

COMHAIRLE CONTAE FHINE GALL

FINGAL COUNTY COUNCIL



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FINGAL COUNTY COUNCIL
PARKING CONTROL BYE-LAWS 2019

FINGAL COUNTY COUNCIL PARKING CONTROL BYE-LAWS 2019

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FINGAL COUNTY COUNCIL PARKING CONTROL BYE-LAWS 2019

Part I Preliminary

Fingal County Council (hereinafter referred to as “the Council”) in exercise of the powers vested in it by Section 101 of the Road Traffic Act 1961, as amended by Section 6 of the Road Traffic Act 1968 and Section 36 of the Road Traffic Act, 1994 (No. 7 of 1994) and having consulted with the Commissioner of the Garda Síochána, hereby makes the following Bye-Laws:-

- | | |
|----------------------------|---|
| Citation | 1. These Bye-Laws may be cited as the Fingal County Council Parking Control Bye-Laws 2019. |
| Commencement | 2. These Bye-Laws shall come into operation on the 1 st day of XXXXX, 2019. |
| Area of Application | 3. These Bye-Laws apply to the administrative area of the County of Fingal. |
| Revocation | 4. Fingal County Council Parking Control Bye-Laws 2002, Fingal County Council Parking Places (Amendment) Bye-Laws 2003, Fingal County Council Parking Places (Amendment) Bye-Laws 2005, Fingal County Council Parking Places Bye-Laws 2009 and Fingal County Council Parking Controls for Car Parks Bye-Laws 2011 are hereby revoked. |
| Interpretation | 5. In these Bye-Laws:- |

“The Road Traffic Acts” means the Road Traffic Acts, 1961 to 2006;

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

“The Regulations of 1997 - 2014” means the Road Traffic (Traffic and Parking) Regulations, 1997 to 2014;

“The Signs Regulations of 1997 – 2012” means The Road Traffic (Signs) Regulations 1997 to 2012.

“Age Friendly Parking Space” means courtesy space for older persons who require them;

“Agent of the Council” means any person employed by Fingal County Council or any other person authorised by the Council to carry out functions under these Bye-Laws;

“Appropriate Parking Fee” means the fee payable as prescribed in these Bye-Laws for the ticket parking area in which the vehicle is parked;

“Appropriate 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 or car park;

“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 as amended;

“Buffer Area” means an area between two parking places;

“Bus Parking Bay” means a place designated by Fingal County Council for parking of buses and

coaches, with a seating capacity in excess of 8 passengers, for the purpose of the set down and pick up of passengers only and as by appropriate markings and accompanying information signage.

“Car Club” means a car club permitted in that regard by a road authority;

“Car Club Vehicle Parking Bay” means a space intended for the parking of a mechanically propelled vehicle in which is displayed a car club vehicle permit;

“Car Park” means the car parks provided by and in the control of the Council and includes each of the car parks as set out in Appendix 2.

“Clearway” means part of a roadway at a start of which traffic sign No. RUS 010 (clearway accompanied by an information plate) is provided and at the end of which traffic sign No. RUS 010 (clearway accompanied by an information plate) containing the words “End” is provided.

“Commercial Parking Permit” means a parking permit issued to a ‘qualifying business’ issued by the Council or its agents for the purposes of these Bye Laws.

“Disabled Persons Parking Permit” means a permit issued under Article 43 of the Signs Regulations of 1997 and 1998;

“Electric Powered Vehicle” means a mechanically propelled vehicle that is powered –

- (a) Solely by means of a re-chargeable battery, or
- (b) By means of a re-chargeable battery and an internal combustion engine where either power source may be used to propel the vehicle.

“Electrically Powered Vehicle Recharging Bay” means a space intended for the parking of an electrically powered vehicle while the vehicle’s battery is being re-charged and is indicated by means of traffic sign number RRM 035 of the Signs Regulations.

“Goods Vehicle” means a vehicle used exclusively for carrying goods and taxed for commercial purposes;

“Holiday” means Good Friday or any day that is a public holiday for the purposes of the Holidays (Employees) Act 1973 (No. 25 of 1973);

“Information Plate” means a plate which accompanies a traffic sign and which indicates the time limitations appropriate to such traffic sign;

“Loading Bay” means that portion of a road indicated by means of the appropriate Traffic Sign RRM 009 provided for in the Signs Regulations of 1997; a vehicle other than a goods vehicle shall not be parked during period which shall be indicated on an information plate.

