

# Comhairle Cathrach

## Chorcaí

### Cork City Council



Comhairle Cathrach Chorcaí  
Cork City Council

**BALLINCOLLIG**

**CAR PARK BYE-LAWS, 2020**

**DRAFT**

**CORK CITY COUNCIL**

**BALLINCOLLIG**

**CAR PARK BYE-LAWS, 2020**

**ARRANGEMENT OF BYE-LAWS**

**Part I**

**Preliminary and General**

1. Citation
2. Commencement
3. Area of Application
4. Interpretation
5. Revocations

**Part II**

**Car Park**

6. Parking Places
7. Purpose of the Car Park
8. Parking Considerations
9. Overhauling/Repairs
10. Disabled Persons Parking
11. Restrictions on the Use of Vehicles in the Car Park
12. Complying with the Direction of a Traffic Warden
13. Interference with the Performance of Duties of a Traffic Warden
14. Complying with the Request(s) of a Traffic Warden
15. Evidence of Identity/Authorisation
16. Vehicles which are Permitted and Prohibited in the Car Park
17. Period of Parking in a Parking Place

18. Prohibition on Certain Parking Inside an Hour of Leaving a Parking Place

19. Suspension of Parking Controls on Specified Days

**Part III  
Residents' Parking Permit**

20. Particulars on a Residents' Parking Permit

21. Application for a Residents' Parking Permit

22. Residents' Parking Permit Conditions

23. Number of Residents' Parking Permits

24. Permission to Park a Vehicle Displaying a Valid Residents' Parking Permit

25. Display of a Valid Residents' Parking Permit

26. Interference with a Residents' Parking Permit

27. Issue of, and Fee for, a Residents' Parking Permit

28. Issue of a Replacement Residents' Parking Permit

29. Return of a Residents' Parking Permit

30. Transfer of a Residents' Parking Permit

31. Falsified Documents

32. Provision of Acceptable Evidence

**Part IV  
Conditions for Use of a Disabled Persons' Parking Permit**

33. Obligation to Display a Disabled Persons' Parking Permit

34. Period of Parking in a Parking Place

35. Interference with a Disabled Persons' Parking Permit

**Part V**

**Permission for Non-Operation of Parking Places(s)**

- 36. Application
- 37. Conditions of Permission
- 38. Appropriate Fees
- 39. Issue of Permission

**Part VI**

**Parking for Electric Vehicles & Car Club Vehicles**

- 40. Parking for Car Club vehicles
- 41. Parking for Electric vehicles

**Part VII**

**Miscellaneous**

- 42. Non-application of Bye-Laws
- 43. Restrictions on Parking
- 44. Disclaimer

**Appendices**

Appendix I Car Parking Hours of Operation

***Cork City Council, Ballincollig, Car Park Bye-Laws 2020***

**Part I –Preliminary and General**

**Long Title:**

Cork City Council, (hereinafter referred to as “the Council”) in exercise of the powers vested in it by Section 101(7) of the Road Traffic Act 1961 as amended by Section 6 of and the Schedule to the Road Traffic Act 1968 and by Sections 4 and 49 (1)(i)of the Road Traffic Act 1994 hereby makes the following Bye-Laws in respect of the Car Park (hereinafter referred to as “the Car Park”) as identified in the Schedule hereto and outlined in red on the map hereto annexed.

**Short Title:**

1. These Bye-Laws may be cited as the “Cork City Council, Ballincollig Car Park Bye-Laws 2020”.

**Commencement:**

2. These Bye-Laws shall come into operation on the XX/XX/XXXX.

**Area of application:**

3. These Bye-Laws apply to the Car Park.

**Interpretation:**

4. (1) In these Bye-Laws:

**“Acceptable Evidence”** means the following: -

- a) a current insurance certificate which indicates that the vehicle in respect of which the Residents’ Parking Permit has been applied for is normally kept in the Residents’ Parking Permit Area;

and

- b) where the applicant is the owner of the vehicle in respect of which the application for a Residents’ Parking Permit is being made and the vehicle is insured by his/her employer,

