

Kilrush Town Council

(Parking Places) Bye-Laws 2011

The **TOWN COUNCIL OF KILRUSH** (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 all other enabling powers and, having consulted with the Commissioner of the Garda Síochána, hereby makes the following Bye-Laws :-

Part 1 – Preliminary

1. These Bye-Laws shall be known as the Kilrush Town Council (Parking Places) Bye-Laws, 2011.
2. a. These Bye-Laws apply to public roads as specified in the schedules hereto within the functional area of Kilrush Town Council.

b. Streets or portions of streets in which parking is prohibited at any time are specified in the Second Schedule hereto.

c. Loading Bays/Bus Parking is specified in the Third Schedule hereto.
3. The Kilrush Town Council (Parking Places) Bye-Laws 2006 are hereby revoked in so far as they relate to the town of Kilrush.

4. 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 1998);

“**disabled person’s parking bay**” has the meaning assigned to it in Article 4 of the Regulations of 1997;

“**disabled person’s parking permit**” means a permit issued under Article 43 of the Regulations of 1997;

“**disc parking place**” has the meaning assigned to it in Article 3 of the Signs Regulations of 1997;

“**vehicle**” means a private motor car, a station wagon or a passenger vehicle having accommodation for not more than seven passengers excluding the driver;

“**goods vehicles**” has the meaning assigned to it in Article 4 of the Regulations of 1997;

“**parking bay**” has the meaning assigned to it in Article 3 of the Signs Regulations of 1997 and identified by means of road markings as described in Article 18 of the said Regulations;

“**business hours**” means the period from 10.00 a.m. to 6.00 p.m. on a day from Monday to Saturday inclusive which is not a holiday as described in the Fourth Schedule hereto;

“**holiday**” means Good Friday or any day that is a public holiday for the purpose of the Organisation of Working Time Act 1997 (No. 20 of 1997);

“**parking disc**” means a disc or document, or a combination of both, having marks or symbols capable of indicating the year, date and time when the disc, document or combination becomes a valid parking disc;

“**parking ticket**” means a ticket issued by the Council by means of a parking ticket machine which indicates the date of issue of the ticket, and the time at which it ceases to be valid;

“**parking ticket machine**” means a machine capable of automatically delivering a parking ticket when the fee prescribed by Bye-Law 12 of these Bye-Laws is inserted into the machine;

“**valid parking disc**” means a parking disc which –

- a) has been issued directly by Kilrush Town Council or sold through retail outlets throughout the town
- b) has been perforated or otherwise marked as appropriate to the particular type of parking disc so as to indicate clearly the year, month, day in the month, hour of the day and (to the nearest following five-minute period) minute of the hour of the commencement of a period of parking of the vehicle in which the parking disc is exhibited in accordance with these Bye-Laws
- c) indicates no other year, month, day, hour or minute, and,
- d) indicates that the vehicle is so parked for a period not exceeding the period for which it may be parked in a disc parking place in accordance with these Bye-Laws.

Part 11 – Disc Parking

5. (1) Where a vehicle is parked in a disc parking place during business hours **Monday to Saturday inclusive** the following shall be displayed in accordance with the provisions set out in this Bye-Law :

(A) A “**valid parking disc**” in the following manner –

- (a) the valid parking disc **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,
- (b) the valid parking disc shall be exhibited in accordance with paragraph (A)(a) of this Bye-Law for so long as the vehicle is parked in that disc parking place,
- (c) a valid parking disc shall be displayed for every two hour period or part thereof during which the vehicle is parked in a disc parking place.

OR

(B) A “**parking ticket**” in the following manner –

- (a) a parking ticket issued in respect of the vehicle **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 ceases to be valid and the parking ticket shall be so exhibited for so long as the vehicle is parked in a disc parking place,
- (b) the parking ticket shall be exhibited in accordance with paragraph (B)(a) of this Bye-Law for so long as the vehicle is parked in a disc parking place,
- (c) where a parking ticket is exhibited on a vehicle other than a motor cycle parked in a disc parking place during business hours the vehicle shall not be so parked for longer than the period between the time the ticket is issued and the time it ceases to be valid.

- 6. A vehicle parked in a disc parking place during business hours shall not be so parked for longer than the period indicated as the maximum parking period for that disc parking place by means of an authorised information plate accompanying traffic sign number RUS 018 (Restricted Parking) authorised by the Signs Regulations of 1997.
- 7. Where a vehicle which had been lawfully parked in a disc parking place is subsequently lawfully parked in another disc parking place within the same street or road, the period to which the subsequent parking is restricted by Bye-Law 6 of these Bye-Laws shall be reduced by a period equal to the period from the time indicated on the parking disc or parking ticket to the time when the subsequent parking commenced.
- 8. Where a vehicle is parked in a disc parking place during business hours a person shall not interfere with a parking disc or parking ticket exhibited in the vehicle.