“Long Stay Area” means a ticket parking area where the parking fee payable shall be as shown on the appropriate parking ticket machine and as set out in Appendix 1 of these Bye-Laws;

“Operational Hours” means the periods of operation indicated on the appropriate parking ticket machine or on the appropriate information plate;

“Paid Parking Place” means a space, place or bay in a ticket parking area or any other place on a public road or car park intended for the parking of a mechanically propelled vehicle where traffic sign

number RUS 018 and any one of the roadway parking signs RRM 011, RRM 012, RRM 013, RRM 014, RRM 015 or RRM 016 are provided;

“Parking Fee” means the fee payable as prescribed in these Bye-Laws for the parking of a vehicle;

“Parking Ticket” means a pay and display parking ticket which is issued by the Council by means of a parking ticket machine and which contains the following particulars:

- (a) The words “Comhairle Contae Fhine Gall “ and/or “Fingal 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 ticket parking area to which it relates or the location from where the ticket was issued;

“Parking Ticket Machine” means a pay and display parking ticket machine located on the public road or car park capable of automatically delivering a parking ticket when the appropriate parking fee prescribed by these Bye-Laws is inserted into the machine;

“Parking Tag” is the Council’s pay by phone option to pay for on-street/off-street parking;

“Payment Card” means any card, acceptable to the Council or its agents, 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;

“Set Down Area” means a place which is designated as an area solely for the set down of passengers

from a vehicle and as indicated by appropriate markings and information signage;

“Short Stay Area” means a ticket parking area where the parking fee payable shall be as shown on the appropriate parking ticket machine and as set out in Appendix 1 of these Bye-Laws;

“Street” means a public road;

“Ticket Parking Area” means an area on a public road or car park where traffic sign No. RUS 018 and any one of traffic signs RRM 011, RRM 012, RRM 013, RRM 014, RRM 015 or RRM 016 of the Signs Regulations of 1997 are provided;

“Ticket Parking Place” means a place on a public road or car park where the parking of vehicles is subject to the exhibition of a valid parking ticket;

“Ticket Parking Zone” means the street or streets indicated on a resident parking permit, visitor parking permit or commercial parking permit;

“Traffic Warden” has the meaning assigned to it by Section 2 of the Local Authorities (Traffic Wardens) Act 1975 (No. 14 of 1975) as amended;

“Valid Coins” means, the coins indicated on the appropriate parking ticket machine;

“Valid Pay & Display Parking Ticket” means a pay & display parking ticket which was purchased at an appropriate pay & display parking ticket machine and has not expired and which is valid for the pay parking place in which the vehicle is parked;

“Valid Parking Tag” means that a registered user of parking tag has paid the appropriate parking fee for the parked vehicle and that the period paid for has not expired;

“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 3.5 tonnes and not drawing a trailer or other vehicle.

PART II

Pay and Display Ticket Parking

- Parking in a ticket parking place
6. 1. The following provisions shall apply during operational hours to the parking of a vehicle in a ticket parking place:-
- (a) payment of the parking fee,
 - (b) subject to paragraph (2) of this Bye-Law, a vehicle which is parked in a ticket parking place during operational hours shall, where parking places are provided at that paid parking area, be parked within the area comprising a parking place,
 - (c) a vehicle, excepting Car Club vehicles where provision has been made under appropriate governing legislation , Bye-Law or licence or vehicles displaying a valid disabled persons parking permit, which had been parked in a ticket parking place for the maximum period permitted in that ticket parking place, as indicated on the appropriate ticket parking machine in accordance with Bye-Law 11, shall not be parked again in a ticket parking place on the public road or car park in which that ticket parking place is situated until at least one hour has elapsed since the vehicle was last parked in that ticket parking place,
 - (d) a vehicle shall not be parked in a buffer area,
 - (e) a vehicle parked in a ticket parking place at a time which is not during

operational hours shall be removed from the ticket parking place when a period of operational hours commences, unless at such commencement and during the remainder of the period of parking, a valid parking ticket is exhibited in accordance with Bye-Law 8(2) and Bye Law 8(3) of these Bye-Laws, or parking paid for by means of Parking Tag/Electronic payment.