- the employer’s insurance certificate, and
- satisfactory documentary evidence from the employer that the applicant is in the full-time employment of the company, and
- that the 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 Residents’ Parking Permit is being made, but has the use of the vehicle in the course of his or her 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 in the Car Park in accordance with a Residents’ Parking Permit;

and

d) except in the case of paragraph (c),

- a vehicle licensing certificate,
- registration book,

and

- a current tax disc confirming that the applicant applying for a Residents’ Parking Permit is the registered owner of the vehicle in respect of which the application for a Residents’ Parking Permit is being made,

and

- that the vehicle is registered at the applicant’s address in the Residents’ Parking Permit Area to which the permit will relate,

and

- e) a driving or provisional license in the name of the applicant applying for the Residents' Parking Permit;

and

- f) two current utility bills or financial statements,

Rent Book/Rental Agreement,

and

a copy of a confirmation letter from the Private Residential Tenancies Board (PRTB), acknowledging registration of the tenancy with the PRTB, addressed to the applicant at his/her address in the Residents' Parking Permit Area which relates to the parking permit;

- g) At any stage prior to the expiry of a Resident's Parking Permit the Council may request the person to whom a permit was issued to produce 'acceptable evidence' to satisfy 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;
- h) In the event of 'acceptable evidence' not being produced to the Council within one month from the date of the written request the Council may, at its discretion, deem the Residents' Parking Permit to be invalid and cancel the permit without further notice;

**"Agent of the Council"** means any person employed by Cork City Council or any other person authorised by the Council to carry out functions under these Bye-Laws, and for the purpose of these Bye-Laws, includes a traffic warden;

**"Buffer Area"** means an area between two parking places;

**"Business Hours"** means 8.30am to 6.00pm each Monday to Saturday other than a Holiday or as may be determined from time to time by the resolution of Cork City Council;

**"Car Club"** means a car club licensed in that regard by the Council;



**“Car Club Vehicle Parking Bay”** means a space intended for the parking of a Mechanically Propelled Vehicle in which is displayed a valid Car Club Vehicle Permit;

**“Car Club Vehicle Permit”** means a current Car Club Permit issued by the Council and as defined in the Road Traffic (Traffic and Parking) Regulations 1997 (S.I. No. 182 of 1997) as amended by the Road Traffic (Traffic and Parking) (Car Clubs and Electrically Powered Vehicles) Regulations 2014 (S.I. No. 325 of 2014)

**“Car Park”** means the Car Park as described in the Schedule hereto and outlined in red on the map hereto annexed;

**“Casual Trading”** has the meaning assigned to it by Section 2 of the Casual Trading Act 1995;

**“Casual Trading Licence”** means a licence issued by the Council pursuant to Section 4 of the Casual Trading Act 1995;

**“Converted House/Building”** means a building comprising a former single dwelling house which has been altered or converted so as to contain within it 2 or more housing units;

**“Cork City Council”** means the Council of the City of Cork and is hereunder referred to as “the Council”;

**“Disabled Person”** - for the purpose of these Bye-Laws, means a person who holds a current Disabled Persons’ Parking Permit. The permit shall be prominently displayed in the interior of the vehicle so that the full permit is clearly legible through the front windscreen from outside the vehicle;

**“Disabled Persons Parking Bay”** means a space in the Car Park intended for the parking of a vehicle, the driver of which or a passenger in which is a disabled person and indicated by Traffic Sign No. RRM 015 or so indicated by ground or other markings or signs;

**“Disabled Persons Parking Permit”** means a current Disabled Persons’ Parking Permit issued pursuant to or recognised under the provisions of the Road Traffic (Traffic & Parking) Regulations 1997 to 2014;

**“Electrically Powered Vehicle”** means a Mechanically Propelled Vehicle that is powered

(a) solely by means of a re-chargeable battery,

or

(b) by means of a re-chargeable battery and an internal combustion engine where either power source may be used to propel the vehicle;

**“Electrically Powered Vehicle Recharging Bay”** means a space intended for the parking of an Electrically Powered Vehicle while the vehicle’s battery is being re-charged and is indicated by means of Traffic Sign No. RRM 035;

