



Comhairle Cathrach
& Contae Phort Láirge
Waterford
City & County Council

**DRAFT
WATERFORD METROPOLITAN
DISTRICT COUNCIL
CONTROL OF PARKING
BYE-LAWS,
2020**

WATERFORD METROPOLITAN DISTRICT COUNCIL
CONTROL OF PARKING BYE-LAWS, 2020

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WATERFORD METROPOLITAN DISTRICT COUNCIL
CONTROL OF PARKING BYE-LAWS, 2019

The Waterford Metropolitan District Council (hereinafter referred to as 'the Council'), in exercise of the powers conferred on it by Section 131A of the Local Government Acts 1925 to 2014, Section 36 of the Road Traffic Act, 1994 (No. 7 of 1994) as amended and by Section 101 of the Road Traffic Act, 1961 (No. 24 of 1961) as amended, and having consulted with the Commissioner of the Garda Síochána, hereby makes the following bye-laws.

PART I
PRELIMINARY

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|-----------------------------|----|---|
| Short Title/Citation | 1. | These bye-laws may be cited as the Waterford Metropolitan District Control of Parking Bye-Laws 2020. |
| Commencement | 2. | These bye-laws shall commence on the XX day of XXXXX, 2020 |
| Area of Application | 3. | These bye-laws apply to the Waterford Metropolitan District. |
| Revocation | 4. | Subject to bye-law 53, the following bye-laws are hereby repealed. <ul style="list-style-type: none">a. Waterford City Council Parking Places Bye-Laws, 2009b. Waterford City Council Car Park Bye-Laws, 2009c. Council of the County of Waterford, Tramore West, Tramore Car Park Byelaws, 2000d. Council of the County of Waterford, Tramore West, Tramore Parking Places Byelaws, 2000e. Metropolitan District of Waterford (Control of Parking) Bye-Laws 2015f. Metropolitan District of Waterford Control of Parking (Amendment) Bye-Laws 2017g. Metropolitan District of Waterford Control of Parking (Amendment) Bye-Laws 2019 |
| Interpretation | 5. | In these bye-laws:

<i>'The Road Traffic Acts'</i> means the Road Traffic Acts, 1961 to 2014

<i>"The Regulations of 1997"</i> means the Road Traffic (Traffic and Parking) Regulations, 1997 (S.I. No. 182 of 1997), as amended.

<i>"The Signs Regulations of 1997"</i> means the Road Traffic (Signs) Regulations 1997 (S.I. No. 181 of 1997), as amended. |

"*acceptable evidence*" means the following:

- (1) A current insurance certificate confirming that the vehicle is normally kept by the resident at the residents address in the residents parking place to which the permit will relate and
- (2)
 - a. A vehicle licensing certificate or a registration book confirming that the resident 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 residents address in the residents parking place to which the permit will relate or
 - b. 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, the vehicle licensing certificate or a registration book for the vehicle , satisfactory documentary evidence from the registered owner that the vehicle is normally kept by the applicant at the residents address in the residents parking place to which the permit will relate and evidence from the Revenue Commissioners that a vehicle owned by the registered owner is normally kept by the applicant and
 - c. A driving or provisional licence in the name of the resident applying for the residents parking permit and
 - d. Utility bills, bank statements or other documentation, acceptable to the Council, addressed to the applicant at his/her address in the residents parking place to which the residents parking permit will relate and
 - e. Tenancy agreement or proof of ownership of the residential property.
 - f. Any other information which may be requested by Waterford City and County Council

"*Adjacent Street*" means a street adjoining or in close proximity to the street in question.

"*Agent of the Council*" means any person employed by Waterford City and County Council and any other person authorised by the Council to carry out functions under these bye-laws.

"*appropriate parking fee*" means the fee, prescribed in these Bye-Laws, for the pay parking place in which the vehicle is parked;

'*appropriate pay & display parking ticket machine*' means a pay and display parking ticket machine located on the public road or car park in which the vehicle is parked or, where indicated on an information sign, on an adjoining public road;

"*Authorised Person*" has the meaning assigned to it by Section 103 (8) (inserted by the Road Traffic Act, 1968) (No.25 of 1968) of the Road Traffic Act, 1961.

'*buffer area*' means an area between two pay parking bays;

"*Carer*" means a person who is providing care to a resident who requires ongoing daily care of a chronic illness.

"*Carer's Parking Permit*" means a document issued by the Council which fulfils the purpose of Bye-Law 31 to 39, and containing particulars specified in Bye-Law 33 of these bye-laws.

"*carpark*" means an area comprising pay parking places designated especially for parking in which the Council has a legal, proprietary or equitable interest;

"*Council*" means Waterford City and County Council.

"*Disabled Person's Parking Permit*" means a permit issued under Article 43 of the Regulations of 1997.

"*electric vehicle*" means a vehicle that derives its motive power exclusively from an electric motor;

"*Exemption Permit*" means a document issued by the Council, valid for a stated period of time, which permits a specified vehicle to be parked without displaying a pay and display parking ticket, and without a time limitation, in a pay and display ticket parking place.

"*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;
"Motorhomes, Motor Caravans and Camper Vans" defined in EU/678/2011 as "a vehicle of category M with living accommodation space which contains the following equipment as a minimum:"

- (a) seats and table;
- (b) sleeping accommodation which may be converted from the seats;
- (c) cooking facilities;
- (d) storage facilities

This equipment shall be rigidly fixed to the living compartment. However, the table may be designed to be easily removable.

