



Dún Laoghaire-Rathdown
County Council Comhairle Contae
Dhún Laoghaire-Ráth an Dúin

COMHAIRLE CONTAE DHÚN LAOGHAIRE - RÁTH AN DÚIN

DÚN LAOGHAIRE RATHDOWN COUNTY COUNCIL

***DÚN LAOGHAIRE-RATHDOWN COUNTY COUNCIL
PARKING CONTROL BYE-LAWS, 2017***

**DUN LAOGHAIRE-RATHDOWN COUNTY COUNCIL
PARKING CONTROL BYE-LAWS, 2017**

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DRAFT

Dún Laoghaire-Rathdown 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 and having consulted with the Commissioner of An Garda Síochána hereby makes the following Bye-Laws.

PART I
PRELIMINARY

- Citation:** 1. These Bye-Laws may be cited as the Dún Laoghaire-Rathdown County Council Parking Control Bye-Laws, 2017.
- Commencement:** 2. These Bye-Laws shall come into operation on the ____ day of 2017.
- Area of Application:** 3. These Bye-Laws apply to the area comprising the administrative area of Dún Laoghaire-Rathdown.
- Interpretation:** 4. In these Bye-Laws:
- "acceptable evidence"* means the following: -
- (a) a current insurance certificate indicating that the vehicle in respect of which the parking area permit has been applied for is kept by the resident at the resident's address on the parking permit road in the parking permit area to which the permit will relate.
 - (b) where the applicant is the registered owner of the vehicle in respect of which the application for a parking area permit is being made and the vehicle is insured by the applicant's 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 parking area 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 the full time employment of the registered owner and that the vehicle is normally kept by the applicant at the resident's address on the residential parking permit road, in the residential parking permit area to which the parking area permit will relate.

(d) except in the case of paragraph (c) of this Bye-Law, a vehicle licensing certificate, registration book and current tax disc confirming that the resident applying for a parking area permit is the registered owner of the vehicle in respect of which the application for a parking area permit is being made and that the vehicle is registered at the resident's address on the residential parking permit road in the residential parking permit area to which the parking area permit will relate.

(e) a driving or provisional licence in the name of the applicant.

(f) Current domestic utility bills for a service at the residential address to which the permit application is made, tenancy agreement, financial statements, or other satisfactory documentation, acceptable to the Council, addressed to the applicant at their residential address on the public road to which the parking area permit will relate.

(g) The Council may renew a parking area permit on submission of a completed application form and on payment

of the appropriate fee without submission of 'acceptable evidence' at the discretion of the Council;

- (h) At any stage prior to the expiry of a parking area permit the Council may request the person to whom a permit was issued to produce satisfactory 'acceptable evidence' to prove to 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;
- (i) In the event of satisfactory 'acceptable evidence' not being produced to the Council within one month from the date of the written request in accordance with paragraph (h), the Council may, at its discretion, deem the resident parking permit to be invalid and cancel the permit without further notice which may result in the resident or applicant being permanently excluded from the scheme.

"agent of the Council" means any person employed by the Council or any other person authorised by the Council to carry out functions under these Bye-Laws and/or statutory legislation;

'applicant' means a person eligible to make formal application to the Council

"authorised person" has the meaning assigned to it by Section 103 (8) (as inserted by the Road Traffic Act, 1968) of the Road Traffic Act 1961 as amended;

"buffer area" means an area between two paid parking bays / parking spaces / parking places;

"car club vehicle" means a vehicle licensed to operate by a Car Club operator under the appropriate governing legislation;

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

"converted house" means a building comprising a former single dwelling house which has been altered or converted to contain more than one housing unit;

"disabled persons parking permit" means a permit granted in accordance with Article 43 of the Regulations of 1997 and 1998 as amended;

"dwelling" means a building or structure designed and used for residential purposes, other than an apartment within a purpose built apartment block or residences within managed developments;

"dwelling place" means the housing unit where a person either lives and resides, or satisfies the Council that he/she intends to live and reside, overnight for more than 183 days per year;

"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;

'high density (demand) road' means a residential parking permit road where the number of resident parking permits that have been issued for the road exceeds 70% of the total number of paid parking bays on the road;

"immediate family member" means a spouse/partner, father, mother, brother, sister, son, daughter, son-in law, daughter-in-law, niece, nephew, aunt or uncle;

"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;

"loading bay" is as defined in governing Road Traffic legislation;

'Local Parking Area' shall comprise a public road that has been designated by the Council for paid parking control restrictions and has the meaning assigned to it in the relevant area designation document.