**“Goods Vehicle”** means a vehicle used exclusively for carrying goods and taxed for commercial purposes;

**“Holiday”** means a 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);

**“Information Plate”** means a plate accompanying a traffic sign which indicates the period during which parking is permitted and the restrictions or prohibitions indicated by the traffic sign shall apply;

**“Loading Bay”** means that portion of the Car Park which has the meaning assigned to it by Article 42 of SI No. 182/1997 – Road Traffic (Traffic and Parking) Regulations 1997 and is indicated by means of Traffic Sign - No RRM 009 accompanied by an information plate - which indicates certain times a vehicle other than a Goods Vehicle being used for loading or unloading shall not be parked;

**“Mechanically Propelled Vehicle”** has the meaning assigned to it by Section 3 of the Road Traffic Act 1961;

**“Parking Bay”** means a space in a Car Park intended for the parking of one vehicle and so indicated by surface or other signs or markings;

**“Parking Fee”** means a fee prescribed in these Bye-Laws for the Parking Place in which the vehicle is parked;

**“Parking Place”** means a place, space or bay for the parking of a vehicle in the Car Park intended for the parking of a Mechanically Propelled Vehicle and indicated on the Car Park surface by the presence of roadway marking RRM 011, RRM 012, RRM 013, RRM 014 or RRM 016 or Traffic Sign No. RUS 018;

**“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;

**“Resident”** means a person who is the occupant of a dwelling and who satisfies the Council that his/her normal dwelling place is one of the dwellings in the Residents’ Parking Permit Area;

**“Residents’ Parking Permit”** means a Residents’ Parking Permit issued by the Council or its’ Agents for the Purposes of Bye-Laws 20 to 32 and containing the particulars specified in Bye-Law 20;

**“Residents’ Parking Permit Area”** means the area comprised of the dwellings bordering the Car Park and any dwellings on Saclay Road;

**“Road”** has the meaning assigned to it by section 2(1) of the Road Act, 1993;

**“Roadway”** means that portion of a road, which is provided primarily for the use of vehicles;

**“Traffic Sign”** has the meaning assigned to it by Section 95 of the Road Traffic Act 1961 as amended by Section 37 of the Road Traffic Act 1994 and Regulations made thereunder and any number referred to herein in association with a Traffic Sign shall be the number allocated to such a sign in such Regulations;

**“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 by Section 12(2) of the Road Traffic Act 2002 and by Section 15(2) of the Road Traffic Act 2006;

**“Valid Residents’ Parking Permit”** means a Residents’ Parking Permit which relates to a particular Parking Place and to a period which has not expired, which is issued by the Council in respect of the Parking Place in which the vehicle is parked and is displayed or used by the permit holder in accordance with the Council’s policy and usage instructions, as may be amended from time to time;

**“Vehicle”** means a Mechanically Propelled Vehicle – other than a mechanically propelled wheelchair or a pedal cycle – and includes a private motor car, a station wagon or a passenger vehicle having accommodation for not more than seven persons excluding the driver;

- 4(2).** A reference in these Bye-Laws to an information plate accompanying a Traffic Sign shall, unless otherwise specified, be to an information plate which shall indicate the period (which shall include the days and hours) when the allowance, restriction or prohibition indicated by such Traffic Sign applies.
- 4(3).** (a) In these Bye-Laws - any reference to an article or schedule, which is not otherwise identified, is a reference to an article of, or a schedule to these Bye-Laws.
- (b) In these Bye-Laws - any reference to a sub-article, paragraph, or sub-paragraph, which is not otherwise identified, is a reference to the sub-article, paragraph or sub-paragraph of the provision in which the reference occurs.
- (c) In these Bye-Laws – a reference to a statute, or to any section or sub-sections therein includes any amendments or re-enactments thereof for the time being in force and all statutory instruments, orders, regulations for the time being made, issued or given thereunder or deriving validity therefrom and a reference to any enactment shall be construed as a reference to that enactment as adapted by any subsequent enactment.