“*Holiday*” means 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 shall indicate the period (which shall include the days and hours) when the allowance, restriction or prohibition indicated by such traffic sign applies.

“*Mobile Phone Payment*” means payment by mobile phone which can be used for the payment of goods and services either whether by means of credit, direct debit or charging the mobile phone holders account.

“*operational hours*” means the periods of operation indicated on the appropriate pay and display parking ticket machine, or the appropriate information plate;

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

“*Park*”, in relation to a vehicle, means to keep or leave the vehicle stationary.

“*Parking Fee*” means a fee payable in accordance with these bye-laws for the parking of a vehicle.

“*pay and display parking ticket*” means a parking ticket which is issued by the Council by means of a pay and display parking ticket machine and which contains the following particulars:-

- (a) the fee paid in respect of the ticket,
- (b) the date and time of issue of the ticket.
- (c) the time of expiry of the ticket
- (d) the location of issue of the ticket

'pay and display parking ticket machine' means a machine capable of automatically delivering a pay and display parking ticket when the appropriate parking fee prescribed by these Bye-Laws is inserted into the machine;

"pay parking bay" means a place, space or bay for the parking of a vehicle in a pay parking area on a public road or car park intended for the parking of mechanically propelled vehicles and where traffic sign number RUS 018 and any one of the following roadway markings RRM 011, RRM 012, RRM 013 or RRM 014 of the Signs Regulations are provided;

"Pay and Display Ticket Parking Place" means a place on a public road where the parking of a vehicle is subject to the exhibition of a document in accordance with these bye-laws.

"Pay and Display Parking Ticket" means a parking ticket which is issued by the Council by means of a Pay and Display Parking Ticket Machine and which contains the following particulars:

- (a) the words Waterford City and County Council,
- (b) the fee paid in respect of the ticket,
- (c) the date of issue of the ticket,
- (d) the time of expiry of the ticket.

"Pay and Display Parking Ticket Machine" means a machine capable of automatically delivering a pay and display parking ticket when the appropriate fee prescribed by these bye-laws is inserted into the machine.

"Pay by phone operator" means an operator authorised by the council to take payment for a parking fee, by means of phone call, SMS text, mobile phone App or via some other means.

"Pay Parking Place" means an area on a public road or in a public car park as per Schedule 2 where traffic sign or signs together with an accompanying information plate(s) indicates or indicate that parking of vehicles is permitted subject to the exhibition of a valid pay and display parking ticket or purchase of a valid pay by phone parking ticket

"Payment Card" means any card which can be used for the payment of goods and services whether by means of credit, direct debit or charging the cardholders account.

"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;

"public service vehicle" means a mechanically propelled vehicle used for the carriage of persons for reward;

"purpose built apartment block" is a residential block containing more than six units;

"resident" means a person who is the occupant of a dwelling other than a purpose built apartment block, who satisfies the Council that his/her normal dwelling place is at premises situated in a street containing a pay parking place;

"Resident's Parking Permit" means a document issued by the Council which fulfils the purpose of Bye-Laws 23 to 30 of these bye-laws, and containing the particulars specified in Bye-Law 24 of these bye-laws.

'Schedule' means a separate document forming part of these Bye-Laws, and which should be read together with these Bye-Laws, containing information regarding fees, charges and specification of locations relating to these Bye-Laws which may be amended from time to time by the council. The latest, dated, approved version of each Schedule should be taken as the current version in conjunction with these Bye-Laws

"Traffic Sign" has the meaning assigned to it in Section 95 (1) of the Road Traffic Acts.

"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).

"Valid Carer's Parking Permit" means a carer's parking permit which relates to a particular street or streets and which is issue by the Council in whose functional area the vehicle on which the permit displayed is parked.

"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 pay parking place in which the vehicle is parked and which is displayed in accordance with these Bye-Laws

"Valid Pay by Phone Parking Ticket" means a parking ticket obtained from a pay by phone operator where

- (a) the person has registered his/her details as may be required with the pay by phone operator
- (b) the person has activated the pay by phone ticket by communicating with the pay by phone operator, by text, phone, mobile phone app or via some other electronic means, indicating the parking place he/she wishes to park, and the period of time for which he/she wishes to park whereupon the persons account is debited with the appropriate fee payable and the pay by phone ticket is credited with the period of time paid for in the specified parking place
- (c) provide the period paid for has not expired.

“Valid Resident’s Parking Permit ” means a resident’s parking permit which relates to a particular street or streets, and to a period of time which has not expired, and which is issued by the Council in whose functional area the vehicle on which the permit displayed is parked.

“Valid Visitor’s Parking Permit ” means a visitor’s parking permit which relates to a particular street or streets and which is issued by the Council in whose functional area the vehicle on which the permit displayed is parked.

“Vehicle” means a mechanically propelled vehicle as defined in Section 3(1) of the Act of 1961.