'Restricted Parking Area' shall comprise an area as set out by the Council where paid parking controls and/or restrictions on parking of vehicles apply.

'Local Parking Area Permit' shall mean a valid Resident Parking Permit or a valid Visitor Parking Permit or a valid permit, that has not expired, issued at the discretion of the Council to a vehicle to facilitate it to be parked in the Local Parking Area and/or restricted parking area, provided that the vehicle is otherwise legally parked, subject to the operating policy and conditions attaching.

"operational hours" means the time periods of operation indicated on the appropriate information plate, and/or the appropriate parking ticket machine where applicable;

"parking fee" means a fee payable in accordance with that prescribed for the paid parking place in which a vehicle is parked;

"parking permit" means a valid local parking area / restricted parking area permit, a valid resident parking permit or visitor parking permit issued by the Council or its agents;

"Parking Tag" means an electronic payment system to pay for parking a vehicle in a paid parking area.

"pay and display parking ticket machine / meter" means a ticket dispensing machine capable of automatically issuing a pay and display parking ticket when the appropriate parking fee, as prescribed by the Council, is paid;

"pay and display parking ticket" means a parking ticket which is issued by the County Council by means of a parking ticket machine and which contains the particulars: -

- (a) The words *"Comhairle Contae County Council Dhún Laoghaire-Ráth an Dúin"* and/or *"DLR Comhairle Contae County Council"* or "DLR";
- (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;

"paid parking area" means an area in the County, which contains a paid parking place or places;

"paid parking place" means a bay, place, or space for the parking of a vehicle in a paid parking area on a public road or car park intended for the parking of mechanically propelled vehicles and/or where traffic sign number RUS 018 and/or any one of the following roadway markings RRM 011, RRM 012, RRM 016, RRM 013 or RRM 014, of the Signs Regulations may be provided, together with an information plate, indicates that the parking of vehicles is subject to payment of the parking fee by electronic means or the display of a valid Pay and Display parking ticket, or is subject to the display of a valid resident parking permit, or the parked vehicle having a valid electronic /

virtual resident parking permit issued to it, where a requirement to be displayed is as determined by the Council.

"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 the responsibility for the maintenance of which lies with a road authority;

"Regulations of 1997 and 1998" means

- (i) the Road Traffic (Signs) Regulations, 1997 (S.I. 181 of 1997);
 - (ii) the Road Traffic (Traffic and Parking) Regulations 1997 (S.I. 182 of 1997);
 - (iii) the Road Traffic (Traffic and Parking) (Amendment) Regulations 1998 (S.I. 274 of 1998);
 - (iv) the Road Traffic (Traffic and Parking) (Amendment) (No. 2) Regulations 1998 (S.I. 441 of 1998);
- as amended.

"resident" means a person who is the occupant of a dwelling or a converted house, other than a purpose built apartment block or a residence within a managed development, who satisfies the Council that his/her dwelling place is at that dwelling situated within a paid parking area which relates to the parking area permit;

"resident parking permit" means a document issued by the Council or its agents for the purposes of Bye-Laws 16 to 25 and may contain particulars as determined by the Council;

"residential parking permit area" means a paid parking place on a public road or in a Council car park where traffic sign No RUS

018 together with an accompanying information plate indicates that parking of vehicles is subject to the payment of a parking fee, the display of a Pay & Display parking ticket, or the display of a valid resident parking permit / visitor parking permit, or the parked vehicle having a valid electronic / virtual resident parking permit / visitor parking permit issued to it under the conditions of issuance as determined by the Council.

"Retail parking" is a pay in store option to pay for paid parking.

"Road Traffic Regulations" refers to regulations made under the Road Traffic Acts;

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

'valid' means not expired, void, altered, or interfered with, and for use on the area / road stated.

"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 paid parking place in which the vehicle is parked and which is displayed in accordance with Bye-Law 8;

'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.

"valid resident parking permit" means a resident parking permit which has not expired, and relates to the parking permit road where the vehicle is parked and is displayed in accordance with Bye-Law No. 8 or subject to compliance with the conditions set

out on issuance of the parking permit as determined by the Council;

“valid visitor parking permit” means a visitor parking permit which has not expired, and relates to the parking permit road where the vehicle is parked and is displayed in accordance with Bye-Law No. 8 or subject to compliance with the conditions set out on issuance of the parking permit as determined by the Council;

“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;

“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 or provide any other service ancillary to the use of the dwelling;

“visitor parking permit” means a visitor parking permit issued by the County Council, its agents or authorised officers.