- (f) where a vehicle being parked in a ticket 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 8 shall not apply until the expiration of 30 minutes after the commencement of the parking.
- (g) a person shall not park or cause to be parked in a paid parking place a vehicle in such a position that it, or any portion of it, extends from one parking place (bay) to another,

2. Notwithstanding paragraph (1)(b) of this Bye-Law, a vehicle parked in a parking place 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)(b) of this Bye-Law.
3. This Bye-Law shall not apply to a parking place when the parking ticket machine for that parking place is temporarily suspended from operation in accordance with Bye-Law 14.

Vehicles which may be parked in a ticket parking place

7. 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 3.5 tonnes and not drawing a trailer or other vehicle;
 3. a Car Club Vehicle displaying a valid Car Club Vehicle permit;
 4. a vehicle displaying a valid disabled persons parking permit;
 5. an electrically powered vehicle if parked in a specifically marked electrical vehicle charging bay, and actively recharging up to a max period of 3 hours.

Obligation to display a valid parking ticket

8.
 1. A valid parking ticket shall be displayed as specified in this Bye-Law on the interior of a vehicle lawfully parked in a ticket parking area during operational hours.
 2. A valid parking ticket shall be so exhibited in the interior of the vehicle and placed on the dashboard side closest to the footpath so that a person outside the vehicle can safely ascertain when the parking ticket ceases to be valid, and
 3. The parking ticket shall be exhibited in accordance with paragraph (2) of this Bye-Law for so long as the vehicle is parked in that parking place.

4. Failure to display or correctly exhibit a valid pay and display ticket, parking permit or disabled parking permit, in accordance with paragraph (2) of this Bye-Law, may result in enforcement for non-payment of the parking fee.
5. Valid Parking Tag and Valid Retail Parking do not require a ticket or tag to be displayed.

Parking fees

9.
 1. The parking fees payable shall be as shown on the appropriate parking ticket machine or identified through zones for parking tag payments and as set out in Appendix 1 and Appendix 2 of these Bye-Laws.
 2. In order to allow for the promotion of retail Activity in the Council or to promote a particular method or methods of payment, the Council may, make a reduced parking fee for vehicles parked in accordance with Bye-Law 7 (1) and (2) and (6) at such rates at such times and for such periods set out by report, and granted by resolution of the Council Members.

Manner and time of payment of parking fee

10.
 1. A parking ticket shall be purchased from an appropriate parking ticket machine or payment made by means of Parking Tag/Retail Parking or approved electronic payment method.
 2. The fee for the parking ticket shall be payable by means of any combination of valid coins or, where the facility is provided, by payment card or by means of a mobile telephone.

3. Payment of cash shall be made by inserting the appropriate fee for the parking time required into the appropriate parking ticket machine and following the instructions on the parking ticket machine in order to obtain a valid parking ticket.
4. Payment by payment card shall be made by inserting the payment card into the parking ticket machine and following the instructions on the parking ticket machine in order to obtain a valid parking ticket.
5. Payment by means of a mobile telephone shall be made by following the instructions on the parking ticket machine or through the Council's website for Parking Tag payment zones in order to obtain a valid parking ticket.
6. The valid parking ticket shall be displayed in accordance with Bye-Law 8 immediately on parking provided that, where a vehicle is parked at a time not during operational hours, the valid parking ticket shall be displayed in accordance with Bye-Law 8 at the commencement of operational hours.

Period of parking in a ticket parking place 11.

1. A vehicle parked in a ticket parking place during operational hours shall not be so parked for a period longer than the period indicated on the appropriate parking ticket machine and signage as the maximum period for which parking is permitted on that day in that ticket parking place, excepting Car Club vehicles displaying a valid Car Club Vehicle permit, vehicles displaying a valid disabled persons parking permit and vehicles displaying a valid Commercial, Resident, Temporary, Complimentary Parking Permit.