### **Revocations:**

5. Cork County Council Ballincollig Car Park Bye Laws 2016 are hereby revoked with effect from the coming into operation of these Bye-Laws.

**Part II**

**Car Park**

**Parking Places**

- 6. (1)** Parking Places are set out in the Schedule to these Bye-Laws. The following provisions shall apply to the parking of a vehicle in a Parking Place:
- (a) subject to paragraph (2) of this Bye-Law, a vehicle which is parked in a Parking Place shall, where parking bays are provided at that Parking Place, be parked within the area comprising a parking bay;
  - (b) a vehicle shall not be parked in a buffer area;
  - (c) a vehicle shall not be parked in such a position that it, or any portion of it, extends from one parking bay to another;
  - (d) subject to paragraph (1) (a)(b)(c) of this Bye-Law, where a vehicle being parked in the car park during business hours is a goods vehicle parked while goods are being actively loaded in or on to it or unloaded from it, these Bye-Laws shall not apply until the expiration of 30 minutes after the commencement of the parking;
- (2)** Notwithstanding paragraph (1)(a) of this Bye-Law, a vehicle parked in a parking bay may project into an adjoining buffer area if the length of the vehicle prevents it being parked wholly in accordance with paragraph (1)(a) of this Bye-Law.

**Purpose of the Car Park**

- 7. (1)** The Car Park shall not be used for any purpose other than for the parking of a Mechanically Propelled Vehicle, save for casual trading carried out in accordance with a Casual Trading Licence issued by the Council.
- (2)** Paragraph (1) of this Bye Law shall not operate so as to prohibit the use of the 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

### **Parking Considerations**

8. A person shall not park or cause to be parked a vehicle in the Car 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 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 or to obstruct the movement of any other vehicle parked in the Car Park.

### **Overhauling/Repairs**

9. A person shall not overhaul or carry out works or repairs to or on a vehicle while it is parked in the Car Park, save where it is necessary to do so in order to enable the vehicle to be removed from the Car Park.

### **Disabled Persons' Parking**

10. A person shall not park a vehicle in a Disabled Persons' Parking Bay unless:
- (a) there is a Disabled Persons' Parking Permit prominently displayed in the interior of the vehicle so that the full permit is clearly legible through the front windscreen from outside the vehicle;
- and
- (b) the vehicle in question is being used at that time for the convenience/benefit of the person to whom the Disabled Persons' Parking Permit was issued.

### **Restrictions on the Use of Vehicles in the Car Park**

11. A vehicle while parked in the 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, unless the prior written consent of the Council has been sought and granted.

**Complying with the Direction of a Traffic Warden**

- 12.** A person using the Car Park shall comply with any lawful direction given by a Traffic Warden, an agent of the Council or a member of An Garda Síochána, in relation to the parking of a vehicle in, or its removal from, the Car Park or in relation to any other requirement of these Bye-Laws.

**Interference with the performance of duties of a Traffic Warden**

- 13.** A person shall not in any way interfere with, wilfully obstruct, disturb, interrupt or annoy a Traffic Warden, an agent of the Council or a member of An Garda Síochána in the execution of his/her duties under these Bye-Laws, including the execution of any work in connection with the laying out or maintenance of any part of the Car Park by the Council's staff or its' agents.

**Complying with the request(s) of a Traffic Warden**

- 14. (1)** A person using the Car Park shall give on request to a Traffic Warden, an agent of the Council or a member of An Garda Síochána, their name and address.
- (2)** No person in the Car Park shall resist, obstruct or aid or incite any other person to resist or obstruct a Traffic Warden, an agent of the Council, a member of An Garda Síochána (or other person) in the execution of his/her duties and powers under these Bye-Laws or lawful exercise of his/her authority.
- (3)** Where a person is requested by a Traffic Warden, an agent of the Council or a member of An Garda Síochána to quit or leave a Car Park, he/she shall comply with such a request and shall also immediately remove his/her vehicle.

**Evidence of identity/authorisation**

- 15.** A Traffic Warden or an agent of the Council shall on request, produce evidence of his/her identity and authorisation by the Council or its' agents to a person alleged by him/her to be in breach of these Bye-Laws, or who has been requested to leave the Car Park under Bye-Law 14.