“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:

‘visitors parking permit’ means a permit or document, or a combination of both, having marks or symbols capable of indicating the year, date and time when the permit, document or combination becomes a valid parking permit and containing inter alia the following particulars;

- (a) the words “Waterford City and County Council”
- (b) the words “Visitors Parking Permit”; and
- (c) the residents parking place to which it relates

‘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 tonnes and not drawing a trailer or other vehicle

**PART II
PAY PARKING GENERAL**

Conditions for parking in a pay parking place

6. (1) The following provisions shall apply during operational hours to the parking of a vehicle in a pay parking place.
- (a) subject to paragraph (8) of this Bye-Law, a vehicle which is parked in a pay parking place during operational hours shall, where parking bays are provided at that pay parking place, be parked within the area comprising a pay parking bay,
 - (b) a vehicle shall not be parked in a buffer area
 - (c) a vehicle which has been parked in a pay parking place for the maximum period permitted as indicated on the appropriate pay and display ticket parking machine or on the information plate shall not be parked again in a pay parking place on the public road or in the public car park in which that pay and display ticket parking place is situated unless at least one hour has elapsed since the vehicle was last parked in that pay and display ticket parking place.
 - (d) A vehicle parked in a pay parking place at a time which is not during operational hours shall be removed from the pay parking place when a period of operational hours commences, unless at such commencement and during the remainder of the period of parking, a valid pay parking ticket is exhibited in the interior of the vehicle in accordance with Bye-Law 8 of these bye-laws.
 - (e) This bye-law shall not apply to a pay and display ticket parking place where the pay and display parking ticket machine for that pay and display ticket parking place is temporarily suspended from operation save where another pay and display parking ticket machine is provided at that pay and display ticket parking place.
 - (f) where a vehicle being parked in a pay parking place during operational hours is a goods vehicle parked while goods are being actively loaded in or on to it or unloaded from it, paragraph (1) of Bye-Law 8 shall not apply until

the expiration of 30 minutes after the commencement of the parking,

- (g) a vehicle, while parked in a pay 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 pay parking place, or by means of any equipment, fitting or instruments fitted to or carried on the vehicle or any loudspeaker or radio in anyway connected to the vehicle.
- (2) No person shall use a car park for any purpose other than for the parking of a mechanically propelled vehicle.
- (3) A person shall not stop or park, or cause to be stopped or 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 obstruct the entrance to or exit from the car park, or obstruct the free flow of traffic within the car park.
- (4) A person shall not stop or park, or cause to be stopped or parked, in a car park, a vehicle in such a position that it or any portion of it shall obstruct the entrance to premises within the car park, or park on a footway within the car park, or park in a place prohibited within the car park, or park a vehicle other than a goods vehicle in a loading bay in the car park, or park a motor bicycle other than in the space provided in the car park.
- (5) 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.
- (6) 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.
- (7) 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

- (8) Notwithstanding paragraph (1)(a) of this Bye-Law, a vehicle parked in a pay parking bay during operational hours may project into an adjoining buffer area if the length of the vehicle prevents its being parked wholly in accordance with paragraph (1)(a) of this Bye-Law.
- (9) "Tramore - The Promenade" as per Schedule 1 - the parking of *Motorhomes, Motor Caravans and Camper Vans* are only permitted in designated parking spaces within the Promenade pay and display zone during the pay and display periods provided it does not project into an adjoining buffer area or adjoining parking bay area or extend into the road carriageway. Vehicles that do not meet this criteria must park in a designated space with the appropriate *Motorhomes, Motor Caravans and Camper Vans* signage.
- (10) Vehicles other than Motorhomes, Motor Caravans and Camper Vans shall not be parked in designated/signed parking spaces for Motorhomes, Motor Caravans and Camper Vans.

**Power to
Parking fees**

Vary 7.

The Council may, by Executive Order, in order to allow for the promotion of commercial activity in the City and County or to promote a particular method or methods of payment, make a temporary reduced parking fee for vehicles parked in accordance with Bye-laws 8, 13 or 19 for such rates at such times and for such periods as may be set out in the Executive Order.

**PART III
PAY AND DISPLAY PARKING**

Obligation to display a valid pay and display Parking Ticket

8. (1) Where a vehicle is parked in a pay and display ticket parking place during operational hours:
- (a) a valid pay and display parking ticket shall be displayed as specified in this bye-law in the interior of the vehicle lawfully parked in a pay and display ticket parking place at the commencement of the parking;
 - (b) the valid pay and display parking ticket shall be so exhibited in the interior of the vehicle in a manner which will permit a person outside the vehicle to see clearly all the information indicated on the said pay and display parking ticket and sufficient to enable such person to ascertain by reference to the pay and display parking ticket when such parking had commenced.
 - (c) The valid pay and display parking ticket shall be exhibited in accordance with subsection (b) of this bye-law so long as the vehicle is parked in that ticket parking place.
 - (d) Where a vehicle, being parked in a pay and display ticket parking place during operational hours, is a goods vehicle being so parked solely for the loading or unloading of goods, subsections (a), (b) and (c) of this bye-law shall not apply until the expiration of 30 minutes after the commencement of the parking.

Period of parking in pay and display Parking ticket parking place

9. A vehicle parked in a pay and display ticket parking place during operational hours shall not be so parked for a period longer than the period for which payment is permitted as indicated on the appropriate pay and display parking ticket machine.

Manner and time of payment of parking fee

10. (1) A pay and display parking ticket shall be purchased from an appropriate pay and display parking ticket machine.
- (2) The fee for the 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. The

method/methods of payment will be indicated on the pay and display parking ticket machine.