Repeals:

5. Subject to Bye-Law 58, the Dún Laoghaire-Rathdown County Council Parking Control Bye-Laws, 2007 and Dún Laoghaire-Rathdown County Council Parking Control (Amendment) Bye-Laws, 2011 are hereby repealed.

**PART II
PAID PARKING**

**Parking in paid
parking place**

6. The following provisions shall apply during operational hours to parking of a vehicle in a paid parking place: -

- (a) payment of the parking fee;
- (b) a vehicle which is parked in a paid parking place during operational hours shall, where parking bays are provided at that paid parking place, be parked within the area comprising a parking bay;
- (c) a vehicle which had been parked in a paid parking place for the maximum period permitted in that paid parking place, as indicated on the appropriate information plate, and/or, where applicable, the appropriate parking ticket machine, shall not be parked again in a paid parking place on the public road in which that paid parking place is situated until at least one hour has elapsed since the vehicle was last parked in that paid parking place, excepting vehicles displaying a valid Parking Card for People with Disabilities, where no designated maximum parking period is in place or Car Club Vehicles where provision has been made under the appropriate governing legislation, Bye-Law or Licence;
- (d) a vehicle which had been parked in a local parking area or a restricted parking area as set out in operational documentation for the maximum period permitted in that restricted paid parking place, or local paid parking place, as indicated on the appropriate information plate, and/or, where applicable, the appropriate parking ticket machine, shall not be parked again on the public road in a restricted paid parking area for the remainder of the operational hours in any one day, excepting vehicles displaying a valid Parking Card for People with Disabilities, where no designated maximum parking period is in place or Car Club Vehicles where provision has been made under the appropriate governing legislation Bye-Law or Licence.

- (e) a vehicle shall not be parked in a buffer area;
- (f) a vehicle parked in a paid parking place at a time which is not during operational hours, must be removed from the paid parking place when a period of operational hours commences, unless at such commencement and during the remainder of the period of parking, the parking fee is paid as appropriate and a valid parking ticket is displayed (in accordance with the Bye-Laws,) or parking paid for by means of Parking Tag / electronic payment.
- (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;
- (h) a person shall not overhaul or carry out repairs to a vehicle while it is parked in a paid parking place, save where it is necessary in order to enable the vehicle to be removed from the paid parking place;
- (i) a vehicle, while parked in a paid 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 paid 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.

**Vehicles which
may be parked in
paid parking place:**

7. Having paid the appropriate parking fee, mechanically propelled vehicles only, of the following classes, may be parked in a paid parking place during operational hours: -

- (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;

Obligation to display a valid parking ticket / permit:

- 8. (a) Payment of the parking fee via a pay and display parking ticket machine requires that a valid pay and display parking ticket shall be displayed as specified in this Bye-Law in the interior of a vehicle lawfully parked in a paid parking place during operational hours, or a valid parking permit, or disabled persons parking permit must be displayed as specified in this Bye-Law in the interior of a vehicle lawfully parked in a paid parking place during operational hours;
- (b) The valid pay and display parking ticket, parking permit, or disabled parking permit shall be displayed on the front dashboard of the vehicle or inside the front window of the vehicle so that a person outside the vehicle looking at/through the front window can see the ticket or permit and ascertain when the parking ticket/permit ceased or will cease to be valid;
- (c) The Pay and Display parking ticket, parking permit, or disabled card shall be exhibited in accordance with paragraph (b) of this Bye-Law for so long as the vehicle is parked in that paid parking place;
- (d) Failure to display or correctly exhibit a valid pay and display ticket, parking permit, or disabled parking card, in accordance with the conditions of issuance, may result in enforcement for non-payment of the parking fee.
- (e) Payment of the parking fee via Parking Tag / Retail Parking does not require a ticket or tag to be displayed;

(f) Where payment for parking is by an electronic / virtual permit, the conditions of issuance shall be adhered to. Where a valid permit is required to be displayed, it shall be displayed in accordance with paragraph (b) of this Bye-Law;

(g) Where a Disabled Parking Permit is in use the conditions of issuance shall be adhered to. It must be displayed on the dashboard of the vehicle so that the card's expiry date, serial number and wheelchair symbol is clearly visible from outside of the vehicle.