**Vehicles which are Permitted and Prohibited in the Car Park**

**16.(a)** Mechanically propelled vehicles, of the following classes only, may be parked in the Car Park during business hours;

- (i) A motor car, a station wagon or a passenger vehicle with passenger accommodation for not more than seven persons excluding the driver and not drawing a trailer or other vehicle
- (ii) A goods vehicle whose unladen weight does not exceed 3 tonnes and not drawing a trailer or other vehicle
- (iii) Pedal cycles in a designated cycle parking area

**(b)** The following vehicles shall not be parked in the Car Park

- a passenger vehicle with passenger accommodation for more than seven persons excluding the driver and/or drawing a trailer or other vehicle
- a goods vehicle whose unladen weight exceeds 3 tonnes and/or drawing a trailer or other vehicle.
- Motor cycle
- Trailer
- Caravan
- Camper van
- Boat or boat trailer

**Period of Parking in a Parking Place**

**17.** A vehicle parked in a Parking Place during business hours shall not be so parked for a period longer than the period indicated on the appropriate sign, which said period is more particularly described in Appendix I to

these Bye-Laws as the maximum period for which parking is permitted on that day in that Parking Place.

### **Prohibition on Certain Parking Inside an Hour of Leaving a Vehicle in a Parking Place**

- 18.** A vehicle which has been parked in a Parking Place shall not be parked again in a Parking Place in the Car Park in which the Parking Place is situated **until at least one hour** has elapsed since the vehicle last vacated the Car Park/Parking Place.

### **Suspension of Parking Controls on Specified Days**

- 19.** Parking controls shall not apply in any Parking Place during a Holiday, as hereinbefore defined.

**Part III**

**RESIDENTS PARKING PERMIT**

**Particulars on a Residents’ Parking Permit**

20. A valid Residents’ Parking Permit shall contain the following particulars
- (a). the words ‘Cork City Council’
  - (b). the Residents’ Parking Permit sequential number;
  - (c). the customer ID number;
  - (d). the make/model and registration number of the vehicle of which it is issued;
  - (e). the Car Park to which it relates;
  - (f). the permit number;
  - (g). the date of expiry;
  - (h). the signature of the person issuing it

The Council may vary these particulars from time to time.

**Application for a Residents’ Parking Permit**

21. An application for a Residents’ Parking Permit shall be made on an authorised application form to be obtained from the Council.

**Residents’ Parking Permit Conditions**

22. A Residents’ Parking Permit shall be subject to such conditions as the Council shall deem appropriate in its absolute discretion. The Council shall not consider an application for a Residents’ Parking Permit unless:
- a. the applicant is a Resident as defined in Bye-Law 4;
  - b. the applicant has submitted a fully completed application form;
  - c. the applicant has discharged the application fee fixed by the Council for such applications;
  - d. the applicant provides documentary evidence acceptable to the Council to vouch that the applicant is resident in the Residents’ Parking Permit Area in respect of which a Residents’ Parking Permit is sought and, without prejudice to the generality of the

foregoing, the Council shall be entitled to specify on the application form the types or categories of documentary evidence which shall be satisfactory to it;

and

- e. the applicant is the registered owner of the vehicle in respect of which the Residents' Parking Permit is sought

or

the applicant satisfies the Council that the vehicle in respect of which the Residents' Parking Permit is sought is owned by the applicant's employer, (or other third party), who consents to the application

and

that the applicant is the main user thereof and provides evidence acceptable to the Council of such registered ownership or use.

- f. The Council reserves the right in its absolute discretion to grant or refuse an application for a Residents' Parking Permit.

### **Number of Residents' Parking Permits**

**23.(a)** In any one year, the Council shall, on application, issue a maximum of two parking permits per dwelling in the Residents' Parking Permit Area, subject to production of acceptable evidence by the applicant (up to an upper limit of two Residents' Parking Permits per dwelling) and the availability of sufficient parking spaces to meet demand.

