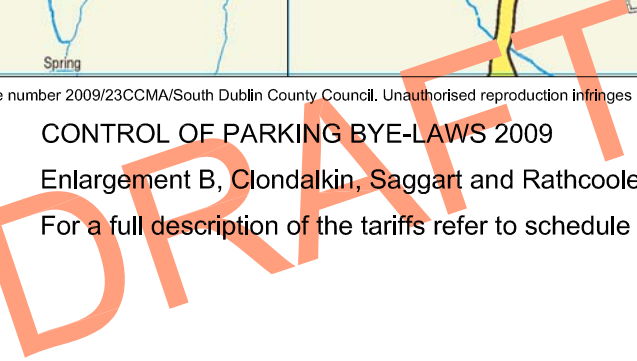


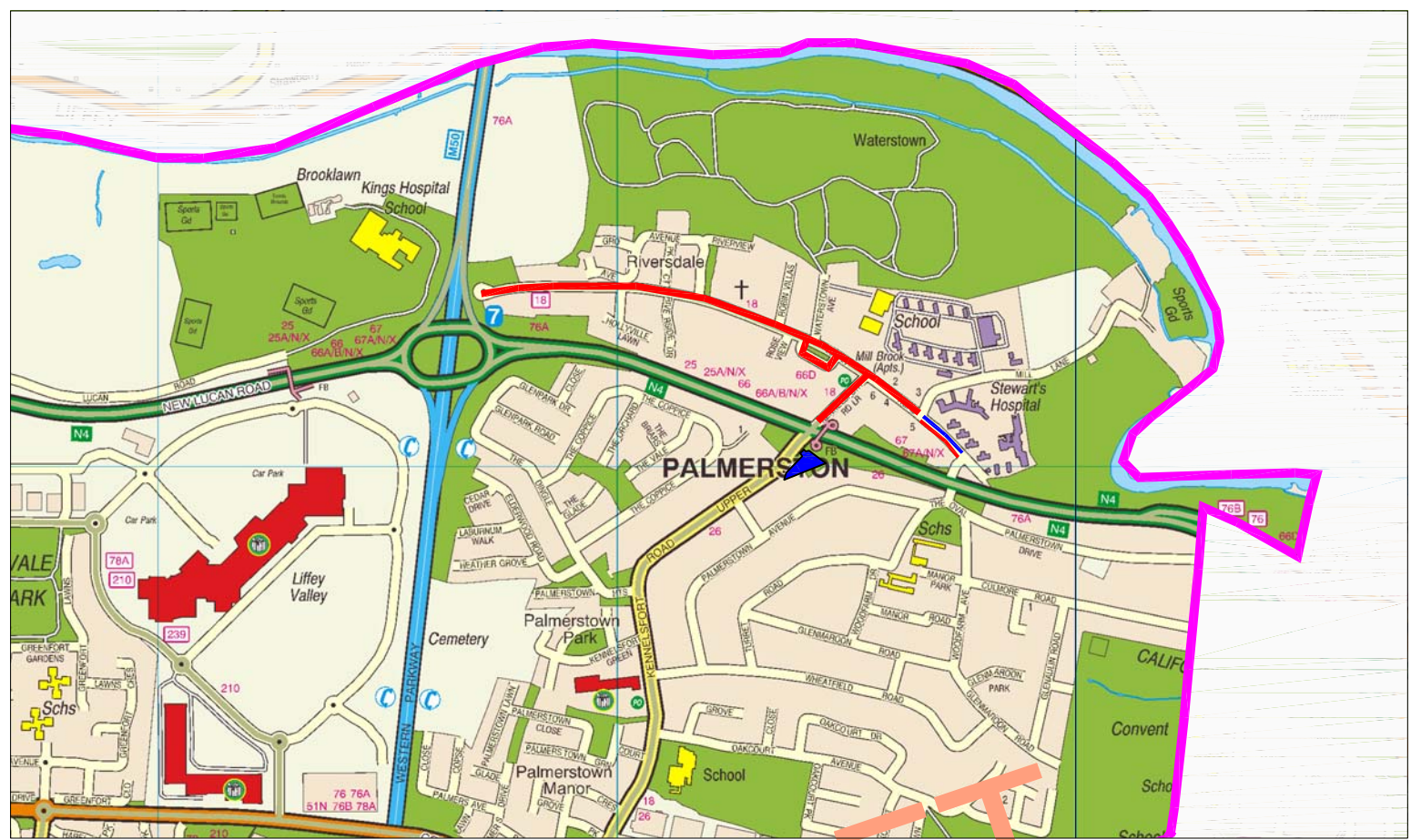
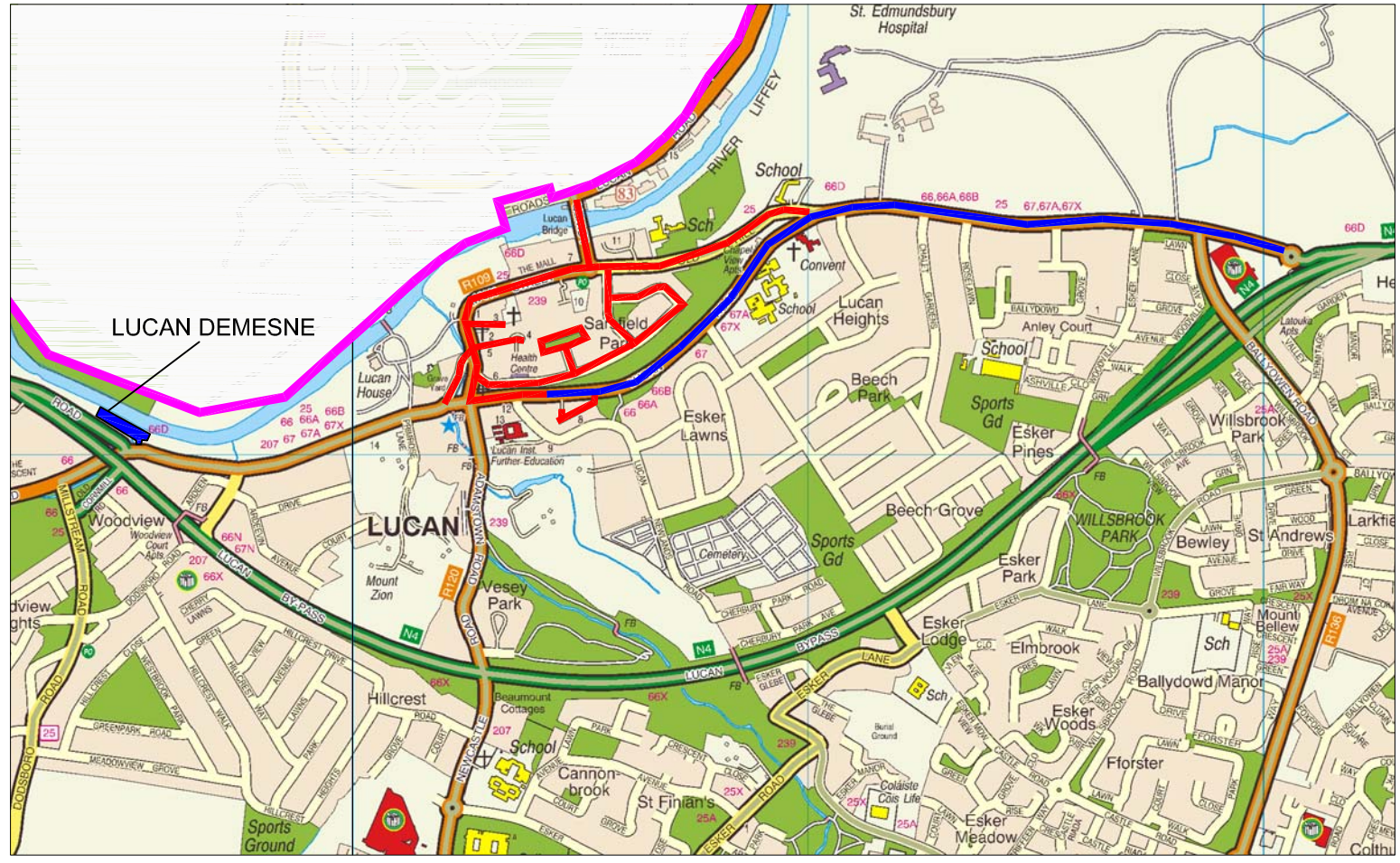
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CONTROL OF PARKING BYE-LAWS 2009
Enlargement B, Clondalkin, Saggart and Rathcoole
 For a full description of the tariffs refer to schedule 2

LEGEND

TARIFF A	█
TARIFF B	█
TARIFF C	█ (Boundary)





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CONTROL OF PARKING BYE-LAWS 2009

Enlargement C, Lucan and Palmerston

For a full description of the tariffs refer to schedule 2

- LEGEND**
- TARIFF A █
 - TARIFF B █
 - TARIFF C █ (Boundary)

