

CORK CITY  
PARKING  
BYE-LAWS 2005

# **CORK CITY PARKING BYE-LAWS 2005**

Cork City Council in exercise of the powers conferred upon it by Sections 4(2) and 36 respectively of the Road Traffic Act 1994, (No 7 of 1994) and having consulted with the Commissioner of the Garda Síochána hereby make the following Bye-Laws in relation to the control and regulation of the parking of vehicles in the City of Cork.

## **PART 1 Preliminary and General**

1. These Bye-Laws may be cited as the Cork City Parking Bye-Laws 2005.
2. These Bye-Laws shall come into operation on the **21<sup>st</sup> June 2005**.
3. These Bye-Laws shall apply to the area comprising the administrative area of the City of Cork.
4. The Cork (County Borough) Disc Parking Areas Bye-Laws 1998 in so far as they apply to the area comprising the administrative area of the City of Cork are hereby revoked.

5. (1) In these Bye-Laws:

**“The Act of 1993”** means the Roads Act 1993 (No 14 of 1993).

**“The Act of 1994”** means the Road Traffic Act 1994 (No 7 of 1994).

**“The Signs Regulations”** means the Road Traffic (Signs) Regulations 1997. (S.I. No. 181 of 1997).

**“The National Regulations”** means the Road Traffic (Traffic and Parking) Regulations 1997 (S.I. No. 182 of 1997)

**“Disc Parking Area”** means an area on a public road where traffic sign or signs No RRM 016 and/or No RUS 018 authorised by the Signs Regulations together with an accompanying information plate(s) indicates that parking of vehicles is subject to the exhibition of a parking disc or a valid Park by Phone parking disc and having registered a valid Park by Phone contract parking period.

**“Valid Parking Disc”** means a parking disc which:

- (a) has been issued by Cork City Council by means of a dispensing machine or otherwise;
- (b) has been scratched or otherwise marked in accordance with the instructions printed thereon so as to indicate clearly and indelibly

the year, month, day, hour and (to the nearest following five minute period) minute of the hour of the commencement of a period of parking of the vehicle in which the parking disc is exhibited in accordance with these bye-laws;

- (c) indicates from the markings thereon no other year, month, day, hour or minute; and
- (d) indicates that the vehicle is so parked for a period not exceeding the period for which it may be parked in a disc parking area in the accordance with these bye-laws.

**“Valid Park by Phone contract parking period”** means a parking period:

- (a) which has been registered with the Park by Phone System by the customer via a phone interface;
- (b) for which a receipt has been received by the customer; and
- (c) where the motorist has registered that the vehicle is so parked for a period not exceeding the period for which it may it may be parked in a disc parked area in the accordance with these bye-laws.

**“Dispensing Machine”** means a machine provided by Cork City Council which is capable of automatically delivering a parking disc when the fee prescribed in Article No 12 is inserted into the machine.

**“Public Road”** has the meaning assigned to it in Section 2(1) of the Act of 1993.

**“Vehicle”** means a mechanically propelled vehicle other than a mechanically propelled wheelchair and a pedal cycle.

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

**“Loading Bay”** has the meaning assigned to it in Article 42 of the National Regulations and is indicated by means of a traffic sign NO. RRM 009 of the Signs Regulations accompanied by an information plate.

**“Parking Bay”** means an area contained between lines of the type referred to in Article 17 of the National Regulations.

**“Traffic Warden”** has the meaning assigned to it by Section 2(3) of the Local Authorities (Traffic Wardens) Act 1975 (No 14 of 1975).

- (2) A reference in these bye-laws to a traffic sign means a reference to a traffic sign prescribed in the Road Traffic (Signs) Regulations 1997 (S.I. No 181 of 1997) and any number referred to in association with a traffic sign shall be the number allocated to such a sign in such regulations.
- (3) 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) (a) 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 any enactment shall be constructed as a reference to that enactment as adapted by any subsequent enactment or instrument.
- (5) A reference in these bye-laws to the loading of goods shall be taken to include the supplying of fuel for the operation of the vehicle.

**Motor Cycles and pedal cycles prohibited from parking in Disc Parking Areas.**

- 6. A Motor cycle or a pedal cycle shall not be parked on a day and during the hours specified on an information plate accompanying traffic sign or signs No RRM 016 and/or No RUS 018 authorised by the Signs Regulations save in place for the parking of such vehicles.