- (3) Payment by cash shall be made by inserting the appropriate fee for the parking time required into the appropriate pay and display parking ticket machine and following the instructions on the pay and display parking ticket machine in order to obtain a valid pay and display parking ticket.
- (4) Payment by payment card where the facility is provided shall be made by inserting the payment card into the pay and display parking ticket machine and following the instructions on the pay and display parking ticket machine in order to obtain a valid pay and display parking ticket.
- (5) The valid pay and display parking ticket shall be displayed immediately on parking provided that, where a vehicle is parked at a time not during operational hours, the valid pay and display parking ticket shall be displayed in accordance with Bye-Law 8 of these bye-laws at the commencement of operational hours.
- (6) Where a free period has been provided for, as a promotion by the council, this free period will be added to the pay and display ticket by the pay and display ticket machine. To park for a period less than the free period, a ticket can be dispensed free of charge from the pay and display ticket machine, which must then be displayed immediately on parking provided that, where a vehicle is parked at a time not during operational hours, the valid pay and display parking ticket shall be displayed in accordance with Bye-Law 8 of these bye-laws at the commencement of operational hours.

Interference

11. (a) No person shall inset any coin, article or object, other than a payment card or the coins specified for the purchase of a pay and display parking ticket, in a pay and parking ticket machine, or interfere in any other way with a pay and display parking ticket machine.

- (b) No person other than an agent of the Council, a member of the Garda Siochana, an authorised person, or a traffic warden shall interfere in any way with a hood, sign or other device placed on a pay and display parking ticket machine.
- (c) A person shall not interfere with, alter or deface a pay and display parking ticket, whether such is on display in the vehicle or otherwise

Fee for a Pay and Display Parking Ticket

12. The fee for a pay and display parking ticket shall be as specified in Schedule 1 of these bye-laws.

PART IV

PAY BY PHONE PARKING

Payment of Parking Fee by Phone or other means

13. (1) Where a vehicle is parked in a pay parking place during operational hours and a valid pay by phone ticket has been purchased for that vehicle for that location, paragraph 1 of Bye-law 6 shall not apply.

Manner and time of payment of parking fee

14. (1) A pay by phone ticket shall be purchased from pay by phone operator.
- (2) The fee for the pay by phone ticket shall be payable by following the relevant instructions of the pay by phone operator.
- (3) The valid pay by phone parking ticket shall be purchased immediately on parking provided that, where a vehicle is parked at a time not during operational hours, the valid pay by phone parking ticket shall be purchased in accordance with Bye-Law 13 of these bye-laws at the commencement of operational hours.
- (4) A person may, by purchasing an additional pay by phone ticket, park for an additional period, in the same pay parking place, provided the period for the additional pay by phone ticket so purchased, in addition to the period for the original pay by phone ticket purchased for the same pay parking place, does not exceed the maximum period permitted as indicated on the appropriate pay and display ticket parking

machine or on the information plate

- (5) Where a free period has been provided for, as a promotion by the council, this free period will be added to the pay by phone ticket by the pay by phone operator. To park for a period less than the free period, a ticket can be dispensed free of charge from the pay and display ticket machine, which must then be displayed immediately on parking provided that, where a vehicle is parked at a time not during operational hours, the valid pay and display parking ticket shall be displayed in accordance with Bye-Law 8 of these bye-laws at the commencement of operational hours.

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| Fee for a Pay by Phone Parking Ticket | 15. The fee for a pay by phone parking ticket shall be as specified in Schedule 1 of these bye-laws. |
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**PART V
PARKING PERMIT FOR RESIDENTS**

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| Non-application of certain of these Bye-Laws to Resident's Parking Permits | 16. Bye-Laws 6 to 15 of these bye-laws shall not apply to the parking of a vehicle in a pay and display ticket parking place if there is displayed, in the vehicle, in accordance with Bye-Law 20 of these bye-laws, when it is so parked, a valid resident's parking permit which relates to the street in which that pay and display ticket parking place is situated. |
| Proof of residence and of ownership | 17. The Council shall require an applicant for a resident's parking permit to provide acceptable evidence of residence at the stated address and of ownership of the vehicle concerned, or other such documentation as maybe required. |
| Particulars of a Resident's Parking Permit | 18. A resident's parking permit shall contain the following particulars: <ol style="list-style-type: none">(1) the words Waterford City and County Council; and(2) the registration number and make of the vehicle in respect of which it is issued; and,(3) the street, or streets, or the public car park to which it relates; and(4) the date of expiry. |

Permission to park a vehicle displaying a Resident's Parking Permit

19. The display, in accordance with Bye-Law 20 of these bye-laws, of a valid resident's parking permit in the vehicle in respect of which the permit was issued, shall permit the owner of the vehicle (or any person using it with the owner's consent) to park it without limitation as to time in a pay parking place on a street or in a public carpark to which the permit relates.

Display of a valid Resident's Parking Permit

20. A valid resident's parking permit shall be displayed in the interior of the vehicle in respect of which it is issued, in such a manner that the particulars specified thereon can be easily read from outside the vehicle.