2. where an electrically powered vehicle charging bay is provided, a vehicle shall not be stopped or parked unless it is an electrical vehicle, the battery of which is being recharged. A vehicle parked in an electrically powered parking bay shall not be parked **for longer than 3 hours.**

Motor cycles prohibited from parking in a ticket parking place

12. A motorcycle, with or without a sidecar, or a pedal cycle shall not be parked during operational hours in a ticket parking place.

Suspension of Paid Parking controls on Specified days

13. Paid parking controls shall not apply in any paid parking place on the following days:

New Year's Day	1 st January
St. Patrick's Day	17 th March
Good Friday	Variable
Easter Monday	Variable
May Public Holiday	1 st Monday in May
June Public Holiday	1 st Monday in June
August Public Holiday	1 st Monday in August
October Public Holiday	Last Monday in October
Christmas Day	25 th December
St. Stephen's Day	26 th December

Suspension of ticket parking machine or ticket parking place

14.
 1. The Council or its agents may suspend from operation a parking ticket machine or a ticket parking place in a ticket parking area. The suspension shall be subject to a pre-approved licence and any conditions, which may be specified in writing by the Council, including the payment of a fee by a person requesting a suspension.
 2. The suspension of a parking ticket machine or a ticket 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 parking ticket machine and the erection of a sign indicating that the parking of vehicles is prohibited in the ticket parking place.

3. It shall be an offence to breach a condition specified in writing by the Council where a ticket parking machine or a ticket parking place has been suspended. In the event of a vehicle being parked in contravention of these conditions it shall be deemed to be unlawfully parked for the purposes of the Road Traffic Acts 1961 to 2006 and any Regulations made thereunder.
4. The fee/fees payable for suspension or renewal shall be as set out in Appendix 4 of these Bye Laws.

Interference

15. 1. No person shall insert any coin, article or object, other than a valid coin or a payment card in a parking ticket machine or interfere in any other way with a parking ticket machine in a ticket parking area.
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 ticket parking machine or an information plate in a ticket parking area.
3. A person shall not interfere with, alter or deface a pay and display parking ticket, residents parking permit, visitors parking permit, Commercial Permit, Temporary Permit, Complimentary Permit, Car Club

Vehicle permit, disabled persons parking permit.

4. A person found guilty of interfering with a pay and display parking ticket machine or information plate may be subject to prosecution.

PART III

Residents Parking Permit

Definitions for Part III

16. In this Part of these Bye-Laws –

“Acceptable evidence” means –

- (a) A current insurance certificate or registration book confirming that the vehicle is normally kept by the resident on the residential parking permit road to which the permit will relate, or
- (b) Where the applicant is the registered owner of the vehicle in respect of which the application for a resident’s parking permit is being made and the vehicle is insured by his/her employer, the employer’s insurance certificate and satisfactory documentary evidence from the employer that the applicant is in full time employment of the company and that the specified vehicle is insured by the company, or
- (c) Where the applicant is not the registered owner of the vehicle in respect of which the application for a resident’s parking permit is being made, but has the use of the vehicle in the course of the applicant’s employment, the employer’s insurance certificate for the vehicle and satisfactory documentary evidence from the employer who is the registered owner of the vehicle, that the applicant is in full time employment of the registered owner and that the vehicle is normally kept by the applicant at the residents’ address on the resident’s parking permit road to which the resident’s parking permit will relate, and
- (d) Except in the case of paragraph (c) of this Bye-Law, a vehicle licencing certificate, registration

book confirming that the resident applying for a resident's parking permit is the registered owner of the vehicle in respect of which the application for a resident's parking permit is being made and that the vehicle is registered at the residents' address on the residential parking permit road to which the resident's parking permit will relate.

(e) A driving or provisional licence in the name of the resident applying for the resident's parking permit, and

(f) A current utility bill, bank statement or any documentation acceptable to Fingal County Council addressed to the applicant at his/her address on the residents parking permit road to which the residents parking permit will relate.

"carer" means a person who is providing care to a Resident who requires on-going daily care for a chronic illness.

"carer's parking permit" means a document issued by Fingal County Council for the purpose of these Bye-Laws and subject to the submission of acceptable evidence .

