

Comhairle Chontae An Chláir



Clare County Council
(East End Car Park, Kilkee)

Car Park Bye-Laws 2002

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The Council of the County of Clare (hereinafter referred to as “the Council”) in the 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) and pursuant to Section 36 of the Road Traffic Act, 1994 (No. 7 of 1994) hereby makes the following bye-laws as to the use of the car park provided by them as defined in bye-law 1 of these bye-laws.

1. In these bye-laws “car park” means the car park provided by the Council at East End Car Park, Kilkee.

“parking bay” means a space in a car park intended for the parking of one vehicle or, where the space is intended for the parking of motorcycles, of more than one vehicle, and so indicated by surface or other signs or markings.

“parking ticket” means a parking ticket issued by the Council, by means of a parking ticket machine indicating the name of the Council, the appropriate fee paid, the date, week, hour and minute of expiry of the parking period.

“parking ticket machine” means a machine capable of automatically delivering a parking ticket when the fee prescribed in bye-law 8 of these bye-laws is inserted into the machine.

“parking period” is the duration paid for under bye-law 8 and expiring at the time indicated on the parking ticket.

2. (i) These bye-laws apply to the car park provided by the Council as set out in bye-law 1.
(ii) Paragraph (i) of this bye-law shall not operate so as to prohibit the use of a car park for access to or egress from any premises adjacent to the car park, where the proprietor has a right of such access to or egress from the said premises by virtue of an agreement with the Council.
3. A person shall not use a car park for any purpose other than for the parking of a mechanically propelled vehicle.
4. (i) Where a vehicle other than a motorcycle is parked in a car park between 10.00 am and 8.00 pm any day a parking ticket shall be so exhibited in the interior of the vehicle that a person outside the vehicle can ascertain by reference to the parking ticket when the parking ticket will expire and the parking ticket shall be so exhibited for so long as the vehicle is parked in that car park.
(ii) A vehicle other than a motor cycle parked in a car park between 10.00 am and 8.00 pm each day shall not be so parked for longer than: -
 - (a) Where a €1 parking ticket is exhibited in the vehicle, a period of up to three hours from the time of issue of the ticket.
 - (b) Where a €2.50 parking ticket is exhibited in the vehicle, a period of up to 10 hours from the time of issue of the ticket.

5. Where a vehicle is parked in a car park and a ticket is exhibited in accordance with bye-law 4 of these bye-laws no further ticket or tickets shall be exhibited on that vehicle during that period of parking.
6.
 - (i) This bye-law applies to a vehicle the registered owner and the driver of which is a person with a disability.
 - (ii) Bye-laws, 4 and 8 shall not apply where a vehicle is parked by a person with a disability.
 - (iii) In this bye-law: -
“person with a disability” means a person who is suffering from a permanent disability that prevents that person from walking or causes undue hardship to the person in walking.
7. Where a vehicle is parked in a car park a person shall not interfere with a parking ticket exhibited on the vehicle.
8.
 - (i) A fee of €1 shall be paid for a parking ticket permitting parking for a period of up to three hours. A fee of €2.50 shall be paid for a parking ticket permitting parking for any period exceeding three hours but not exceeding 10 hours.
 - (ii) A person shall not insert the following coins into a parking ticket machine: 1 cent, 2 cent or 5 cent pieces.
9.
 - (i) A person shall not insert into a parking machine any coin or object other than a coin(s) required to pay the fee prescribed by bye-law 8 of these bye-laws.
 - (ii) A person shall not interfere with or damage a parking ticket machine.
10. No person shall park or cause to be parked in a car park a vehicle 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 car park or to obstruct the entrance to or exit from the car park or to obstruct the free flow of traffic within the car park.
11. A person shall not park or cause to be parked in a car park a vehicle in such a position that it or any portion of it extends from one parking bay to another.
12. A person shall not park or cause to be parked boat trailer(s) in the car park.
13. A person shall not overhaul or carry out repairs to a vehicle while it is parked in a car park save where it is necessary to do so in order to enable the vehicle to be removed from the car park.
14. A vehicle while parked in a car park shall not be used for the sale of goods, tickets or any service 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.
15. Casual Trading is prohibited within the car park.
16. Overnight camping and overnight parking of vehicles including caravans or mobile campers is prohibited within the car park.

17. A person shall not make any unnecessary noise by means of or in relation to a vehicle while it is parked in a car park or by means of any equipment fitting or instruments fitted to or carried on the vehicle or any loudspeaker or radio in or on or in any way connected with the vehicle.
18. A person shall not throw, place or leave any bottle or any broken glass, nail, litter or other substance on or in a car park and no person shall at any time play ball or any game in a car park.
19. Every person using a car park shall comply with any lawful direction given by an agent or employee of the Council or a member of the Garda Siochana in relation to the parking of a vehicle in or its removal from a car park or in relation to any of these bye-laws.
20. A person shall not in any car park willfully obstruct, disturb or interrupt any agent or employee 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 a car park by Council staff or agents.
21. A person shall give on demand to an agent or employee of the Council authorised for the purpose of these bye-laws, his or her name and address and a person shall not in the car park resist, obstruct or aid or incite any person to resist or obstruct any of the persons referred to in bye-law 19 in the execution of his or her duty or lawful exercise of his or her authority.
22. Where a person is requested by an agent or employee of the Council or a member of the Garda Siochana to leave a car park he shall comply with such request.
23. An agent or employee of the Council shall produce, if requested to do so, evidence of his or her identify and employment of 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 car park under bye-law 22.
24. 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.
25. These bye-laws shall be known as the Clare County Council (East End Car Park, Kilkee) Car Park Bye-Laws 2002.

Made and adopted under the Common Seal of the Council this 13th day of May 2002.

Present when the Common Seal of the Council was affixed hereto: -

CHAIRMAN

COMMON SEAL OF THE COUNCIL

SENIOR EXECUTIVE OFFICER