Issue of and fee for a Resident's Parking Permit

21. (1) A resident's parking permit shall be issued by the Council in respect of the parking of a vehicle in a pay parking place in the functional area of the council.
- (2) The fee for a resident's parking permit shall be as specified in Schedule 2 of these bye-laws.
- (3) For residents in rented accommodation, a resident's parking permit shall be valid for a period of one year from the date of issue, or for the duration of the lease/tenancy agreement whichever is the lesser.
- (4) For residents who own the house they occupy, a residents permit may be issued for a period of up to two years from the date of issue.
- (5) (a) Where a residential development complex is provided and off street parking does not form part of the development, a maximum of two resident's parking permits shall be issued in respect of any one apartment or dwelling.
- (b) Existing households which have two or more residents parking permits will be considered for the issue of in excess of two residents parking permits where such need is established to the satisfaction of the Council..
- (6) Where a residential development complex is provided and significant off street parking forms part of the development, a resident's parking permit shall not be issued unless and until the resident demonstrates to the satisfaction of the Council the non availability of such off street parking. Where such is demonstrated to the satisfaction of the Council, one resident's parking permit shall be issued in respect of any one apartment or dwelling. The cost of obtaining parking within the development, shall not be considered grounds for the issuance of a

residents permit.

- (7) Save as provided for in subsections 3 and 4 of this bye-law, a resident's parking permit shall be issued by the Council where the owner of the vehicle resides at premises situated in a pay parking place. The resident's parking permit shall be issued in respect of the vehicle and for the street in which the normal place of residence of the owner is situated and one other such adjacent street or adjacent public car park, as the case may be.
- (8) A resident's parking permit shall be issued by the Council in respect of:
 - (a) a motor-car,
 - (b) a van,
 - (c) a passenger vehicle (having accommodation for not more than seven passengers excluding the driver).

Interference with a Resident's Parking Permit

- 22.** Where a vehicle is parked in a pay parking place, a person shall not interfere with a resident's parking permit exhibited in the vehicle. Abuse of a resident's parking permit shall result in the cancellation and or withdrawal of the residents parking permit.

Return and transfer of a Resident's Parking Permit

- 23.** (1) 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 the owner of the vehicle to which the permit relates, he or she shall forthwith return the permit to the Council.
- (2) 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 or she shall forthwith return the permit to the Council and upon payment of a fee as specified in Schedule 2 of these bye-laws by the resident, the Council shall issue to the resident a new permit in respect of that vehicle, and such new permit shall be valid for the period specified.

Display of invalid Resident's Parking Permit

- 24.** It shall be an offence to display an invalid resident's parking permit.

**PART VI
PARKING PERMIT FOR CARERS**

Non-application of certain of these Bye-Laws to Carer's Parking Permits

25. Bye-Laws 6 to 15 of these bye-laws shall not apply to the parking of a vehicle in a pay parking place if there is displayed, in the vehicle, in accordance with Bye-Law 29 of these bye-laws, when it is so parked, a valid carer's parking permit which relates to the street in which that pay and display ticket parking place is situated.

Qualifying criteria for a Carer's Parking Permit

26. (1) A carer's parking permit may be issued by the Council for use by a carer of a resident whose normal dwelling place is situated in a pay parking place and who requires ongoing daily care for a chronic illness.
- (2) A carer's parking permit shall be issued annually to a qualified resident subject to the submission of proof of residency and written confirmation from the resident's doctor that the resident requires ongoing daily care for a chronic illness.

Particulars of a Carer's Parking Permit

27. A carer's parking permit shall contain the following particulars:
- (1) the words Waterford City and County Council; and
 - (2) the street or streets to which it relates; and
 - (3) the date of expiry; and
 - (4) signature of Authorised Employee.

Permission to park a vehicle displaying a Carer's Parking Permit

28. The display in accordance with Bye-law 29 of these bye-laws of a valid carer's parking permit in a vehicle being parked in a pay parking place, during the course of the provision of care to the resident to whom the carer's parking permit was granted, shall permit a carer to park his or her vehicle without limitation as to time in a pay parking place on the street to which the carer's parking permit relates.

Display of a valid Carer's Parking Permit

29. A valid carer's parking permit shall be displayed in the interior of the vehicle in respect of which it is issued, in such a manner that the particulars specified thereon can be easily read from outside the vehicle.

Issue of a Carer's Parking Permit

30. (1) A carer's parking permit shall be issued by the Council in respect of the parking of a vehicle in a pay and display ticket parking place in the functional area of such local authority.

- (2) A carer's parking permit shall be valid for a period of one year from the date of issue.
- (3) A carer's parking permit shall be issued by the Council to a resident who requires care in accordance with Bye-Law 26 of these bye-laws and who resides at premises situated in a pay and display ticket parking place. The carer's parking permit shall be issued in respect of the street in which the normal place of residence of the person requiring care is situated and one other such adjacent street, as the case may be.
- (4) A carer's parking permit shall be issued by the Council in respect of:
 - (a) a motor car,
 - (b) a van,
 - (c) a passenger vehicle (having accommodation for not more than seven passengers excluding the driver).

Interference with a Carer's Parking Permit

- 31.** Where a vehicle is parked in a pay and display ticket parking place, a person shall not interfere with a carer's parking permit exhibited in the vehicle.

Return and transfer of a Carer's Parking Permit

- 32.** Where, during the period to which a carer's parking permit relates, the resident to whom it is issued ceases to reside at the address specified, he or she shall forthwith return the permit to the Council. The Carers Parking Permit is non transferable.

