

Comhairle Baile na hInse

Ennis Town Council

Bus Park Bye-Laws 2012

Ennis Town Council in exercise of the powers conferred on them by Section 101 of the Road Traffic Act 1961 (No. 24 of 1961) as amended by Section 6 of the Road Traffic Act 1968 (No. 25 of 1968) pursuant to Section 36 of the Road Traffic Act 1994 (No. 7 of 1994) hereby make the following bye-laws as to the use of Bus Parks provided by them within the Town Boundary of Ennis, adjoining the public roads as set out in the definition of 'bus park' in bye-law 2(1) of these bye-laws.

Part 1

1 Short Title

These bye-laws may be cited as the Ennis Town Council Bus Park Bye-Laws 2012

2 Area of Application

2 (1) These Bye-laws shall apply to the public bus park provided by the Council as specified in the First Schedule hereto within the Town Boundary of Ennis Town Council.

2 (2) Paragraph (1) of this bye-law shall not operate so as to prohibit the use of bus park for access to, or egress from any premises adjacent to the car-park, where the proprietor has right of such access, or egress from the said premises by virtue of an agreement with the Council.

3 Interpretation

In these Bye-laws:

"**Council**" means Ennis Town Council.

"**Business Hours**" means the period from 12.00am to 11.59pm from Monday to Sunday.

"**Bus Park**" is at **Friars Walk**, which is clearly marked by Sign F205 at this location and outlined in Drawing No. 1 in Second Schedule hereto.

"**Parking Bay**" means a space in a bus park intended for the parking of one bus

"**Parking Period**" is the duration permitted for parking under bye-law 4.

"**Traffic Warden**" has the meaning assigned to it by Section 2(3) of the Local Authorities Traffic Wardens Act, 1975 (No. 14 of 1975) or section 103 (19) (inserted by section 11 of the Road Traffic Act 2002) of the Principal Act.

"**Bus**" means means a large public service vehicle having a minimum accommodation for eight passengers excluding the driver.

Part II

4 Parking Period

Parking shall be permitted 24 hours a day.

5 Conditions for Parking

5 (1) No person shall park a vehicle other than a large public service vehicle (bus) in the bus park.

5 (2) Parking of vehicles other than the permitted buses will be removed by a tow away system and the owner of the vehicle will be liable for payment of the release fee which will be directly payable to the service provider.

5 (3) No person shall park or cause to be parked a bus in the bus park in such a position or in such condition or in such circumstances that it would cause or be likely to cause danger to other persons using the bus park or to obstruct the free flow of traffic within the bus park.

5 (4) A person shall not park or cause to be parked in a bus park a Bus in such position that it or any portion of it extends from one parking bay to another.

5 (5) A person shall not overhaul or carry out repairs to a Bus while it is parked in a bus park save where it is necessary to do so in order to enable the Bus to be removed from the bus park.

5 (6) A Bus while parked in a bus park shall not be used for the sale of goods, tickets or any service in or from the Bus or as an office, nor shall any such Bus be offered or displayed for sale or for hire or as a prize.

5 (7) A person shall not make any unnecessary noise by means of, or in relation to a Bus while it is parked in a bus park or by means of any equipment fitting or instrument fitted to, or carried on the Bus or any loudspeaker or radio, in or on, or in any-way connected with the Bus.

5 (8) A person shall not use a bus park for any purpose other than for parking of a mechanically propelled Bus.

6 Fees for Parking

(a) Fees for parking shall be nil.

(b) Having regard to Section 36(3) of the Road Traffic Act 1994 the fees for parking may be revised from time to time by the Council at its discretion..

7 Non-application of these bye-laws to certain vehicles

Bye-laws 5 & 6 of these bye-laws shall not apply to:

(a) Vehicle being used in connection with the removal of an obstruction to traffic, the maintenance, improvement or reconstruction of a public road, the provision, alteration or repair of a main drain, pipe or apparatus for the the supply of gas, oil, water or electricity or of a telegraph, telephone

or communications line or conduit or the provision of a traffic sign, having obtained the prior written consent of the Council;

- (b) A fire brigade, an ambulance, or a vehicle being used by a member of the Garda Síochána or a traffic warden in the performance of his/her duties as such member or warden;

8 Prohibitions

8 (1) A person shall not throw, place or leave any bottle, or any broken glass, nail, litter or other substance on or in the car park, and no person shall at any time play ball or any game in bus park.

8 (2) A caravan used for trade purposes shall not be parked in the bus park.

8 (3) The bus park may not be used for overnight accommodation purposes whether by camper van, caravan, van, car or otherwise.

9 Compliance with lawful direction or request of authorised person

9 (1) Every person using bus park shall comply with any lawful direction given by an officer of the Council or any member of the Garda Síochána in relation to the parking of a Bus in or its removal from a bus park or in relation to any of these byelaws.

9 (2) A person shall not wilfully obstruct, disturb or interrupt an agent, officer or servant of the Council in the execution of his or her duty, including the execution of any work in connection with the laying out or maintenance of any part of bus/coach park by the council staff or agents.

9 (3) A person shall give on demand to an officer or of the Council authorised for purpose of these bye-laws, his or her name and address in exercise of the powers conferred on them by Section 11(20) of the Road Traffic Act 2002 (No. 12 of 2002) and a person shall not in any way resist, obstruct or aid or incite any person to resist or obstruct any of the persons referred to in bye-law 12(1) in the execution of his or her duty of lawful exercise of his authority.

9 (4) Where a person is required by an officer of the Council or a member of the Garda Síochána to leave the bus park he or she shall comply with such request.

9 (5) An officer of the Council shall produce, if requested to do so, evidence of his or her identity and of employment by the Council to any person alleged by him or her to be in breach of these bye-laws or who has been requested to leave a bus park under bye-law 11.

10 Contravention of these Bye-laws

A person who contravenes these Bye-Laws shall be guilty of an offence in accordance with Section 36(8) of the Road Traffic Act 1994.

Commencement Date

These byelaws shall come into operation on 14th January, 2013.

First Schedule

Bus Park in which parking is permitted 24 hours a day Monday to Sunday inclusive

This table provides list of Bus Park locations and numbers of spaces

Bus Park	No. Of Spaces
Friars walk Bus Park	10

Second Schedule – Map

Friars Walk Bus Park - More particularly as delineated on Drawing No. 1 attached hereto.

Made and adopted under the Common Seal of Ennis Town Council this 5th day of December, 2012.

PRESENT when the Common Seal of Ennis Town Council was affixed hereto.

Meara Baile na hInse

Town Manager/Town Clerk