"**owner**" means a resident by whom a vehicle is habitually kept and used;

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

"**resident parking permit**" means a document issued for the purposes of this Part and containing the particulars specified in Bye-Law 17;

“valid resident parking permit” means a resident parking permit which relates to a particular ticket parking zone and to a period which has not expired;

“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 3.5 tonnes and not drawing a trailer or other vehicle.

Particulars of resident parking permit

17. A resident parking permit shall contain inter alia the following particulars:-

(a) the words “Comhairle Contae Fhine Gall” and Fingal County Council;

(b) the words “Resident Parking Permit”;

(c) the registration number of the vehicle in respect of which it is issued;

(d) the date of issue;

(e) the date of expiry;

(f) the ~~ticket parking zone~~ residential parking permit roads to which it relates.

(g) The name of the Department issuing the Permit.

Permission to park vehicle displaying resident parking permit

18. The display, in accordance with Bye-Law 19, of a valid resident 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 in the ticket parking zone to which the permit relates, provided that the vehicle is otherwise legally parked.

Display of resident parking permit

19. A valid resident parking permit shall be so displayed in the interior of the vehicle in respect of which it is issued so that it can be read from outside the vehicle.

Issue of, and fee for, resident parking permit

20.
 1. A resident parking permit may be issued by the Council or its agents in respect of the parking of a vehicle in a ticket parking place in a ticket parking area, where the Council or its agents 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. A resident parking permit may be issued by the Council or its agents in respect of a vehicle of which the resident is the owner and shall be valid for a period not exceeding two years from the date of issue in respect of that vehicle and for the ticket parking zone to which the permit relates.
 3. Only one permit shall be issued to any individual vehicle owner.
 4. A maximum of four permits for any period not exceeding two years shall be issued in respect of residents in any one house.
 5. Where a house is divided into six units or less only one permit will be issued in respect of each unit.
 6. Applications for resident parking permits will not be considered from residents where a house is divided into more than six units.
 7. The fee for a resident parking permit shall be as set out in Appendix 1 of these Bye-Laws.

**Renewal of
resident's parking
permit**

- 21.
1. The Council or its Agents may renew a resident's parking permit on submission of a completed application form and on payment of the appropriate fee, as set out in Appendix 1 of these Bye Laws, with submission of 'acceptable evidence'.
 2. A resident's parking permit must be renewed within the renewal period, which ends 28 days after the expiry date of the existing permit. The renewal of a parking permit shall be the responsibility of the applicant.
 3. 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.
 4. 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.

**Issue of
replacement
resident parking
permit**

- 22.
- Where the Council is satisfied that a valid resident parking permit has been lost, destroyed or stolen the Council or its agents shall issue a replacement to the owner on payment of a fee as set out in Appendix 1 of these Bye-Laws and such replacement permit shall be substituted for the original permit and the original permit shall be void.

- Return of resident parking permit**
23. Where, during the period to which a resident 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 parking permit to the Council or its agents. No credit or refund in respect of the unexpired period shall be granted in respect of a returned resident parking permit.
- Change of vehicle – issue of resident parking permit**
24. If the holder of a resident 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 parking permit, in respect of the new vehicle which shall be valid for the period specified on the original permit, subject to production of acceptable evidence in respect of the new vehicle and the payment of a fee as determined by the Council.
- Issue of resident parking permit to non-resident family members (Carers Permit)**
25. A resident parking permit may be issued by the Council or its Agents for up to two non-resident immediate family members who act as voluntary carers for a resident whose dwelling place is in a paid parking area in respect of which the Council issues residents permits and who requires on-going daily care for a chronic illness. The resident parking permit shall be issued annually subject to submission of the immediate family member(s) vehicle insurance certificate(s) and written confirmation from the resident's doctor that the resident requires on-going daily care for a chronic illness.
- Display of invalid/ interference with resident parking permit**
26. 1. It shall be an offence to display an invalid or expired resident parking permit which may result in the resident or applicant being permanently excluded from the scheme.

2. Where a vehicle displaying a resident parking permit is parked in a ticket parking place a person shall not interfere with, alter or deface a permit.

PART IV

Visitor Parking Permit

Definitions for Part IV.