**Non-Application of Bye-Laws to certain vehicles**

- 7. Articles 8 to 15 and 16 to 23 of these bye-laws shall not apply to
  - (a) a vehicle being used in connection with the removal of an obstruction to traffic, the maintenance, improvement or reconstruction of a public road, the provision, alteration or repair of a main drain, pipe or apparatus for the supply of gas, oil, water or electricity or of a telegraph, telephone or communications line or conduit or the provision of a traffic sign;
  - (b) a fire brigade vehicle, an ambulance or a vehicle being used by a member of the Garda Síochána or a traffic warden in the performance of his/her duties as such member or warden;

- (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 at the edge of a public road while a passenger is entering or leaving it;
- (f) a vehicle in the interior of which is clearly displayed a disabled person's parking permit issued pursuant to or recognised under the National Parking Regulations;
- (g) a vehicle in the interior of which is displayed a valid Residents Parking Permit issued by Cork City Council.

## **PART II**

### **Obligation to display valid Parking Disc.**

8. (1) Where a vehicle is parked in a disc parking area on a day and during the hours specified on an information plate accompanying traffic sign or signs No RRM 016 and/or No RUS 018 authorised by the Signs Regulations and the motorist has chosen to utilise the parking disc payment method for on street parking,
- (a) separate distinct markings in accordance with the instructions printed on the parking disc, indicating clearly and indelibly the year, month, day in the month, hour of the day and (to the nearest following five minute period) minute of the hour when the parking commences shall be made on a parking disc at the commencement of parking;
  - (b) the valid parking disc shall be so exhibited in the interior of the vehicle that a person outside can ascertain by reference to the markings when the parking commenced; and
  - (c) one valid parking disc only shall be exhibited in accordance with paragraph (b) of this article for so long as the vehicle is parked in that disc parking area.
- (2) Where a vehicle being parked in a disc parking area on a day and during the hours specified on an information plate accompanying traffic sign or signs No. RRM 016 and/or No RUS 018 authorised by the Signs Regulations is a goods vehicle being so parked solely for the loading and unloading of goods, paragraph (1) of this article shall not apply until the expiration of 30 minutes after the commencement of parking.
- (3) Where a vehicle which has parked in a disc parking area for a period of less than the maximum parking period in accordance with article 7 of these bye-laws for that disc parking area is subsequently lawfully parked in another disc parking on the same day, it shall not be necessary, subject to compliance with paragraph 1 (b) and 1 (c) of this article, to comply with paragraph 1(a) of this article.

#### **Period of parking in Disc parking Area**

9. (1) A vehicle parked in a disc parking area on a day and during the hours indicated on an information plate accompanying traffic sign or signs No RRM 016 and/or No. RUS 018 authorised by the Signs Regulations shall not be parked for longer than the period indicated as the maximum period for that disc parking area indicated in such information plate.
- (2) Where a vehicle which has been lawfully parked in another disc parking area is subsequently lawfully parked in another disc parking area the period to which the subsequent parking is restricted by paragraph (1) of

this article shall be reduced by a period equal to the period from the time indicated on the disc to the time when the subsequent parking commenced.

### **Interference with Parking Discs**

10. Where a vehicle is parked in a disc parking area in a day and during the hours specified on an information plate accompanying traffic sign or signs No RRM 016 and/or No RUS 018 authorised by the Signs Regulations a person shall not interfere with a parking disc exhibited in the vehicle.

### **Removal of Vehicle from Disc Parking Area.**

11. A vehicle parked in a disc parking area at a time which is not specified on an information plate accompanying traffic sign or signs No. RRM 016 and/or No RUS 018 authorised by the Signs Regulations shall be removed from the disc parking area when a period of hours specified on such information plate commences, unless at such commencement and during the remainder of the period of parking, a valid parking disc is exhibited in the interior of the vehicle in accordance with article 8(1)(b) of these bye-laws and article 8(1)(c) of these bye-laws shall apply from such commencement in respect of such parking.

### **Prohibition on certain parking inside an hour of leaving Disc Parking Area.**

12. A vehicle which has been parked in a disc parking area shall not be parked again in the public road in which that disc parking area is situated until at least one hour after the vehicle last vacated that public road.

### **Issue of Parking Discs**

13. Parking discs shall be issued by Cork City Council by means of a dispensing machine, designated retail outlets or otherwise.