Appropriate Parking Fees / Manner and time of payment of parking fee

9. (a) The fees payable are as determined and set out by the Council and are shown on the appropriate parking ticket machine;

(b) A pay and display parking ticket shall be purchased from an appropriate pay and display parking ticket machine or payment made by means of Parking Tag / Retail Parking or approved electronic payment method.

(c) The payment fee for a 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. Payment may be made through an approved electronic payment system.

(d) Where payment of the appropriate parking fee is made via a Pay & Display parking meter, the valid parking ticket shall be displayed in accordance with Bye-law 8 immediately on parking during operational hours and when a vehicle is parked at a time not during operational hours the valid parking ticket shall be displayed by the commencement of operational hours.

Period of parking

10. A vehicle parked in a paid parking place during operational

in paid parking place:

hours shall not be so parked for a period longer than the maximum period for which parking is permitted on that day in that paid parking place as indicated on the appropriate information plate, and/or, where applicable, the appropriate parking ticket machine, located on the public road or car park in which the vehicle is parked or located on an adjacent public road, or where indicated by a sign erected in the paid parking area, local parking area or restricted parking area;

Suspension of paid parking controls on specified days:

11. 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 Sunday	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

Motorcycles and pedal cycles prohibited from parking in paid parking places:

12. A motorcycle, with or without a sidecar, or a pedal cycle, shall not be parked during operational hours in a paid parking place, other than a designated parking area for motorcycles or pedal cycles.

Designated areas for Motorcycles:

13. Motorcycles, with or without a sidecar, or pedal cycles may park in areas which may be designated by the Council for this type of vehicle.

Interference:

14. (a) No person shall insert any coin, article, or object, other than the coins specified or a payment card, for the

purchase of a pay and display parking ticket, in a parking ticket machine, or interfere in any other way with a parking ticket machine;

(b) No person other than an agent of the Council, a member of An Garda Síochána, an authorised person or a traffic warden shall interfere in any way with a hood, sign or other device placed on a parking ticket machine;

(c) No person other than an agent of the Council, a member of An Garda Síochána, an authorised person or a traffic warden shall interfere in any way with, alter or deface an information plate;

(d) Where a vehicle is parked in a paid parking place on a day and during a period which is indicated on an information plate a person shall not interfere with, alter or deface a valid pay and display parking ticket or parking permit exhibited in the vehicle;

(e) 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.

(f) A person found guilty of contravention of this Bye-Law and of interfering with a pay and display parking ticket machine or information plate may be subject to prosecution.

**Non-compliance
with Bye-Laws:**

15. Any person in breach of these Bye-Laws shall be guilty of an offence and shall be subject to a fine as prescribed by the Road Traffic Acts and the Road Traffic Regulations.

**PART III
PERMIT PARKING**

RESIDENT PARKING PERMIT

- Particulars on parking permit:** 16. A valid resident parking permit may contain the following particulars: -
- (a) the words "*Comhairle Contae County Council Dhún Laoghaire-Ráth an Dúin*" and/or "*DLR Comhairle Contae County Council*" and/or "*DLR*"
 - (b) the registration number of the vehicle in respect of which it is issued;
 - (c) the paid parking area to which it relates;
 - (d) the date of expiry.
- Number of parking permits to be issued:** 17. In any one year, the Council shall, on application by a resident, issue one parking permit per resident's car within its own paid parking area, subject to production of acceptable evidence by the resident up to an upper limit of four resident parking permits per dwelling. Subject to the limit of four parking permits per dwelling, the issuing of parking permits to goods vehicles is restricted to two permits per dwelling.
- Permission to park vehicle having a valid resident parking permit:** 18. The display in accordance with Bye-Law 8 of a valid resident parking permit on a vehicle in respect of which the parking permit was issued, or the vehicle having a valid electronic permit / virtual permit issued to it, shall permit the vehicle to be parked in a parking bay without limitation as to duration, unless otherwise stated on the information plate, in the residential parking permit area to which the permit relates, provided that the vehicle is otherwise legally parked.
- Issue of resident permit to residents of converted houses:** 19. Where a building comprises a converted house containing no more than four housing units the total number of residents' parking permits that may be held concurrently by residents of housing units in that building shall be four subject to the limit of

one residents' parking permit per housing unit and subject to production of acceptable evidence.