Offence

- 33.** (1) It shall be an offence for a resident to:
- (a) Sell or otherwise dispose of a carer's parking permit.
 - (b) Abuse of Carers Parking Permit shall result in the cancellation and or withdrawal of the Carer's Parking Permit.
- (2) It shall be an offence to display an invalid carer's parking permit.

**PART VII
PARKING PERMIT FOR VISITORS**

Non-application of certain of these Bye-Laws to Visitor's Parking Permits

34. Bye-Laws 6 to 15 of these bye-laws shall not apply to the parking of a vehicle in a pay parking place if there is displayed, in the vehicle, in accordance with Bye-Law 38 of these bye-laws, when it is so parked, a valid visitor's parking permit which relates to the street in which that pay parking place is situated.

Qualifying criteria for a Visitor's Parking Permit

35. A visitor's parking permit may be issued by the Council to a household situated in a pay parking place where such household is solely occupied by one or more persons aged 65 or over. A visitor's parking permit shall be issued to the nominated person in a qualified household subject to the submission of proof of age.

Particulars of a Visitor's Parking Permit

36. A visitor's parking permit shall contain the following particulars:

- (1) the words Waterford City and County Council; and
- (2) the street, or streets to which it relates; and
- (3) the date of expiry; and
- (4) signature of Authorised Employee.

Permission to park a vehicle displaying a Visitor's Parking Permit

37. The display, in accordance with Bye-Law 38 of these bye-laws, of a valid visitor's parking permit in a vehicle being parked in a pay parking place during the course of visiting a resident to whom the visitor's parking permit was granted, shall permit a visitor to park his or her vehicle for a maximum period of two consecutive hours in a pay parking place in the street to which the visitor's parking permit relates. A vehicle displaying a valid visitor's parking permit which had been parked in a pay place shall not be parked again in a pay parking place in any street to which the visitor's parking permit relates until at least one hour after the vehicle last vacated that pay parking place.

Display of a valid Visitor's Parking Permit

38. A valid visitor's parking permit shall be displayed in the interior of the vehicle in respect of which it is issued, in such a manner that the particulars specified thereon can be easily read from outside the vehicle.

Issue of a Visitor's Parking Permit

- 39.
- (1) A visitor's parking permit shall be issued by the Council In respect of the parking of a vehicle in pay parking place in the functional area of said local authority.
 - (2) A visitor's parking permit shall be valid for a

period of one year from the date of issue.

- (3) A visitor's parking permit shall be issued by the Council to the nominated person in a qualified household situated in a pay parking place in accordance with Bye-Law 35 of these bye-laws. The visitor's parking permit shall be issued in respect of the street in which the normal place of residence of the qualified person is situated and one other such adjacent street, as the case may be.
- (4) A visitor's parking permit shall be issued by the Council in respect of:
 - (a) a motor-car,
 - (b) a van,
 - (c) a passenger vehicle (having accommodation for not more than seven passengers excluding the driver).

Interference with a visitor's parking Permit

- 40.** Where a vehicle is parked in a pay and display ticket parking place, a person shall not interfere with a visitor's parking permit exhibited in the vehicle.

Return and transfer of a Visitor's Parking Permit

- 41.** Where, during the period to which a visitor's parking permit relates, the resident to whom it is issued ceases to reside at the address specified, he or she shall forthwith return the permit to the Council.
A Visitor's Parking Permit is non transferable.

Offence

- 42.** (1) It shall be an offence for a resident to:
- (a) Sell or otherwise dispose of a visitor's parking permit.
 - (b) Abuse of Visitor's Parking Permit shall result in the cancellation and or withdrawal of the Visitor's Parking Permit.
- (2) It shall be an offence to display an invalid Visitor's parking permit.

**PART VIII
PARKING PERMIT FOR VOLUNTARY ORGANISATIONS**

Non-application of certain of these bye-laws to Voluntary Organisation Parking Permits

- 43.** Bye-Laws 6 to 15 of these bye-laws shall not apply to the parking of a vehicle in a pay parking place if there is displayed, in the vehicle, in accordance with Bye-Law 38 of these bye-laws, when it is so parked, a valid voluntary organisation's parking permit which relates to the street in which that pay parking place is situated.

Qualifying criteria for a Voluntary Organisation Parking Permit

44. A voluntary organisation parking permit may be issued by the Council free of charge to voluntary organisations based within the paid parking areas that fulfil the following criteria:-

- (a) The organisation is wholly or primarily funded through charitable and / or voluntary fund raising, **AND**
- (b) The organisation is involved in the provision of health or critical welfare services being provided on a volunteer led, free of charge basis to the public, **AND**
- (c) Parking in close proximity to the premises is an essential response requirement in the delivery of the service(s) for unpaid volunteer staff.
- (d) An application form must be completed.
- (e) Letter from the charity/organisation confirming all of the above will be required.
- (f) A maximum of four free of charge permits may be issued to an organisation that fulfils the above criteria and such permits shall be specific to the adjacent street(s) or allocated carpark and non-vehicle specific in order to facilitate sharing amongst the volunteer staff.

Particulars of a Voluntary Organisation Parking Permit

45. A voluntary organisation's parking permit shall contain the following particulars:

- (a) the words Waterford City and County Council; and
- (b) the street, or streets to which it relates; and
- (c) the date of expiry; and
- (d) signature of Authorised Employee.