9. A vehicle parked in a disc parking place at a time which is not during business hours shall be removed from the disc parking place when a period of business hours commences, unless at such commencement and during the remainder of the period of parking, a valid parking disc, parking ticket or parking permit is exhibited in the interior of the vehicle in accordance with Bye-Law 6 of these Bye-Laws.
10. A vehicle which had been parked in a disc parking place for the maximum parking period referred to in Bye-Law 6 of these Bye-Laws shall not be parked again in a disc parking place in the public road in which that disc parking place is situated until at least one hour after the vehicle last vacated that disc parking place.
11. The Council & a number of retail outlets throughout the town shall sell parking discs.
12.
 - (a) The fee for a parking disc shall be one euro (€) for two hours valid in any area in First Schedule.
 - (b) A fee of one euro (€) shall be paid for a parking ticket for two hours valid in any area in First Schedule.
13. A vehicle which is parked in a disc parking place during business hours shall, where parking bays are provided at that disc parking place, be parked within the area comprising a parking bay.
14. A person shall not park a vehicle in a Disabled Person's Parking Bay without having **displayed thereon a Disabled Person's Parking Permit**.
15. A mechanically propelled vehicle on which is displayed a Disabled Person's Parking Permit granted in respect of such vehicle, shall be exempt from the requirement to display a valid parking disc or parking ticket specified in Bye-Law 5 of these Bye-Laws.
16. Bye-Laws 5 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 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 telecommunications line or the provision of a traffic sign,
 - (b) a fire brigade vehicle, an ambulance or a vehicle being used by a member of the Garda Siochana in the performance of the duties of that member.
17. On arrival in Kilrush & parking in a disc parking place the first 30 minutes will be provided free of charge. This is to facilitate "shortstay" customers. Please note that this free parking period only applies on initial arrival to Kilrush on any one visit.

18. Kilrush Town Council reserves the right to suspend the parking charges associated with these Parking Place Bye Laws on occasions agreed by Kilrush Town Council .
19. Disc Parking Places relevant to Kilrush Town Council Casual Trading Bye Laws 2011 will also be subject to the conditions/restrictions of such Bye Laws.

Part 111 – Parking Permits

20. In this part of these Bye-Laws:

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

“**resident**” means a person whose normal residence is at premises situated in a street containing a disc parking place;

“**parking permit**” means a document issued by the Council for the purposes of Bye-Laws 23 – 28 of these Bye-Laws and containing the particulars specified in Bye-Law 22 of these Bye-Laws;

“**valid parking permit**” means a parking permit, which relates to a particular street or streets and to a period which, has not expired and which is issued by the Council.

“**visitor’s parking permit**” means a document issued by the Council for the purposes of Bye-Laws 23 – 28 of these Bye-Laws and containing the particulars specified in Bye-Law 22 of these Bye-Laws;

“**business parking permit**” means a document issued by the Council for the purposes of Bye-Laws 23 – 28 of these Bye-Laws and containing the particulars specified in Bye-Law 22 of these Bye-Laws;

“**health/emergency services parking permit**” means a document issued by the Council for the purposes of Bye-Laws 23 – 28 of these Bye-Laws and containing the particulars specified in Bye-Law 22 of these Bye-Laws;

21. Bye-Laws 6 to 18 of these Bye-Laws shall not apply to the parking of a vehicle in a disc parking place if there is displayed, in accordance with Bye-Law 24 of these Bye-Laws, in the vehicle when it is so parked, a valid resident’s parking permit which relates to the street in which that disc parking place is situated.

22. A parking permit shall contain the following particulars:

- (a) the name of the Council;
- (b) the make and registration number of the vehicle in respect of which it is issued,
- (c) the date of issue,
- (d) the street or streets to which it relates,
- (e) the period to which it relates, including the date of expiry,
- (f) the name of the owner of the premises to which the permit relates

23. The display, in accordance with Bye-Law 22 of these Bye-Laws of a valid 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 a disc parking place in a street to which the permit relates, subject to Bye-Law 19.

A valid health/emergency services parking permit shall permit the owner of the vehicle (or any person using with his/her consent) to park it in any disc parking place without limitation as to time in the legitimate pursuance of their health/emergency duties subject to Bye-Law 19.

24. A valid parking permit shall be so **displayed in the interior of the vehicle** in respect of which it is issued and it can be read from outside the vehicle.

25. Where a vehicle displaying a parking permit is parked in a disc-parking place a person shall not interfere with the permit.