27. In this Part of these Bye-Laws -

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

“valid visitor parking permit” means a visitor parking permit which;

(a) has been perforated or otherwise marked as appropriate so as to clearly indicate the year, month, day and date of the commencement of a period of parking of a vehicle in which the visitor parking permit is exhibited in accordance with these Bye-Laws, and

(b) indicates no other year, month, day or date, and

(c) indicates that the vehicle is so parked for a period not exceeding the period for which it may be parked in a ticket parking place in accordance with these Bye-Laws, and

(d) the permit has been issued in respect of the ticket parking zone in which the vehicle is parked;

“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 3.5 tonnes and not drawing a trailer or other vehicle;
- (c) a goods vehicle parked for a purpose which is ancillary to the use of a dwelling in the ticket parking zone;

Particulars of a Visitor's parking permit

28. A visitor parking permit is a document having marks or symbols capable of indicating the year, month, day and date and containing inter alia the following particulars:
- (a) the words "Comhairle Contae Fhine Gall";
 - (b) the words "Visitor Parking Permit";
 - (c) the ticket parking zone to which it relates.

Permission to park vehicle displaying visitor parking permit

29. The display, in accordance with Bye-Law 30, of a valid visitor parking permit on a vehicle shall permit the owner of the vehicle (or any person using it with his/her consent) to park it for a period not in excess of 24 hours from commencement of parking in a ticket parking place.

Display of a visitor parking permit

30. 1. A visitor parking permit shall be displayed in the following manner:-
- (a) separate distinct perforations or markings as appropriate indicating the year, month, day and date when the parking commences shall be made on the visitor parking permit at the commencement of the parking;
 - (b) the visitor parking permit shall be so exhibited in the interior of the vehicle that a person outside the vehicle can ascertain by reference to the perforations

or markings when the parking commenced and;

(c) the visitor parking permit shall be exhibited in accordance with paragraph (b) of this Bye-Law for so long as the vehicle is parked in a ticket parking place.

2. Where a vehicle, displaying a visitor parking permit, was parked in a ticket parking place for a period less than the maximum parking period in accordance with Bye-Law 29 of these Bye-Laws is subsequently lawfully parked in another ticket parking place in the same ticket parking zone on the same day within the said maximum parking period it shall not be necessary, subject to compliance with paragraph 1(b) and 1(c) of this Bye-Law, to comply with paragraph 1 (a) of this Bye-Law.

Issue of, and fee for, visitor parking permit

31. 1. A visitor parking permit may be issued by the Council or its agents to each resident in a ticket parking zone in respect of the parking of a vehicle which is not normally kept in that zone and which requires to be parked temporarily in a ticket parking place in that zone for a purpose which is ancillary to the use of the resident's dwelling.
2. The total number of visitor parking permits which may be issued to each resident in a ticket parking zone is 50 in any 12 month period.
3. The fee for each visitor parking permit shall be as set out in Appendix 1 of these Bye-Laws.
4. A visitor parking permit shall only be valid for use on the residential parking place to

which the permit relates.

5. Visitor's parking permits shall be non-refundable and non-exchangeable.

**Disposal/
Interference
with visitor
parking permit**

32. It shall be an offence for a resident to sell or otherwise dispose of a visitor parking permit to any person other than a visitor as defined in these Bye Laws. It shall be an offence to display an invalid visitor parking permit. It shall be an offence to interfere with, alter or deface a visitor parking permit.

PART V

Commercial Parking Permits

- Particulars of commercial Parking permit** 33. A commercial parking permit shall contain inter alia the following particulars:-
- (a) the words “Comhairle Contae Fhine Gall” and Fingal County Council;
 - (b) the words “Commercial Parking Permit”;
 - (c) the registration number of the vehicle in respect of which it is issued;
 - (d) the date of issue;
 - (e) the date of expiry;
 - (f) the parking permit roads to which it relates;
- Issue of, and fee for commercial parking permit** 34. A commercial parking permit may be issued by the Council or its agent to a person who, by virtue of the nature and/or the location of their employment in a ticket parking area, satisfies the Council in relation to the need for such a permit and following production of acceptable evidence.
- The commercial permit shall be valid for a period not exceeding one year from the date of issue in respect of that vehicle and for the ticket parking area to which the permit relates, subject to a maximum of two permits.
- The fee for a commercial parking permit shall be as set out in Appendix 1 of these Bye-Laws.
- Permission to park vehicle displaying commercial parking permit** 35. The display, in accordance with Bye-Law 36, of a valid commercial 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 in the ticket parking zone to which the permit relates, provided that the vehicle is otherwise legally parked.