Where a building comprises a converted house consisting of more than four housing Units and is located on a High Density Road, residents shall not be eligible for resident parking permits after the limit of four permits is reached.

Where a building comprises a converted house consisting of more than four housing units and is not located on a High Density Road, the maximum number of residents in each unit who may concurrently hold a residents parking permit shall be one, subject to the limit of one resident parking permit per housing unit up to a maximum of eight resident parking permits per building at the discretion of the Council.

Obligation to display a valid parking permit: 20. A valid 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 by a person looking at/through the front window of the vehicle in accordance with Bye-Law 8.

Where a virtual / electronic permit is issued, the conditions of issuance shall be adhered to. Should a valid permit be required to be displayed, it shall be displayed in accordance with Bye-Law 8.

Issue of, and fee for parking permit: 21. (a) A parking permit may be issued by the Council or its agents only, in respect of the parking of a vehicle in a paid parking area;

(b) The fee for each parking permit shall be as determined by the Council on an annual basis as part of the Financial Budgetary process;

(c) A parking permit shall be valid for the periods as set out at time of issuance from the first day of the month of issue, or from the date of issue of the permit where it is specified, in respect of that vehicle and for the paid parking area to which the permit relates;

(d) The renewal of a parking permit shall be the responsibility of the applicant and may be subject to conditions.

**Issue of
replacement
parking permit:**

22. Where evidence is submitted that a 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 determined by the Council, subject to production of acceptable evidence by the owner and such replacement permit shall be substituted for the original permit and the original permit shall be void.

**Return of
parking permit:**

23. Where, during the period to which a parking permit relates, the holder ceases to reside at the address notified at the time of issue of the permit within the paid parking area to which the parking permit relates, or ceases to be an owner by disposing of the vehicle to which the permit relates, the holder shall return forthwith the parking permit to the Council or its agents, and such permit shall be void. No credit or refund in respect of the unexpired period shall be granted in respect of a returned resident parking permit.

**Transfer of
parking permit:**

24. If the holder of a parking permit for a vehicle replaces that vehicle with another, following the surrender of the original parking permit and the permit being voided, the Council or its Agents may issue a parking permit, which shall be valid up to the expiry date of the original parking permit, subject to production of acceptable evidence in respect of the new vehicle and the payment of a fee as determined by the Council.

Display of a void

25. It shall be an offence to misuse, interfere with or display a void

parking permit: or expired or invalid parking permit which may result in the resident or applicant being permanently excluded from the scheme and may be subject to a fixed charge penalty notice.

Issue of resident parking permit to non-resident family members: 26. 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.

Falsified documents: 27. A resident or applicant who submits falsified documentation to support his/her application for a resident parking permit or visitor parking permit may not be issued with a resident parking permit or visitor parking permits, at the absolute discretion of the Council.

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.

Issuing of complimentary parking permits and 28. The Council may issue complimentary and / or provisional / temporary parking permits which, when correctly displayed in a vehicle, will enable that vehicle to be parked in any paid parking

provisional parking permits:

place to which these Bye-Laws relate, provided that the permit is valid and that the vehicle is otherwise legally parked, and subject to compliance with the conditions set out on issuance of the parking permit.

Non-application of Bye-Laws 6 to 10 of these Bye-Laws

29. Bye-Laws 6 to 10 of these bye-laws shall not apply to the parking of a vehicle in a paid parking bay if there is a valid resident parking permit displayed in accordance with Bye-Law 20 of these bye-laws in the vehicle when it is so parked or the parked vehicle having a valid electronic / virtual resident parking permit issued to it, subject to the requirements to display such permit as determined by the Council.

PART III

PERMIT PARKING

VISITOR PARKING PERMIT

Particulars on pre-printed visitor parking permit:

30. Where a visitor parking permit is in the form of a pre-printed permit issued by the Council it may contain, the following particulars: -
- (a) the words "*Comhairle Contae County Council Dhún Laoghaire-Ráth an Dúin*" and/or "*DLR Comhairle Contae County Council*" and/or "*DLR*"
 - (b) the words '*visitor parking permit*', and
 - (c) the paid parking area to which it relates;
 - (d) indicates the year, month, day and hour, if applicable, of the commencement of a period of parking of the vehicle

Display of valid visitor parking permit:

31. The display, in accordance with Bye-Law 8, of a valid pre-printed 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 continuously on the date indicated on the displayed visitor parking permit in a paid parking area on a

public road to which it relates, provided the vehicle is otherwise legally parked, and the parking permit