26. (1) A parking permit shall be issued by the Council in respect of the parking of a vehicle in a disc-parking place in the functional area of the Council.

(2) Charge for permits shall be as set out in Schedule 5.

(3) A parking permit shall be issued by the Council in respect of the vehicle of which the resident is the owner and shall be valid for a period of one year from the date of implementation, **with the exception of a visitor parking permit which is valid for either 3 or 6 days from the date of issue** in respect of that vehicle and for the street or streets to which the permit relates.

(4) The Council may issue up to a maximum of two parking permits per domestic unit and one parking permit per business unit subject to all conditions of the scheme being satisfied.

27. Where, during the period to which a resident's parking permit relates, the resident to whom it is issued ceases to reside at the address specified on the permit or ceases to be an owner by disposing of the vehicle to which the permit relates, he/she shall return it to the Town Clerk, Kilrush Town Council. A refund of the fee or any part thereof shall not be made.

28. Where, during the period to which a resident's parking permit relates, the resident to whom it is issued disposes of the vehicle to which the permit relates and substitutes another vehicle for the one disposed of, he/she shall return the permit to the Town Clerk, Kilrush Town Council who, upon payment of the fee as specified annually in a schedule of charges by the resident, shall either insert the make and registration number of the substituted vehicle on the permit or issue to the resident a new permit in respect of that vehicle, and such new permit shall be valid for the period specified.
29. 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.

Dated this 6th day of September 2011

To come into effect 10th October 2011

Present when the Seal of **Kilrush Town Council** was affixed hereto.

Cathaoirleach

Director of Service & Town Manager

Town Clerk

First Schedule

Streets or Portions of Streets In Which Parking is Limited to Two Hours – Disc Parking Places - Between The Hours of 10.00 a.m. and 6.00 p.m. Monday to Saturday Inclusive

Ref. No.	Name Of Street	Portion Of Street
(1)	(2)	(3)
1.	Henry Street	(a) East Side:- Junction with Market Square to Junction with Vandeleur Street for a distance of 131m. (b) East Side:- Junction with Vandeleur Street to Junction with O’Dea’s Road for a distance of 42m. (c) West Side:- Junction with Market Square to Junction with Pound Street for a distance of 302.6m.
2.	Frances Street	(a) North Side:- Junction with Market Square to Junction with Toler Street for a distance of 133.5m. (b) North Side:- Junction with Toler Street to Junction with Hector Street for a distance of 112.5m. (b) South Side:- Junction with Market Square to Junction with Cappa Road for a distance of 252m.
3.	Lower Frances Street	(a) North Side:- Junction with Hector Street to Glynn’s Gate for a distance of 71m .
4.	Market Square	(a) North Side:- Junction with Henry Street to Junction with John Street for a distance of 15.8m and Junction with Henry Street to Junction with Burton St for a distance of 18m. (b) West Side:- Junction with John Street to Junction with Frances Street for a distance of 28.5m

- (c) South Side:- Junction with Moore St to Junction with Frances St for a distance of 37m.
 - (c) East Side- Junction with Burton Street to Junction with Moore St for a distance of 35.7m.
 - (d) Inner Island to Market Square for a distance of 96m (The paved area of the Councils property).
- 5. Burton Street**
- (a) North Side:- Junction with Market Square to Park de Plousanne Entrance for a distance of 20.5m.
Junction with Market Square to Kelly's Warehouse for a distance of 160m.
 - (b) South Side:- Junction with Market Square to Fintan Keating's premises for a distance of 196.7m
- 6. Vandeleur Street**
- (a) North Side:- Junction with O'Dea's Road to Junction with Henry Street for a distance of 122m.
 - (b) South Side:- Junction with The Glen to Junction with Henry Street for a distance of 118m.
- Vandeleur Street is one way from Ennis Road in the direction of Henry Street.
- 7. Moore Street**
- (a) North Side:- Junction with Market Square towards Junction with Stewart St for a distance of 124m.
 - (b) South Side:- Junction with Market Square towards Junction with Stewart St for a distance of 89m.
- 8. John Street**
- (a) North Side: From a point 27m from Junction with Market Square for a distance of 13m, and from a point 52m from Junction with Market Square for a distance of 71m.
 - (b) South Side: From Junction with Market Square towards Toler Street for a distance of 38m, and from junction with Toler Street

towards Market Square for distance of 14m.

Streets or Portions of Streets in Which Parking is Limited to Two Hours Free Parking

**Between The Hours of 10.00 a.m. and 6.00 p.m.
Monday to Saturday Inclusive**

- 1. Toler Street**
 - (a) West Side:- From the Junction of **Frances Street to Back Road**
 - (b) East Side:- Junction of Frances Street to Back Road

- 2. Lower Frances Street**
 - (a) South Side;- Junction of Frances St and Cappagh Road to the Marina for a distance of 80m.

