

TIPPERARY TOWN COUNCIL
MARKET YARD CAR PARK BYE-LAWS
2003

Tipperary Town Council (hereinafter referred to as the Council) in exercise of the powers conferred on them by Section 101 of the Road Traffic Act 1961 (No. 24 of 1961) as amended by Section 6 of the Road Traffic Act, 1968 (No. 25 of 1968) as amended by Section 4 and Section 49 of the Road Traffic Act, 1994 (No. 7 of 1994) hereby make the following Bye-Laws as to the use of the car park provided by them as defined in Bye-Law No.1 of these Bye-Laws.

1. In these Bye-Laws, "Car Park" means the Market Yard Car Park located between Main Street and Market Street, Tipperary.

"Car Park" means the car park specified in Bye-Law No.1 of these Bye-Laws.

"Car" means a mechanically propelled vehicle having seating accommodation for not more than eight passengers.

"Motorcycle" means a mechanically propelled bicycle with or without a sidecar.

"Parking Bay" means a space in the car-park intended for the parking of one vehicle or where the space is intended for the parking of motorcycles of more than one such vehicle and so indicated by surface or other signs or markings.

"Parking Ticket" means a parking ticket issued by the Council by means of a parking ticket machine 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 No. 3 of these Bye-Laws is inserted into the machine.

"Disabled Persons Parking Bay" means a space intended for the parking of a mechanically propelled vehicle on which is displayed a Disabled Persons Parking Permit granted in respect of such vehicle.

"Disabled Persons Parking Permit" means a permit granted in accordance with Article 43 of the Road Traffic (Traffic and Parking) Regulations, 1997 (S.I. No. 182 of 1997)

2. (a) A person shall not use the car park for any purpose other than for the parking of a car, a motorcycle or a van.

(b) The car park may not be used for the parking of tour buses, trucks, articulated vehicles, trailers, caravans, tractors, pick-up trucks, drawn vehicles or mobile food vans.

3. The scale of charges and the periods to which they apply shall be as determined by resolution of the Council and shall for the time being be as follows:
Parking fees shall apply during the period 9.00 a.m. to 6.00 p.m. Monday to Saturday both days inclusive.
 - Up to one hour – €1.00
 - All Day- €3.00
4. A person using the car park shall be required to purchase a ticket for such use and to display same as prescribed in Bye-Law No. 5(1) hereof.
5. (a) Where a vehicle other than a motorcycle is parked in the car park during the period as set out in Bye-Law No.3 of these Bye-Laws, 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 the car park.

(b) Where a ticket is exhibited on a vehicle other than a motorcycle parked in the car park, 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. Where a vehicle is parked in the car park during the period as set out in Bye-Law No. 3 of these Bye-Laws, a person shall not interfere with a parking ticket exhibited in the vehicle.
7. A vehicle other than a motor cycle parked in the car park at a time which is not the period as set out in Bye-Law No.3 of these Bye-Laws, shall be removed from the car park when the said period commences unless at such commencement and during the remainder of the period of parking, a parking ticket or tickets is or are exhibited in the interior of the vehicle in accordance with Bye-Law No.4 of these Bye-laws.
8. Where a parking ticket machine provided for the car park has ceased to be in working order and there is no other parking ticket machine in working order for the car park, Bye-Law No. 3 and Bye-Law No. 4 will cease to have effect in respect of such car park.
9. (a) A person shall not insert into the parking ticket machine any coin or object, other than a coin or an approved card required to pay the fee prescribed by Bye-Law No. 3 of these Bye-Laws.

- (b) A person shall not interfere with or damage a parking ticket machine.
10. (a) A person shall not park a vehicle in a disabled person parking bay without having displayed thereon a disabled persons parking permit.
(b) A mechanically propelled vehicle on which is displayed a disabled persons parking permit granted in respect of such vehicle shall be exempt from the payment of fees specified in Bye-laws No. 3 of these Bye-laws.
11. A person shall not park or cause to be parked in the car park a vehicle in such a position or in such condition or in such circumstances that it would cause, or be likely to cause, danger to other persons using the car park or to obstruct the entrance to or exit from the car park or to obstruct the free flow of traffic within the car park.
12. A person shall not park or cause to be parked in the car park a vehicle in such a position that it or any portion of it extends from one parking bay to another.
13. A person shall not overhaul or execute repairs to a vehicle while it is parked in the car park, save where it is necessary to carry out repairs to the vehicle in order to enable it to be removed from the car park.
14. A vehicle while parked in the car park shall not be used for the sale of food, tickets or goods of any description or for the provision of any service in or from the vehicle or as an office nor shall any such vehicle be offered or displayed for sale or for hire or as a prize.
15. A person shall not make any unnecessary noise by means of, or in relation to a vehicle while it is parked in the 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.
16. A person shall not throw, place or leave any bottle, or any broken glass, nail, litter, or other substance on or in the car park and no person shall at any time play ball or any game in the car park.
17. Every person using the car park shall comply with any lawful direction given by an Agent, Officer, or Employee of the Council (authorised for the purposes of the Bye-Laws by the Council) or by a member of the Garda Siochana in relation to the parking of a vehicle in, or its removal from the car park or in relation to any of these Bye-Laws.

Where a person who is considered to be in breach of any of these Bye-laws is requested by an Agent or Officer or Employee of the Council or a member of the Garda Siochana to leave the car park, such request shall be complied with.

18. A person shall not in the car park wilfully obstruct, disturb or interrupt an Agent, Officer, or Employee of the Council in the execution of his or her duty, including the execution of any work in connection with the laying out, or maintenance of any part of the car park by Staff of Agents of the Council.
19. A person shall give on demand, to an Agent, Officer or Employee of the Council authorised for the purposes of these Bye-Laws by the Council his or her name and address and a person shall not in the car park resist, obstruct or aid or incite any person to resist or obstruct any persons referred to in Bye-Law No. 18 or Bye-Law 19 in the execution of his or her duty or lawful exercise of his or her authority.
20. An Agent, Officer or Employee of the Council shall produce, if requested to do so, evidence of his or her identity and employment by the Council to any person alleged to be in breach of these Bye-Laws or who has been requested to leave the car park under Bye-Law No. 18 of the Bye-Laws.
21. Notwithstanding the provisions of Paragraphs 2 and 14 of these Bye-Laws, Casual Trading as defined in the Casual Trading Act, 1995, shall be permitted in such parts of the car park and at such times as the Council may determine from time to time.
22. The Market Yard Car Park Bye-Laws 2002 are hereby revoked.
23. These Bye-Laws shall be known as the Tipperary Town Council Market Yard Car Park Bye-Laws 2003.
24. These Market Yard Bye-Laws shall come into operation on the *1st day of January, 2003.*

Made and adopted under the Common Seal of Tipperary Town Council this 17th day of December 2002