### **Fee for Parking Discs**

14. The fee for a parking disc shall be one euro and eighty cent (€1.80) or such as may be determined from time to time by resolution of Cork City Council, pursuant to the provisions of Section 36 of the Act of 1994.

### **Conditions for parking in a disc parking area.**

15. A vehicle which is parked in a disc parking area on a day and during the hours specified on an information plate accompanying traffic sign or signs No. RRM 016 and/or No RUS 018 authorised by the Signs Regulations shall, where

parking bays are provided at that disc parking area, be parked within the area comprising a parking bay.



## **PART III**

### **Obligation to display a valid Park by Phone parking disc and register a valid Park by Phone contract parking period.**

16. (1) Where a vehicle is parked in a disc parking area on a day and during the hours specified on an information plate accompanying traffic sign or signs No RRM 016 and/or No RUS 018 authorised by the Signs Regulations and the motorist has chosen to utilise the Park by Phone payment method for on street parking,
- (a) the motorist shall register the parking contract period with the park by phone system at the commencement of parking;
  - (b) the Park by Phone parking disc shall be so exhibited in the interior of the vehicle that a person outside can ascertain by reference to the markings when the parking commenced; and
  - (c) one valid Park by Phone parking disc only shall be exhibited in accordance with paragraph (b) of this article for so long as the vehicle is parked in that disc parking area.
- (2) Where a vehicle being parked in a disc parking area on a day and during the hours specified on an information plate accompanying traffic sign or signs No RRM 016 and/or No RUS 018 authorised by the Signs Regulations is a goods vehicle being so parked solely for the loading and unloading of goods, paragraph (1) of this article shall not apply until the expiration of 30 minutes after the commencement of parking.

### **Period of parking in a Disc parking Area**

17. (1) A vehicle parked in a disc parking area on a day and during the hours indicated on an information plate accompanying traffic sign or signs No RRM 016 and/or No. RUS 018 authorised by the Signs Regulations shall not be parked for longer than the period indicated as the maximum period for that disc parking area indicated in such information plate except where provided for under article 17(2) of these bye-laws.
- (2) Where a vehicle which has been lawfully parked in a disc parking area the parking contract period can be extended by an additional parking contract period of a maximum of 1 hour. The motorist will be advised of the costs of this parking extension via SMS text message before their parking contract period has expired. The extension to the parking period must be confirmed before the initial parking contract period has expired.

### **Interference with Park by Phone Parking Discs**

18. Where a vehicle is parked in a disc parking area in a day and during the hours specified on an information plate accompanying traffic sign or signs No RRM 016 and/or No RUS 018 authorised by the Signs Regulations a person shall not interfere with a Park by Phone parking disc exhibited in the vehicle.

### **Removal of Vehicle from a Disc Parking Area.**

19. A vehicle parked in a disc parking area at a time which is not specified on an information plate accompanying traffic sign or signs NO. RRM 016 and/or No RUS 018 authorised by the Signs Regulations shall be removed from the disc parking area when a period of hours specified on such information plate commences, unless at such commencement and during the remainder of the period of parking, a valid Park by Phone parking disc is exhibited in the interior of the vehicle and a valid Park by Phone parking contract period has been registered in accordance with article 16(1)(b) and 16(1)(b) and 16(1)(c) of these bye-laws shall apply from such commencement in respect of such parking.

### **Prohibition on certain parking inside an hour of leaving Disc Parking Area.**

20. A vehicle which has been parked in a disc parking area shall not be parked again in the public road in which that disc parking area is situated until at least one hour after the vehicle last vacated that public road.

### **Issue of Park by Phone Parking Discs**

21. Park by Phone Parking Discs shall be issued by Cork City Council or its agents after completion of a registration form by the motorist and successful registration of their vehicle on the Park by Phone System.

### **Fee for Parking by Phone**

22. The fee for a Park by Phone parking contract period shall be one euro and fifty cent (€1.50) or such as may be determined from time to time by resolution of Cork City Council, pursuant to the provisions of Section 36 of the Act of 1994.

### **Conditions for parking in a disc parking area.**

23. A vehicle which is parked in a disc parking area on a day and during the hours specified on an information plate accompanying traffic sign or signs No. RRM 016 and/or No RUS 018 authorised by the Signs Regulations shall, where

parking bays are provided at that disc parking area, be parked within the area comprising a parking bay.