- (a) has been marked as appropriate to the particular type of parking permit so as to indicate clearly the year, month and day in the month of the commencement of a period of parking of the vehicle in which the parking permit is exhibited in accordance with these Bye-Laws;
- (b) Where the visitor permit is by way of scratch permit, that the separate panels on the parking permit shall be scratched as appropriate at the commencement of the parking indicating clearly the year, month, day in the month, and, where applicable, hour of the day and (to the nearest following five-minute period) minute of the hour when the parking commences;
- (c) indicates no other year, month or day in the month;
- (d) indicates that the vehicle is so parked on the date indicated on the displayed visitor parking permit;
- (e) has been issued in respect of the paid parking area in which the vehicle is parked.
- (f) Valid Virtual Visitor Parking Permits are subject to conditions of issuance and, at the discretion of the Council, may not be required to be displayed.

Issue of, and fee for visitor parking permit:

32. (a) Visitor parking permits may be issued by the Council or its agents, subject to conditions and the production of acceptable evidence, to a resident on a residential parking permit road in respect of the parking of vehicles which are not normally kept on that road and which require to be parked temporarily in a paid parking place on that road for

a purpose which is ancillary to the use of the resident's dwelling.

(b) The fee for each visitor-parking permit shall be as determined by the Council Executive on an annual basis as part of the Financial Budgetary process;

(c) A visitor-parking permit shall only be valid for use on the residential parking permit road in the paid parking area on a public road to which the visitor permit relates.

Disposal of visitor parking permit:

33. 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 a visitor parking permit

Non-application of Bye-Laws 6 to 10 of these Bye-Laws

34. Bye-Laws 6 to 10 of these bye-laws shall not apply to the parking of a vehicle in a paid parking bay if there is a valid visitor parking permit displayed in accordance with Bye-Law 20 of these bye-laws in the vehicle when it is so parked or the parked vehicle having a valid electronic / virtual visitor parking permit issued to it, subject to the requirements to display such permit as determined by the Council.

PART III

PERMIT PARKING

LOCAL PARKING AREA / RESTRICTED PARKING AREA PERMIT

Issuance of Local Parking Area Permit:

35. A valid Local Parking Area Permit may be issued in the form of a pre-printed permit or virtual permit or electronic permit.

36. A valid Local Parking Area Permit shall be issued under the terms and conditions and shall be used in accordance with the

terms and conditions set out in the governing legislative document as determined by the Council.

Offences:

37. A vehicle not displaying a valid Local Parking Area Permit, or having a valid electronic / virtual Local Parking Area Permit issued to it, is required to have paid for parking by means of Parking Tag / electronic payment, or to display a valid parking ticket, while parked in a Local Parking Area during operational hours.
38. Failure to comply with the provisions as set out in the governing policy document, and relevant legislation, shall be an offence and liable to the issuing of a fixed charge penalty notice.

Policy Documents:

39. The Council shall be entitled to determine and set out policy governing the paid parking within its administrative area.
40. The Council shall be entitled to set out policy to designate public roads under its authority as restricted parking areas and / or local parking areas.
41. This policy shall determine restricted / local parking areas governed and enforceable under relevant governing Road Traffic Legislation and the applicable Parking Control Bye-Laws but not restricted to the provisions as set out as determined by the Council.
42. Any policy and/or policy document shall contain the provisions of the operation of the paid parking in the area as determined by the Council.
43. The policy shall set out the legislative provisions under which any scheme as determined by the Council shall operate and be enforced under.

44. The application of the Bye-Laws that will govern the operation of any paid parking policy will be as determined by the Council.
45. In circumstances as determined by the Council, the Council Executive has the authority to set out / determine the application of the Bye-Laws and any exemptions or non-application of certain Bye-Laws.
46. The Council may at its discretion determine that requirements in relation to any restricted paid parking scheme under the Bye-Laws do not extend / or are not applicable to the policy as determined.

PART IV

PERMISSION FOR NON-OPERATION OF PAID PARKING / PAID PARKING PLACE(S)

Application:

47. The Council or its agents may suspend from operation a pay and display parking ticket machine or a paid parking bay in a paid 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 the person requesting the suspension and the erection of a sign indicating that the parking of vehicles is prohibited in the paid parking bay.
48. Application for permission for the non-operation of a parking ticket machine(s) or a paid parking place(s) must be made in writing in advance of works commencing, as specified by the Council, 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 the Transportation Department of Dún Laoghaire-Rathdown County Council.
- (i) Car Club Vehicles displaying a valid Car club Vehicle permit where provision has been made under the appropriate governing legislation, Bye-Law or Licence.

