

**COMHAIRLE CONTAE FHINE GALL**

**FINGAL COUNTY COUNCIL**



**Comhairle Contae Fhine Gall**

Fingal County Council



**FINGAL COUNTY COUNCIL  
PARKING PLACES BYE-LAWS 2009**

# FINGAL COUNTY COUNCIL PARKING PLACES BYE-LAWS 2009

## Part I

- Long Title** Fingal County Council (hereinafter referred to as “the Council”) in exercise of the powers vested in it by Section 36 of the Road Traffic Act, 1994 (No. 7 of 1994) and having consulted with the Commissioner of the Garda Siochana, hereby makes the following Bye-Laws:-
- Citation** 1. These Bye-Laws may be cited as the Fingal County Council Parking Places Bye-Laws 2009.
- Commencement** 2. These Bye-Laws shall come into operation on the 1<sup>st</sup> day of September, 2009.
- Area of Application** 3. These Bye-Laws apply to the administrative area of the County of Fingal.
- Revocation** 4. Fingal County Council Parking Places Bye-Laws 2002, Fingal County Council Parking Places(Amendment) Bye-Laws 2003 and Fingal County Council Parking Places (Amendment) Bye-Laws 2005 are hereby revoked.
- Interpretation** 5. In these Bye-Laws:-
- “the Act of 1994” means the Road Traffic Act, 1994 (No. 7 of 1994);
- “the Regulations of 1997” means the Road Traffic (Traffic and Parking) Regulations, 1997 (S.I. No. 182 of 1997);
- “the Signs Regulations of 1997” means the Road Traffic (Signs) Regulations, 1997 (S.I. No. 181 of 1997);
- “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 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 of the Road Traffic Act, 1961 as amended;

“buffer area” means an area between two parking places;

“disabled persons parking permit” means a permit issued under Signs Regulations of 1997;

“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” has the meaning assigned to it in the Regulations of 1997;

“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;

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

“parking place” means a space, place or bay in a ticket parking area or any other place on a public road intended for the parking of a mechanically propelled vehicle where parking signs RRM 011, RRM 012, RRM 013, RRM 014, RRM 015 or RRM 016 are provided;

“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 fee paid in respect of the ticket,  
(b) the date of issue of the ticket,

- (c) the 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 capable of automatically delivering a parking ticket when the appropriate parking fee prescribed by these Bye-Laws is inserted into the machine;

“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;

“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 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 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 special 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 parking ticket” means a parking ticket which was purchased at an appropriate parking ticket machine and 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 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) 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 ticket parking area, be parked within the area comprising a parking place,
  - (b) a vehicle 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 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,
  - (c) a vehicle shall not be parked in a buffer area,
  - (d) 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,
  - (e) 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.

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|   | 2.  | Notwithstanding paragraph (1)(a) 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)(a) 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 13.  |
| 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: <ul style="list-style-type: none"> <li>(a) a passenger vehicle with passenger accommodation for not more than twelve persons excluding the driver and not drawing a trailer or other vehicle;</li> <li>(b) a goods vehicle whose unladen weight does not exceed 3 tonnes and not drawing a trailer or other vehicle.</li> </ul>  |
| Obligation to display a valid parking ticket.           | 8.  | <ol style="list-style-type: none"> <li>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.</li> <li>2. A valid parking ticket shall be so exhibited in the interior of the vehicle that a person outside the vehicle can ascertain when the parking ticket ceases to be valid, and</li> <li>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.</li> </ol> |
| Parking fees.   | 9.  | The parking fees payable shall be as shown on the appropriate parking ticket machine and as set out in Appendix 1 of these Bye-Laws.   |
| Manner and time of payment of parking fee.              | 10. | <ol style="list-style-type: none"> <li>1. A parking ticket shall be purchased from an appropriate parking ticket machine.</li> <li>2. The fee for the parking ticket shall</li> </ol>  |

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 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. 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 as the maximum period for which parking is permitted on that day in that ticket parking place.

Motor cycles prohibited from parking in a ticket parking place.

12. A motorcycle shall not be parked during operational hours in a ticket parking place.

Suspension of ticket parking machine or ticket parking place.

13. 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 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 payable shall be as determined by the Council from time to time.
- Interference.
14. 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 in a ticket parking area.
  3. A person shall not interfere with, alter or deface a parking ticket.

## PART III

### Residents Permit Parking

Definitions for Part III.

15. In this Part of these Bye-Laws –
- “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 16;
- “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 tonnes and not drawing a trailer or other vehicle.

Particulars of resident parking permit.

16. A resident parking permit shall contain inter alia the following particulars:-
- (a) the words “Comhairle Contae Fhine Gall”;
  - (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 to which it relates;
  - (g) the signature of the person issuing it.

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| Permission to park vehicle displaying resident parking permit. | 17. | The display, in accordance with Bye-Law 18, 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.  |
| Display of resident parking permit.                            | 18. | A valid resident parking permit shall be so displayed in the interior of the vehicle in respect of which it is issued that it can be read from outside the vehicle.   |
| Issue of, and fee for, resident parking permit.                | 19. | <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>3. Only one permit shall be issued to any individual vehicle owner.</li> <li>4. A maximum of four permits for any period not exceeding two years shall be issued in respect of residents in any one house.</li> <li>5. Where a house is divided into six units or less only one permit will be issued in respect of each unit.</li> <li>6. Applications for resident parking permits will not be considered from residents where a house is divided into more than six units.</li> <li>7. The fee for a resident parking permit shall be as set out in Appendix 1 of these Bye-Laws.</li> </ol> |
| Issue of replacement resident parking permit.                  | 20. | 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.

21. Where, during the period to which a resident 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 parking permit to the Council or its agents.

Transfer of  
resident  
parking permit.

22. 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.

Interference  
with resident  
parking permit.

23. 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 Permit Parking

Definitions for  
Part IV.

24. 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) 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 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;

“visitor parking permit” means a document having marks or symbols capable of indicating the year, month, day and date when the document becomes a valid visitor parking permit 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.

25. The display, in accordance with Bye-Law 26, 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.

26. 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 25 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.

27. 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.

Interference  
with visitor  
parking permit.

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

## PART V

### Miscellaneous

- Non-application of Bye-Laws 6 to 14, of these Bye-Laws to certain vehicles.
29. Bye-Laws 6 to 14, of these Bye-Laws shall not apply to -
- (a) 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,
  - (b) 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,
  - (c) 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, during operational hours.
- Special parking permit.
30. A special parking permit may be issued 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.
- The fee for a special parking permit shall be as set out in Appendix 1 of these Bye-Laws.



## **Appendix 1**

### **Parking Fees**

#### **Short Stay Areas**

€1.00 per hour or fraction thereof for periods less than 1 hour  
Minimum purchase €0.20

#### **Long Stay Areas**

**Long Stay Area 1:** €0.50 per hour or fraction thereof for periods less than 1 hour  
Minimum purchase €0.20

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

#### **Resident Parking Permit**

€20.00 per permit  
€6.00 per replacement permit

#### **Visitor Parking Permit**

€1.20 per permit

#### **Special Parking Permit**

€600.00 per permit per year

**Given under the Common Seal of Fingal County Council.**

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**Nominated Officer**

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**Director of Services**

Dated this                      day of                      2009

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