Display of a valid Voluntary Organisation Parking Permit

46. A valid voluntary organisation parking permit shall be displayed in the interior of the vehicle in respect of which it is issued, in such a manner that the particulars specified thereon can be easily read from outside the vehicle.

- Issue of a Voluntary Organisation Parking Permit** **47.**
- (5) A voluntary organisation parking permit shall be issued by the Council In respect of the parking of a vehicle in pay parking place in the functional area of said local authority.
 - (6) A voluntry organisation parking permit shall be valid for a period of one year from the date of issue.
 - (7) A voluntary organisation parking permit shall be issued by the Council to the organisation in accordance with bye-law 35 of these bye-laws. The parking permit may be issued in respect of a specific street or general depending on the location of the organisation's premises.
 - (8) A voluntary organisation parking permit shall be issued by the Council in respect of:
 - (a) a motor-car,
 - (b) a van,
 - (c) a passenger vehicle (having accommodation for not more than seven passengers excluding the driver).
- Interference with a Voluntary Organisation parking Permit** **48.**
- Where a vehicle is parked in a pay and display ticket parking place, a person shall not interfere with a voluntary organisation parking permit exhibited in the vehicle.
- Return and transfer of a Voluntary Organisation Parking Permit** **49.**
- Where, during the period to which a voluntary organisation parking permit relates, the organisation ceases to operate or relocates, must return the permit to the Council. A voluntary organisation parking permit is non transferable.
- Offence** **50.**
- (1) It shall be an offence for an organisation to:
 - (c) Sell or otherwise dispose of a voluntary organisation parking permit.
 - (d) Abuse of voluntary organisation parking permit shall result in the cancellation and or withdrawal of the parking permit.
 - (2) It shall be an offence to display an invalid Voluntary organisation parking permit.

**PART IX
MISCELLANEOUS**

- Disabled person's parking bay** **51.** A person shall not stop or park a vehicle, or cause such vehicle to be stopped or parked in a disabled person's parking bay, without having on display a valid disabled person's parking permit issued pursuant to Article 43 of the Regulations of 1997. The vehicle shall be parked for the convenience of the person to whom that permit was granted. A vehicle displaying a valid disabled persons permit shall not be parked for longer than is specified on the information plate, if any.
- Other Permits** **52.** The Council may, by executive order, may introduce temporary parking permits for the purpose and for such periods as may be set out in the Executive Order. The fee for said permits shall be that set out in the said executive order.
Bye-Laws 6 to 15 of these bye-laws shall not apply to the parking of a vehicle in a pay parking place, if there is displayed, in the vehicle, when it is so parked, a valid permit which relates to the street in which that pay and display ticket parking place is situated.
- Inspection of Permits** **53.** 1. A Traffic Warden/Garda may request the driver or person in charge of a vehicle, parking in a pay parking place, displaying a Permit under bye-law 20, 29, 38, 46 or 52, to allow the inspection by the Warden/Garda of the permit.
2. Where a Warden/Garda inspecting a permit under subsection (1) is of the opinion that -
a. The permit is no longer in force
b. The permit does not apply to the circumstances or vehicle in which it is being used,
c. The person using the permit is not entitled to use it, or
d. The permit is altered or forged.
he or she may detain it and must return it to the Traffic Management Department.
- Non-application of bye-laws to specified vehicles** **54.** Bye-Laws 6 to 15 of these bye-laws shall not apply to:
(1) A vehicle being used in connection with the removal of an obstruction to traffic, the provision of a traffic sign, the maintenance, improvement or reconstruction of a public road, the provision, alteration or repair of a main drain, pipe, cable or apparatus for the supply of gas, oil, water, electricity, telephone, or television service;
(2) a fire brigade vehicle, an ambulance or a vehicle being used by a member of the Garda Síochána

in the performance of his or her duties as such member or a vehicle being used by an authorised employee or agent of the Council or a traffic warden in the performance of their assigned duties;

- (3) a vehicle, which has broken down, during the minimum period necessary to effect repairs to enable it to be removed;
- (4) a vehicle in which, a valid disabled person's parking permit issued pursuant to Article 43 of the Regulations of 1997, is displayed, provided that said vehicle is parked for the convenience of the disabled person to whom the permit was granted;
- (5) a vehicle in which, (i) a valid resident's parking permit, (ii) a valid carer's parking permit, (iii) a valid visitor's parking permit, or (iv) a valid exemption permit issued by the Council, is displayed, and which has been issued pursuant to these bye-laws.
- (6) A powered two wheel vehicle

Continuity of repealed Bye-Laws and Transitional Provisions

55.

1. Nothing in Bye-Law 4 shall affect the validity of anything done under the pre existing Bye-Laws. Any actions taken under the pre existing Bye-Laws 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 pre existing Bye-Laws unless otherwise provided;
2. The continuity of the operation of the law relating matters provided for in the repealed pre existing Bye-Laws shall not be affected by the substitution of these Bye-Laws for the said pre existing Bye-Laws and –
 - (a) so much of any other Bye-Law, act or document refers, whether expressly or by implication, to, or things done or falling to be done under or for the purposes of, any provision of these Bye-Laws, shall, 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 pre existing Bye-Laws 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;

(b) 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 pre existing Bye-Laws 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.