Display of commercial parking outside the permit	36. A valid commercial parking permit shall be so displayed in the interior of the vehicle in respect of which it is issued so that it can be read from vehicle.
Renewal of commercial a parking permit	37. 1. The Council or its Agents may renew a commercial parking permit on submission of completed application form and on payment of the appropriate fee, as set out in Appendix 1 of these Bye Laws. 2. A commercial parking permit must be renewed within the renewal period, which ends 28 days after the expiry date of the existing permit. The renewal of a commercial parking permit shall be the responsibility of the applicant.
Issue of replacement commercial parking Permit	38. Where the Council is satisfied that a valid commercial parking permit has been lost, destroyed or stolen the Council or its agents shall issue a replacement permit to the owner on payment of a fee as set out in Appendix 1 of these Bye-Laws and such replacement permit shall be substituted for the original permit and the original permit shall be void.
Transfer of Commercial parking Permit	39. Commercial parking permits shall not be transferable.
Display of Invalid/ interference with commercial parking permit	40. 1. It shall be an offence to display an invalid or falsified commercial parking permit. 2. Where a vehicle displaying a commercial parking permit is parked in a ticket parking place a person shall not interfere with, alter or deface a permit.

**Falsified
documents**

41. 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.

PART VI

Permission for Non-Operation of Pay and Display Parking Ticket Machine(s) and/or Pay and Display Parking Place(s)

- | | | |
|---|------------|--|
| Application | 42. | Application for permission for the non-operation of a pay and display parking ticket machine(s) or a pay and display parking place(s) on a public road or within a Council car park must be made in writing for the following:
(a) placement of a skip
(b) placement of a cherry picker
(c) placement of a crane
(d) placement of vehicle over 3.5 tonnes
(e) filming purposes and/or associated vehicles
(f) utilities works and/or vehicles
(g) opening of access to the public road, and
(h) any other circumstances at the discretion of Fingal County Council |
| Condition of Permission | 43. | The permission, if granted, shall be subject to a licence issued by the Council and any conditions which will be specified in writing by the Council, including the payment of a fee/fees by the person/agency requesting the permission. |
| Appropriate Fees | 44. | The fee/fees payable for suspension shall be as set out in Appendix 4 of these Bye Laws. |
| Issue of permission | 45. | The permission, if granted, will issue in writing together with notification to the appropriate enforcement agency of the details of the permission. |
| Breach of Conditions | 46. | It shall be an offence to breach a condition specified in writing in the permission. |
| Unauthorised suspension of bays: | 47. | It shall be an offence to suspend a parking bay without prior authorisation by the Council and this may result in the removal of any of the above listed (but not limited to) by the Council or its Agents. |

PART VI

Miscellaneous

- Non-application of Bye-Laws 6 to 15, of these Bye-Laws to certain vehicles** 48. Bye-Laws 6 to 15, of these Bye-Laws shall not apply to:
- 1 a vehicle being used 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 or a vehicle being used by a traffic warden, an authorised person or a member of the Garda Síochána or the Defence Forces in the performance of his/her duties,
 - 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 legally parked in a valid pay and display ticket parking place, during operational hours.
 - 4 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 and notification has been given to the Council.

- Bus Parking Bays** 49. A “bus parking bay” means a place designated by Fingal County Council for the parking of buses or coaches, with a seating capacity in excess of 8 passengers, for the purpose of set down and pick up only and as indicated by appropriate markings and accompanying information signage.
- A vehicle other than a vehicle described above shall not be parked in a bus parking bay.
- Clearways** 50. A vehicle may not be stopped or parked in a clearway during the period indicated on the information plate.
- Loading Bays** 51. A vehicle, other than a goods vehicle, must not be parked in a loading bay, and
- A goods vehicle shall not be parked in a loading bay except for the purpose of being actively involved in loading or unloading goods, and
- A goods vehicle shall not be parked in a loading bay for a period exceeding 30 minutes.
- Set Down Areas** 52. It shall be an offence for any vehicle to park in a place designated as an area for the set down of passengers and as indicated by appropriate markings and accompanying Information Sign.
- Issue of complimentary parking permits** 53. The Council may issue complimentary/temporary parking permits which, when correctly displayed in a vehicle, will enable that vehicle to be parked in any paid parking bay or residential parking permit bay to which these Bye-Laws relate, provided that the vehicle is otherwise legally parked, and subject to compliance with the conditions set out on issuance of the complimentary/temporary parking permit.