**PART IV**  
**Parking Permits for Residents**

**Definitions for Part IV**

24. In this part of these bye-laws:

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

**“Resident”** means a person whose normal residence is at premises situated in a zone containing a disc parking area (i.e. who resides overnight for more than 183 days per year at that premises) and who satisfies the Council that his/her normal residence is at a building situated in a street in a Residential Parking Permit zone.

**“Resident’s Parking Permit”** means a document issued by Cork City Council for the purposes of articles 25 to 31 and containing the particulars specified in article 26;

**“Rented house”** means a dwelling required to be registered in accordance with the Housing (Registration of Rented Houses) Regulations 1996;

**“Valid resident’s parking permit”** means a resident’s parking permit which relates to a particular zone and to a period which has not expired and which is issued by Cork City Council in whose functional area the vehicle on which the permit is displayed is parking;

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

**“Zone”** means an area comprising of a public road or a number of public roads to which a particular resident’s parking permit applies.

**Non-Application of Bye-Laws**

25. Articles 8 to 15 and 16 to 23 (other than article 15 and 23) of these bye-laws shall not apply to the parking of a vehicle in a disc parking area if there is displayed in accordance with article 30 of these bye-laws in the vehicle when it is so parked, a valid resident’s parking permit which relates to the zone in which the disc parking area is situated.

**Particulars of a Resident’s Parking Permit**

26. A valid resident’s parking permit shall contain the following particulars:

- (a) the name of Cork City Council by whom it was issued;
- (b) the make and registration number of the vehicle in respect of which it is issued;
- (c) the date of expiry;
- (d) the zone to which it relates;
- (e) the signature, and the description of the officer of Cork City Council issuing it; and
- (f) the serial number.

#### **Permission to park a vehicle displaying a Resident's Parking Permit.**

27. The display, in accordance with article No 30 of these bye-laws of a valid resident's parking permit on the vehicle in respect of which the permit was issued, shall permit the owner of the vehicle (or any person using it with his/her consent) to park it without limitation as to time in a disc parking area in the zone to which the permit relates.

#### **Display of valid Resident's Parking Permit**

28. A valid resident's parking permit shall be so displayed in the interior of the vehicle in respect of which it is issued that it can be read clearly from outside the vehicle.

#### **Interference with Resident's Parking Permit.**

29. Where a vehicle displaying a resident's parking permit is parked in a disc parking area a person shall not interfere with the permit.

#### **Issue of and fee for Resident's Parking Permit**

30. (1) A resident's parking permit shall be issued by Cork City Council upon payment of the prescribed fee where the Council are satisfied, following production of acceptable evidence, that the applicant is a resident on a public road in the residential parking permit zone to which the permit will relate and that the vehicle is normally kept at the resident's normal dwelling place in that public road.
- (2) The fee for a resident's parking permit shall be such fee as may be prescribed by Cork City Council from time to time.
- (3) A resident's parking permit shall be issued by Cork City Council in respect of one vehicle only of which the resident is the owner and shall be valid for a period of one year from the date of issue in respect of that vehicle and for the zone to which the permit relates.

### **Return and Transfer of Resident's Parking Permits**

31. (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 an owner by disposing of the vehicle to which the permit relates, he shall return it, addressed to the person whose signature appears on it, to Cork City Council Traffic Division by whom the disc was issued.
- (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 shall return the permit (addressed to the person whose signature appears on it) to Cork City Council by whom the permit was issued which upon payment of such fee as may be prescribed by Cork City Council from time to time by the resident shall issue to the resident a new permit in respect of the vehicle, and such new permit shall be valid for the period specified.
- (3) Where during the period to which a resident's parking permit relates the resident to whom it is issued loses it he shall be entitled to the issue of a substitute resident's parking permit upon payment of such fee as may be prescribed by Cork City Council from time to time and upon completion of a statutory declaration verifying the loss of the current resident's parking permit and such substitute resident's parking permit shall be valid for the period specified.

Made and adopted under the Common Seal of Cork City Council this

\_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

PRESENT when the Common Seal of Cork  
City Council was affixed hereto.

\_\_\_\_\_  
**LORD MAYOR**

\_\_\_\_\_  
**CITY MANAGER**

\_\_\_\_\_  
**LAW AGENT**