**(b)** The total number of Residents' Parking Permits that may be held concurrently by residents of an entire converted building shall be two, subject to production of acceptable evidence by the resident and the availability of sufficient parking spaces to meet demand.

### **Permission to Park a Vehicle Displaying a Valid Residents' Parking Permit**

**24. (1)** Subject to Bye-Law 24(2), the display of a valid Resident's Parking Permit on a vehicle in respect of which the Residents' Parking Permit

was issued shall permit the owner of the vehicle (or any person using it with his/her consent), subject to the availability of a valid parking place, to park it in the Car Park without limitation as to duration.

**(2)** The holder of a Residents' Parking Permit shall not park his/her vehicle in a Disabled Persons' Parking Bay unless:

(i) there is a Disabled Persons' Parking Permit prominently displayed in the interior of the vehicle so that the full permit is clearly legible through the front windscreen from outside the vehicle;

and

(ii) the vehicle is parked by or for the benefit of the person to whom the Disabled Persons' Parking Permit was issued.

### **Display of a Valid Residents' Parking Permit:**

**25.** A valid Residents' Parking Permit shall be prominently displayed in the interior of the vehicle in respect of which it is issued so that the full permit is clearly and fully legible through the front windscreen from outside the vehicle;

### **Interference with a Residents' Parking Permit**

**26.** Where a vehicle displaying a Residents' Parking Permit is parked in the Car Park, a person shall not interfere with tamper with, or in any way alter, the Residents' Parking Permit.

### **Issue of, and Fee for, a Residents' Parking Permit**

**27. (1)** A Residents' Parking Permit may be issued by the Council, in respect of the parking of a vehicle in the Car Park.

**(2)** The fee for each Residents' Parking Permit shall be as prescribed from time to time by Cork City Council;

**(3)** A Residents' Parking Permit shall be valid for a period of twelve months from the date of issue;

- (4) The renewal of a Residents' Parking Permit shall be the responsibility of the of the applicant and at the discretion of the Council;

#### **Issue of a Replacement Residents' Parking Permit**

28. Where evidence is submitted that a Resident's Parking Permit has been lost, destroyed or stolen, the Council may issue a replacement to the owner on payment of a fee - as prescribed from time to time by Cork City Council and subject to production of acceptable evidence by the said resident. The replacement Residents' Parking Permit shall be substituted for the original Residents' Parking Permit, covering the original twelve month term and the original Residents' Parking Permit shall be void;

#### **Return of a Residents' Parking Permit**

29. Where, during the period to which a Residents' Parking Permit relates,
- a) the holder ceases to reside at the address to which the Residents' Parking Permit relates,
  - or
  - b) ceases to be an owner by disposing of the vehicle to which the Residents' Parking Permit relates,
- the holder of the permit shall return forthwith the Residents' Parking Permit to the Council and such residents' Parking Permit shall be void;

#### **Transfer of a Residents' Parking Permit**

30. Where, during the period to which a Residents' Parking Permit relates, the holder of the existing Residents' Parking Permit
- disposes of the vehicle to which the existing Residents' Parking Permit relates
- and
- substitutes another vehicle for the vehicle disposed of,

such holder shall return the existing Residents' Parking Permit to the Council and shall be eligible, subject to the production of acceptable evidence, to receive a new Residents' Parking Permit for the unexpired residue of the existing Residents' Parking Permit in relation to the newly acquired vehicle but subject to the same terms and conditions as are contained in the existing Residents' Parking Permit.

The Council shall be entitled to charge an administration fee in respect of issuing of the new Residents' Parking Permit. The fee for each such Residents' Parking Permit shall be as prescribed from time to time by Cork City Council;

### **Falsified Documents**

- 31.** Where a resident or applicant submits falsified documentation to support their application for a Residents' Parking Permit, the Council may, at its' absolute discretion, decide not to issue a Residents' Parking Permit to that applicant/resident;

### **Provision of Additional Evidence**

- 32.(a)** At any stage prior to the expiry of a Resident's Parking Permit, the Council may request the person to whom a Residents' Parking Permit was issued to produce Acceptable Evidence to satisfy the Council that they were eligible to be issued with the Residents' Parking Permit or remain eligible to hold a Residents' Parking Permit.