**SCHEDULE 1
PARKING LOCATIONS, FEES AND MAXIMUM STAYS**

Waterford City

Location	Tariff
Adelphi Quay	A
Alexander Court	A
Andrew Street	B
Anne Street	B
Arundel Square	A
Bachelors Walk	B
Ballybricken	B
Ballytruckle Road	B
Barrack Street	B
Barrett Court	B
Barrett Place	B
Bath Street	B
Beau Street	A
Blakes Lane	B
Bolton Street	C
Bolton Street Car Park	C
Butchers Lane	B
Butler Court	B
Canada Street	B
Carrigeen Park	A
Castle Street	A
Castle Terrace	B
Catherine Street	A
Clashrea Place	B
Closegate	B
College Street	B
Convent Hill	B
Doyle Street	B
Dyehouse Lane	B
Emmet Place	B
Francis Street	B
Georges Quay	B
Glasshouse Lane	B
Glen Cottages	B
Glen Terrace	B
Gracedieu Road	B
Graces Lane	B
Grattan Quay	B
Green Street	B
Green Street Court	B
Greyfriars	A

Location	Tariff
Hennessey's Road	B
Henrietta Street	A
Henry Street	B
Jenkins Lane Car Park	A
John Street	A
Johns Hill	B
Johns Lane	A
Johnstown Avenue	B
Johnstown / Millars Marsh Car Park	D
Little Patrick Street	A
Lower Johnstown	B
Lower Newtown Road	B
Lower Yellow Road	B
Mandeville Lane	B
Manor Hill	B
Manor Street	B
Mary Street	B
Mayors Walk	B
Meeting House Lane	A
Michael Street	A
Military Barracks	B
Military Road	B
Monastery Street	B
Morgan Street	B
Morrissons Road	B
Mount Sion Avenue	B
Mount Sion Crescent	B
New Street	A
Newgate Street	A
Newports Square	B
Newports Terrace	B
Newtown Road	B
O'Brien Street	B
O'Brien Terrace	B
O'Connell Street (Eastern Part)	A
O'Connell Street (Western Part)	B
Olaf Street	A
Otteran Place	B
Ozier Park Terrace	B
Park Road	E
Parliament Street	A
Parnell Street	A
Percy Terrace	B
Philip Street	B

Location	Tariff
Poleberry	B
Poleberry Terrace	B
Railway Square	B
Rice Park	B
Rockfield Park	B
Scotch Quay	B
Shortcourse	B
South Parade	B
Spring Garden Alley	A
Spring Gardens	A
Springfield	B
St Alphonsus Road	B
St Cartages Avenue	B
St Francis Place	A
St Ignatius Street	B
St Patricks Terrace	B
Stephen Street	A
Summerhill	B
Summerhill Close	B
Summerhill Terrace	B
The Glen	B
The Mall	A
The Quay	A
Thomas Hill (Northern Part)	A
Thomas Hill (Southern Part)	B
Thomas Street	B
Trinity Square	B
Water Street	B
Waterside	A
Waterside Car Park	D
Waterside Close	A
Wellington Street	B
Wilkins Street	B

Tramore

Location	Tariff
Riverstown Road	F
Strand Road	F
Strand Street	F
Summerhill Centre Road	G
The Promenade	F
The Promenade Car Park	F
Tramore Burrow Lower Car Park	F
Tramore Burrow Upper Car Park	F

**SCHEDULE 2
PARKING TICKET FEES**

Tariff	Appropriate Parking Fee	Hours of Operation	Maximum Stay
A	€1.80 per hour	Monday - Thursday and Saturday 08:30 - 18:30 Friday 08:30 - 21:30 Public Holidays excepted.	2 Hours
B	€1.50 per hour	Monday - Thursday and Saturday 08:30 - 18:30 Friday 08:30 - 21:30 Public Holidays excepted	2 Hours
C	€1.00 per hour	Monday - Thursday and Saturday 08:30 - 18:30 Friday 08:30 - 21:30 Public Holidays excepted	13 Hours
D	€1.00 per hour Max €3.60 per day	Monday - Thursday and Saturday 08:30 - 18:30 Friday 08:30 - 21:30 Public Holidays excepted	13 hours
E	Free	Monday - Thursday and Saturday 08:30 - 18:30 Friday 08:30 - 21:30 Public Holidays excepted	2 Hours
F	€2.00 per day	10:00 to 20:00 each Day June, July, August and September only	10 hours
G	Free	Monday - Friday 08:30 - 18:30 Public Holidays excepted	30 minutes

**SCHEDULE 3
PERMIT FEES**

TYPE OF PARKING	PARKING FEE
Resident's Parking Permit	€15.00 per annum
Duplicate Resident's Parking Permit	€50.00
Duplicate Carer's Parking Permit	€50.00
Duplicate Visitor's Parking Permit	€50.00
Reissue any permit due to change of address	€5.00
Reissue any Resident's Parking Permit due to change of vehicle	€5.00

Made and adopted under the Common Seal of Waterford City and County Council

this day of 2020.

Present when the Common Seal of Waterford City and County Council was affixed hereto:

Mayor

**Director of Services
Roads, Water and
Environment**

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation)

These bye-laws provide for parking of a Motorhome, Motor Caravan and Camper Van in Tramore - The Promenade Schedule 1 in parking spaces during the pay and display periods provided that they do not project into an adjoining space or extend into the carriageway. They also provide for the inclusion of Voluntary Parking Permits.