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KILKENNY BOROUGH COUNCIL



KILKENNY BOROUGH COUNCIL CARPARK BYE-LAWS 2010

**Kilkenny Borough Council,
City Hall,
High Street,
Kilkenny.**

Kilkenny Borough Council

Car Park

Bye- Laws 2010

Kilkenny Borough Council (hereinafter referred to as "the Council") in exercise of the powers conferred on them by Section 101 of the Road Traffic Act 1961 (No. 24 of 1961) as amended by Section 6 of the Road Traffic Act 1968 and Sections 4 and 49 (1) (i) of the Road Traffic Act 1994 hereby make the following Bye-Laws in relation to the use and operation of car parks provided by the Council.

1. These Bye-Laws shall be known as Kilkenny Borough Council Car Park Bye-Laws 2010.

2. In these Bye-Laws:

"authorised person" means a person authorised in writing by the Council for the purposes of these Bye-Laws.

"barrier" means a mechanically operated arm situated at the entrance to or the exit from a car park.

"coin unit" means a machine capable of accepting coins to operate a barrier.

"car park" means a place (not being part of a public road) for the parking of mechanically propelled vehicles provided by the Council and specified in the Schedule to these Bye-Laws. Definitive maps of the car park areas shall be retained at City Hall, Kilkenny for inspection.

"Council" means Kilkenny Borough Council.

"parking bay" means a space in a car park intended for the parking of one vehicle and so indicated by ground or other markings or signs.

"disabled persons parking bay" means a space in a car park intended for the parking of a vehicle the driver of which or a passenger in which is disabled and so indicated by ground or other markings or signs.

"disabled persons parking permit" means a Parking Permit for a Person with a Disability issued by the Motoring Advice Assessment - Tuition Service or the Disabled Drivers Association.

"valid disabled persons parking permit" means such a parking permit which has not expired.

"parking ticket" means a ticket issued by the Council by means of a parking ticket machine at a car park, or otherwise, indicating the time, date and year of issue of the ticket and the period of parking permitted by it.

"valid parking ticket" means a parking ticket the period of parking permitted by which has not expired.

"parking ticket machine" means a machine provided by the Council at a car park capable of issuing a parking ticket on a payment shown on the machine being inserted in it.

"parking permit" means a permit issued by the Council authorising the parking of a vehicle in a car park during a specified period. The maximum number of permits issued in a particular car park shall not exceed 20% of the available space in that car park.

"valid parking permit" means a parking permit the period of parking permitted by which has not expired.

"vehicle" means a mechanically propelled vehicle having seating for not more than eight passengers.

"a goods vehicle" means a mechanically propelled vehicle designed, adapted or used for the transportation of goods.

"loading bay" means a space in a car park intended for the temporary parking of a goods vehicle for the purpose of loading or unloading goods and so indicated by ground or other markings or signs.

"tailgating" for the purposes of these bye-laws is defined as exiting a car park by driving a vehicle so close behind the vehicle in front as not to allow the barrier situated at the exit to the carpark to lower resulting in the vehicle leaving the car park without paying the required fee.

3. These Bye-Laws apply to car parks specified in the Schedule hereto.
4. The fee for a parking ticket and a parking permit shall be determined by the Council from time to time and are displayed on information signs at the entrances and exits to each car park.
5. A person shall not use a car park for any purpose other than parking a vehicle except with the prior written approval of the Borough Council and terms specified by the Borough Council.
6. Apart from normal parking noise a person shall not create, generate or make noise or music at a car park.
7. A person shall not play a radio loudly; operate a loud speaker or offer tickets, goods or services for sale at a car park.
8. A car park may not be used for overnight accommodation purposes whether by camper van, caravan, van, car or otherwise.
9. Parking of buses and coaches with a seating capacity in excess of eight passengers in a car park is prohibited except with the prior written approval of the Borough Council on terms including parking location and parking charge specified by the Borough Council.
10. 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.
11. A vehicle shall not be parked in a car park except fully within a parking bay.

12. Where a parking ticket machine is provided at a 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 when it was issued and when it expires.
13. 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.
14. A person shall not damage or deface a barrier, coin unit or parking ticket machine.
15. 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.
16. A person shall not discard anything in a car park.
17. A vehicle, other than a goods vehicle, shall not be parked in a loading bay.
 - (a) A goods vehicle shall not be parked in a loading bay except for the purpose of being actively involved in loading or unloading goods.
 - (b) A goods vehicle shall not be parked in a loading bay for a continuous period exceeding thirty minutes.
18. A person using a car park shall comply with directions given to him or her by an authorised person.
19. A person using a 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 insight another person to do so.
20. 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.
21. If ownership of a vehicle removed by the Council from a car park pursuant to Bye-Law No. 20 is not claimed, proved 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.

22. The Council shall dispose of a vehicle the subject of a Notice under Bye-Law No. 21 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.
23. A vehicle shall not be parked in a 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.
24. A vehicle shall not be driven within a car park in excess of a speed of 15 kilometres per hour.
25. A person shall not exit a car park by means of tailgating the vehicle in front.
26. A vehicle shall not be driven in a car park contrary to the flow of traffic in the car park indicated by ground or other markings or signs.
27. Skateboarding or any such activities are prohibited in a car park.
28. An authorised person may give a person in charge of a vehicle parked in a car park in contravention of any of the provisions of these Bye-Laws 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.
29. Kilkenny Borough Council/Kilkenny County Council Car Park Bye-Laws 2008 are hereby revoked.
30. These Bye-Laws shall come into force on the 22nd October, 2010

SCHEDULE

Car Parks at:

Market Yard

Cathedral Square

Fair Green

Watergate

John's Quay

Dean Street

Wolfe Tone Street

Maudlin Street

Friary Street

Abbey Street

The Parade

Waterbarrack/St. Canice's Church

County Hall Car Park, John Street

Made and adopted under the Common Seal of the Council

This 20th day of September, 2010.

Present when the Common Seal
of the Council was affixed
hereto.



Mayor



Director of Services



Senior Executive Officer