Any such request will be made in writing to the person to whom the Residents' Parking Permit was issued at the address given by that person on the application form;

- (b)** In the event of Acceptable Evidence not being produced to the Council within one month from the date of the written request, the Council may, at its' discretion, deem the Resident's Parking Permit to be invalid and cancel the Residents' Parking Permit without further notice.

**PART IV**

**CONDITIONS FOR USE OF A DISABLED PERSONS' PARKING PERMIT**

**Obligation to Display a Disabled Persons' Parking Permit.**

**33. (a)** Where a vehicle is parked in a Parking Place/the Car Park during business hours and the motorist or passenger is the holder of a Disabled Persons' Parking Permit:

- (i). the original Disabled Persons' Parking Permit must be exhibited;
- (ii). the Disabled Persons' Parking Permit shall be prominently displayed in the interior of the vehicle as to be clearly and fully visible through the front windscreen from outside the vehicle;
- (iii). the front of the Disabled Persons' Parking Permit should face upwards, showing the wheelchair symbol;

**(b)** The Disabled Persons' Permit holder must ensure that the details on the front of the Disabled Persons' Parking Permit remain legible.

**(c)** If the Disabled Persons Permit holder is using the parking concessions as a passenger, it is the responsibility of the permit holder to ensure that the driver is aware of the requirements for the valid use of a Disabled Persons' Parking Permit.

**(d)** The Disabled Persons' Parking Permit is issued for the use and benefit of the permit holder only and may only be displayed if the permit holder is travelling in the vehicle as a driver or passenger, or the vehicle is being used to collect or drop the permit holder.

**Period of Parking in a Parking Place**

**34. (a)** A vehicle parked in a Parking Place, during business hours, in the interior of which is exhibited a Disabled Persons' Parking Permit shall not be so parked for a period longer than the period as the maximum period for which parking is permitted in that Parking Place.



**(b)**A vehicle, in the interior of which is displayed a Disabled Persons' Parking Permit, which has been parked in a Parking Place during business hours shall not be parked again in a Parking Place in the Car Park in which the Parking Place is situated until at **least one hour** after the vehicle last vacated the Parking Place.

**Interference with a Disabled Persons' Parking Permit**

**35.** Where a vehicle is parked in a Parking Place, a person shall not interfere with a Disabled Persons' Parking Permit.

**PART V**

**PERMISSION FOR NON-OPERATION OF  
PARKING PLACE(S)**

**Application**

- 36.** Application for permission for the non-operation of Parking Place(s) within the Car Park must be made in writing, in the formats as specified from time to time 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 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 Council

**Conditions of Permission**

- 37.** The permission, if granted, shall be subject to any conditions which will be specified in writing by the Council, including the payment of a fee/fees by the person requesting the permission;

**Appropriate Fees**

- 38.** The appropriate fees payable for permission shall be as prescribed from time to time by the Council.

**Issue of Permission**

- 39.** The permission, if granted, will be issued in writing together with notification to the appropriate enforcement agency of the details of the permission;

**PART VI**

**Parking for Electric Vehicles & Car Club Vehicles**

**Parking for Car Club Vehicles**

- 40.(a)** (i) Where Traffic Sign No. RRM 034 is provided, a vehicle shall not be stopped or parked.
- (ii) Bye-Law 40.a (i) shall not apply to a vehicle which is clearly marked to show that it is a vehicle that belongs to a car club.
- (b)** Bye-Laws 17 to 18 of these Bye-Laws shall not apply to a car club vehicle parked in a car club parking bay as indicated by means of Traffic Sign No. RRM 034.