**Falsified
documentation**

- 54.** A resident/applicant who submits falsified documentation to support his/her application for a resident's parking permit and/or visitors' parking permits shall not be issued with a resident parking permit or visitor parking permit.

The Council may cancel a resident parking permit and/or visitor parking permits where it establishes that the holder of the resident permit does not hold an entitlement to the permit in accordance with these Bye-Laws, or where it establishes that the holder has obtained the permit by the submission of falsified documentation.

A resident or applicant may be permanently excluded from obtaining a permit if there is evidence of falsified information or documentation.

Disclaimer

- 55.** 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.

Appendix 1

On-Street Parking Fees

Short Stay Areas

€1.20 per hour or fraction thereof for periods less than 1 hour

Minimum purchase €0.50

Long Stay Areas

Long Stay Area 1: €0.50 per hour or fraction thereof for periods less than 1 hour.

Long Stay Area 2: €2.00 per day or part thereof.

Parking Tag/Cashless Parking

€1.00 per hour or fraction thereof for periods less than 1 hour in short stay areas. Minimum purchase €0.50

Long stay charges remain the same as above.

Resident Parking Permit/Carers Permit

€20.00 per annual permit

€30.00 bi-annual permit (N/A - Carers Permit – must be applied for annually)

€10.00 replacement permit

Visitor Parking Permit

€1.50 per permit (sold in packs of 10 @ €15.00)

Commercial Parking Permit

€600.00 per permit per year

€10.00 per replacement permit

Age Friendly Parking

Standard charges apply as above depending on location of bays.

Electric Vehicle Charging Bays

Standard parking charges apply as above depending on location of bays.

Separate fees for charging the electric vehicle will apply.

Car Club Licences

€500 p/permit

APPENDIX 2

Car Park Parking Fees/Charges

Quay Street Car Parks, Balbriggan (North and South of Bracken River) - One hour free of charge and 50cent p/hour thereafter subject to a maximum charge of €3 per day.

Bridgefield Car Park, Dublin Road, Malahide - One hour free of charge and €1 per hour thereafter and on a pro rata basis for periods less than 1 hour (subject to a minimum purchase of 50 cent).

Tickets must be printed and displayed for free hour.

APPENDIX 3

PAY PARKING CAR PARKS

The following car parks are subject to these Bye-laws:-

BALBRIGGAN:

Quay Street Car Park (North of Bracken River)

Quay Street Car Park (South of Bracken River)

MALAHIDE:

Bridgefield Car Park, Dublin Road

Any additional car parks that may be included thereafter are covered under these bye-laws.

Appendix 4

Charges for Temporary Removal and Suspension of Metered Parking Bays and Road Markings.

Item No.	Item	Charges
1.	Removal of Pay & Display machine.	€127
2.	Removal of base.	€508
3.	Replacement of Pay & Display machine.	€127
4.	Replacement of Pay & Display base.	€508
5.	Suspension of each parking space	€25 per day €130 per week
6.	Permanent removal of parking area	€15,237
7.	Laying of Single Yellow Lines	€6 per linear metre
8.	Removal of Single Yellow Lines	€13 per linear metre
9.	Laying of Double Yellow Lines	€8 per linear metre
10.	Removal of Double Yellow Lines	€19 per linear metre
11.	All other road markings and removal of same	Current price to County Council from their Contractor plus VAT + 33 $\frac{1}{3}$ %

Given under the Common Seal of Fingal County Council.

Nominated Officer

Director of Services

Dated this day of 2019

Fingal County Council,
Fingal County Hall,
Main Street,
Swords,
Co. Dublin.