Second Schedule

Streets or Portions of Streets in Which Parking is Prohibited at Any Time

Ref. No.	Name Of Street	Portion Of Street
(1)	(2)	(3)
1.	Burton Street	<p>(a) Junction of its South Side with East Side of Market Square for a distance of 16.5m.</p> <p>(b) Junction of its North Side with Western End of Car Park entrance for a distance of 14m.</p> <p>(c) Junction of its North Side with Eastern End of Car Park entrance for a distance of 10.7m.</p> <p>(d) Junction of its North Side with Eastern Side of Henry Street for a distance of 9m.</p>
2.	Henry Street	<p>(a) Junction of its East Side with South Side of Vandeleur Street for a distance of 24m.</p> <p>(b) Junction of its East Side with North Side of Vandeleur Street for a distance of 11m.</p> <p>(c) Junction of its West Side with South Side of Back Road for a distance of 11m.</p> <p>(d) Junction of its West Side with North Side of Market Square for a distance of 17.5m.</p> <p>(e) Junction of its East Side with O’Dea’s Road for a distance of 20m.</p>
3.	Market Square	<p>(a) Junction of its West Side with South Side of John Street for a distance of 11.4m</p> <p>(b) Junction of its West Side with North of Francis Street for a distance of 18.8m</p> <p>(c) Around Manchester Martyrs monument for a distance of 15.4m</p> <p>(d) Market Square – Inner Sanctum for a distance of 105.8m</p>

- (e) Junction of its North Side with West Side of John Street for a distance of 11.3m
4. **Moore Street**
- (a) Junction of its South Side with South Side of Market Square for a distance of 9.5m
- (b) Junction of its North Side with East Side of Market Square for a distance of 20.5m
- (c) Junction of its North Side and Stewart Street for a distance of 26m.
- (d) Junction of South Side and Stewart Street for a distance of 17.3m
- (e) South Side from Milestone's Restaurant to Flynn's Bakery for a distance of 54.5m
5. **Plouzane Car Park Entrance** Right Hand Side:- From Junction of Burton Street and the Car Park entrance for a distance of 49.2m
6. **Frances Street**
- (a) North Side:- Junction of its North Side with East Side of Toler Street for a distance of 21.7m
- (b) North Side:- Junction of its North Side with West Side of Toler Street for a distance of 22.5m
- (c) North Side:- Junction of North Side with East Side of Hector Street for a distance of 19.5m.
7. **Hector Street** (a) West Side:- Junction of Frances Street to Junction of Crofton Street for a distance of 62.5m.
8. **Cooraclare Road** **North Side** - Junction of Cooraclare Road/Kilkee Road N67 for a distance of 121m.
South Side - From the boundary of No. 8, St. Joseph's Terrace to a point 15m north of the entrance to the Community College.
9. **John Street** **North Side** - From junction with Market Square for a distance of 27m towards Toler Street, and from a point 40m from junction with Market Square for a distance of 12m towards Toler Street, and from junction with Toler Street for a distance of 26m towards Market Square.
South Side - From Junction with Burns Lane towards Toler Street for a distance of 91m .
10. **O'Deas Road** **North Side** - Junction with N67 for 31 m.

Junction with Ennis Road N68 for 78m.
South Side - Junction with N67 for 34m.
Junction with Ennis Road N68 for 71m.

11. Stewart Street

Junction with Moore Street for 32.5m.
From a point 46m from junction with Moore St. for
61.5m.
West Side Junction with Moore St. for 175m.

12. Back Road

South Side - From a point 35m from the junction of
Henry Street and the Back Road for a distance of 35m.

North Side - From the junction with Kilkee Road for a
distance of 147m.

Third Schedule

Schedule for Loading Bays/Bus Parking

Name of Street	Location of Loading Bays
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Loading Bays

Frances Street	outside Considine's Bakery
Henry Street	outside The Haven
Vandeleur Street	outside Clancys
Burton Street	Market Square side of Tom Nolan's garage

Name Of Street	Bus Parking Spaces
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Bus Parking

Frances Street	Two Spaces
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Fourth Schedule

Business Hours

Areas	Periods	Days
Roads listed in the First Schedule	10.00am to 6.00pm	Monday to Saturday inclusive.

Fifth Schedule

Parking Permit Charges

Permit Type - Charge

- Business Permit - €30 Annually

- Residents Permit - €30 Annually
- 2nd Residents Permit - €60 Annually
- 3 day Visitors Permit - €10
- 7 day Visitors Permit - €20