**Parking for Electric Vehicles**

- 41.(a)** (i) Where Traffic Sign No. RRM 035 [Electrically Powered Vehicle Recharging Bay] is provided, a vehicle shall not be stopped or parked.
- (ii) Bye-Law 41.a (i) shall not apply to a vehicle that is an Electrically Powered Vehicle, the battery of which is being recharged.
- (b)** Bye-Laws 17 to 18 of these Bye-Laws shall not apply to an Electrically Powered Vehicle Recharging Bay as indicated by means of Traffic Sign No. RRM 035.
- (c)** Where an Electrically Powered Vehicle is parked in a Electrically Powered Vehicle Recharging Bay as indicated by means of Traffic Sign No. RRM 035, the vehicle may only be parked for the length of time and, where appropriate, during the period, indicated on the information plate accompanying the sign, and only while the vehicle is being re-charged.

**PART VII**

**Miscellaneous**

**Non-Application of Bye-Laws**

**42.** These Bye-Laws shall not apply to: -

- (a) a vehicle being used in connection with the
  - (i) removal of an obstruction to traffic;
  - (ii) the removal of a vehicle pursuant to Section 97 of the Road Traffic Act, 1961, as substituted by Section 63 of the Road Traffic Act 1968 and amended by Section 49(1)(k) of the Road Traffic Act 1994,
  - (iii) the immobilisation and release of vehicles,
  - (iv) the maintenance, improvement, signing, lining or reconstruction of a public road/car park,
  - (v) the maintenance, improvement or repair of a public lighting or signal maintenance system,
  - (vi) 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 telegraph, telephone or communications line or conduit or the provision of a traffic sign,
  - (vii) a vehicle being used in connection with the performance of duties associated with the operation of a public bicycle scheme,
  - (viii) a vehicle being used in connection with street cleaning or litter management duties;
- (b) a fire brigade vehicle, an ambulance or a vehicle being used by a Traffic Warden, a litter warden, a street cleaning supervisor or market supervisor or a member of An Garda Síochána or the Defence Forces in the performance of his/her duties;
- (c) a vehicle which is being used by the Lord Mayor in the course of his/her official duties;
- (d) a vehicle which has been damaged or has broken down during the period necessary to effect repairs to the vehicle or remove it from the location;

- (e) a vehicle parked/stopped at the edge of a roadway while a passenger is entering or leaving it; or

### **Restrictions on Parking**

**43.(a)** A vehicle shall not be [parked during a period which may be indicated on an information plate, on that side of a section of roadway along the edge of which Traffic Sign No. RRM 007 (single yellow line) has been provided.

**(b)(i)** Subject to paragraph (b)(ii), where Traffic Sign No. RUS 019 (Restricted Parking) is provided a vehicle may only be parked for the length of time and, where appropriate, during the period, indicated on the information plate accompanying the sign.

**(ii)** Where a vehicle is removed from a place in respect of which paragraph (b)(i) applies it may not be parked again in that place within one hour of its' removal during the period when the restriction is in force.

### **Disclaimer:**

**44.** In accordance with Section 36(13) of the Road Traffic Act, 1994, the performance by the Council of its' functions under this Section or under any Bye-Law thereunder 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.

**Appendix I**

**Car Parking Hours of Operation**

| <b>Car Park</b>                                     | <b>Maximum Stay</b>            | <b>Hours of Operation</b>  |
|---|--------------------------------|--|
| Outlined in red on the map attached to the Schedule | Three hour time limit duration | 8.30 am to 6.00 pm<br><br>Monday to Saturday unless otherwise stated |

# Cork City Council

## **Ballincollig Car Park Bye-Laws, 2020**

### **SCHEDULE**

## Cork City Council – Ballincollig Car Park Bye-Laws, 2020

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Car Park, south of Main Street and between Saclay Road and Bakers Street, Ballincollig where parking is subject by way of signs and/or lines to three hours during the hours of 8.30am to 6.00pm Monday to Saturday more particularly described and delineated in red on the map annexed hereto.



**Cork City Council – Ballincollig Car Park Bye-Laws, 2020**

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**MADE AND ADOPTED UNDER THE COMMON SEAL OF CORK CITY COUNCIL**

**THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2020**

**PRESENT WHEN THIS COMMON SEAL OF CORK CITY COUNCIL WAS AFFIXED**

**HERETO:-**

\_\_\_\_\_