- Conditions of permission:** 49. The permission, if granted, 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 permission.
- Appropriate fees:** 50. The appropriate fees payable for permission shall be as agreed in the particular circumstances.
- Issue of Permission:** 51. The permission, if granted, may issue in writing together with notification to the appropriate enforcement agency of the details of the permission.
- Breach of Condition:** 52. 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 paid parking bay 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 Act and any Regulations made thereunder.
- Adjustment in Parking Fees** 53. The Council may make a temporary reduced parking fee, or suspend the parking fee, for vehicles parked in accordance with Bye-Law 7 at such rates at such times and for such periods as may be set out.

PART V

MISCELLANEOUS

- Non-application of Bye-Laws:** 54. Bye-Law 8 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, sewer, pipe or apparatus for the supply of gas, oil, water or electricity or of a telephone line or the provision of a traffic sign, where the necessary permission has been granted by the Council;
- (b) a fire brigade vehicle, an ambulance or a vehicle being used by a traffic warden, an authorised person, a designated official, or a member of An Garda Síochána or the Defence Forces in the performance of his/her duties;
- (c) a vehicle in which a valid disabled persons parking permit is displayed and to whom that permit was granted, if the permit is prominently displayed on the vehicle, in accordance with the conditions of issuance, when that vehicle is parked in a paid parking place, on a day and during a period which is indicated on an authorised information plate accompanying traffic sign number RUS 018 and any one of the following roadway markings RRM 011, RRM 012, RRM 013, RRM 014 or RRM 016, of the Signs Regulations are provided;

**Issue of complimentary
parking permits**

55. The Council may issue complimentary / temporary / provisional 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 / provisional parking permit.

Falsified documentation

56. A resident or applicant who submits falsified documentation to support his/her application for a resident parking permit shall not be issued with a resident parking permit or visitor parking permits.

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:

57. 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:

58. (a) Nothing in Bye-Law 5 shall affect the validity of anything done under the Dún Laoghaire-Rathdown County Council Parking Control Bye-Laws, 2007 and Dún Laoghaire-Rathdown County Council Parking Control (Amendment) Bye-Laws, 2011. Any actions taken under the Dún Laoghaire-Rathdown County Council Parking Control Bye-Laws, 2007 and Dún Laoghaire-Rathdown County Council Parking Control (Amendment) Bye-Laws, 2011, 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 Dún Laoghaire-Rathdown County Council Parking

Control Bye-Laws, 2007 and Dún Laoghaire-Rathdown County Council Parking Control (Amendment) Bye-Laws, 2011 unless otherwise provided;

(b) The continuity of the operation of the law relating to matters provided for in the repealed Dún Laoghaire-Rathdown County Council Parking Control Bye-Laws, 2007 and Dún Laoghaire-Rathdown County Council Parking Control (Amendment) Bye-Laws, 2011 shall not be affected by the substitution of these Bye-Laws for the said Dún Laoghaire-Rathdown County Council Parking Control Bye-Laws, 2007 and Dún Laoghaire-Rathdown County Council Parking Control (Amendment) Bye-Laws, 2011 and –

(i) so much of any other Bye-Law, act or document 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 Dún Laoghaire-Rathdown County Council Parking Control Bye-Laws, 2007 and Dún Laoghaire-Rathdown County Council Parking Control (Amendment) Bye-Laws, 2011 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;

(ii) 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 Dún Laoghaire-Rathdown County Council Parking Control Bye-Laws, 2007 and Dún Laoghaire-Rathdown County Council Parking Control (Amendment) Bye-Laws, 2011 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.

- Guidelines / Policy:** 59. The Council shall determine policy that should set out the guidelines for operation and enforcement of paid parking / restricted parking / local parking areas. The policy as determined by the Council shall be governed, administered and enforced under the provisions attaching to the policy as determined by the Council and relevant governing legislation.

Present when the Seal of
Dún Laoghaire-Rathdown County Council
was affixed hereto:

This day of 2017

Cathaoirleach na Chomhairle Contae
Dhún Laoghaire-Ráth an Dúin

Approved Officer

County Council Official
County Hall, Dún Laoghaire