

## ARDS BOROUGH COUNCIL

### **BYE-LAWS FOR THE CONTROL OF PARKING PLACES**

Bye-laws made the 29<sup>th</sup> day of March 2006 by Ards Borough Council under Section 90(a) of the Local Government Act (Northern Ireland) 1972 for the good rule and government of the district of Ards.

#### **DEFINITIONS**

In these bye-laws:

"the Council" means Ards Borough Council.

"Officer of the Council" means any person employed by or on behalf of the Council.

"disabled person's vehicle" means a vehicle lawfully displaying a badge of a form prescribed under Section 14 of the Chronically Sick and Disabled Persons (Northern Ireland) Act 1978.

"driver" means the person who whether as owner or otherwise has the charge or control of a vehicle or being present is entitled to give orders to the person having charge or control thereof.

"light goods vehicle" means a motor vehicle, constructed or adapted for the carriage of goods, the permissible maximum weight of which does not exceed 3.5 tonnes.

"motor car" means a mechanically propelled vehicle constructed solely for the carriage of passengers and their effects, seating not more than 6 persons in addition to the driver.

"motor cycle" means a mechanically propelled vehicle not being an invalid carriage or motor car having fewer than 4 wheels and the weight of which unladen does not exceed 410 kgs.

"minibus" means any light goods vehicle constructed or adapted for the carriage of passengers and their effects.

"parking bay" means a space which is marked out in a parking place for the leaving of a vehicle.

#### **USE OF PARKING PLACES**

- 1 (1) Each area of land specified by name in the Schedule may be used subject to the provisions of these bye-laws as a parking place for the classes of vehicle set out in paragraph (2), on such days and during such hours as specified in (3).

- (2) The classes of vehicle referred to in paragraph (1) are motor cars, motor cycles, invalid carriages, light goods vehicles and minibuses.
- (3) Each area of land specified in the Schedule shall be open on all days and at all hours unless otherwise determined by the Council.
- 2 The driver of a vehicle shall not permit it to wait in a parking place specified in the Schedule unless it is of the class of vehicles set out in bye-law 1(2).
- 3 The driver of a vehicle shall not permit it to wait in a parking place other than in a position wholly within a parking bay where such has been marked out.
- 4 The driver of a vehicle, other than a disabled person's vehicle, shall not permit it to wait in a parking bay indicated by a sign as being reserved for a disabled person's vehicle.
- 5 The driver of a vehicle shall not permit it to wait in a parking place for longer than twelve consecutive hours.
- 6 The driver of a vehicle using a parking place shall stop the engine as soon as the vehicle is in a position in the parking place and shall not start the engine except when about to change the position of the vehicle in or to depart from the parking place.
- 7 A person shall not except with the prior permission of the Council use a parking place in connection with the sale of anything to persons in or near the parking place or in connection with the selling or offering for hire of his skill or services.
- 8 Where a vehicle is left in a parking place in contravention of any of the provisions of bye-laws 2, 3, 4, 5 or 15 a person authorised in that behalf by the Council may remove the vehicle or arrange for it to be removed from that parking place.
- 9 Any person removing or altering the position of a vehicle by virtue of bye-law 8 may do so by towing or driving the vehicle or in such other manner as he may think necessary and may take such measures in relation to the vehicle as he may think necessary to enable him to remove it or alter its position, as the case may be.
- 10 When a person authorised by the Council removes or makes arrangements for the removal of a vehicle from a parking place by virtue of bye-law 8 he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.
- 11 If a vehicle is waiting in a parking place in contravention of the provision of bye-law 3 a person authorised in that behalf by the Council may alter or cause to be altered the position of the vehicle in order that its position shall comply with that provision.

- 12 A person shall not, except with the permission of any person duly authorised by the Council, drive any vehicle in a parking place other than for the purpose of leaving that vehicle in the parking place in accordance with the provision of these bye-laws or for the purpose of departing from the parking place.
- 13 A person shall not in a parking place play any ball game or roller skate or skate board or wantonly shout or otherwise make or cause to be made any loud noise to the disturbance or annoyance of users of the parking place or residents of premises in the neighbourhood.
- 14 A person shall not in a parking place use any threatening, abusive or insulting language, gesture or conduct with intent to put any person in fear or so as to occasion a breach of the peace or whereby a breach of the peace is likely to be occasioned.
- 15 A person shall not use any part of a parking place or any vehicle left in a parking place:-
- (a) for sleeping or camping purposes;
  - (b) for the purpose of repairing, servicing or washing any vehicle or part thereof other than is reasonably necessary to enable that vehicle to depart from the parking place.
- 16 A person shall not use a parking place as a means of passage from one road to another road.
- 17 Where in a parking place signs are erected or surface markings are laid for the purpose of:-
- (a) indicating the entrance to or exit from the parking place; or
  - (b) indicating that a vehicle using the parking place shall proceed in a specified direction within the parking place;
- a person shall not drive or cause or permit to be driven any vehicle -
- (i) so that it enters the parking place otherwise than by an entrance, or leaves the parking place otherwise than by an exit, so indicated; or
  - (ii) in a direction other than that specified, as the case may be.
- 18 In a parking place a person shall not -
- (a) erect or cause or permit to be erected any tent, booth, stand, building or other structure without the written consent of the Council;
  - (b) light or cause to be lit any fire.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2006 and sealed with the Common Seal of Ards Borough Council in the presence of:-

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Executive

The foregoing bye-laws are hereby confirmed by the Department of the Environment on \_\_\_\_\_ day of \_\_\_\_\_ 2006

\_\_\_\_\_  
A senior officer of the Department

**NOTES:-**

In accordance with Section 92(1) of the Local Government Act (Northern Ireland) 1972 as amended by Article 6(5) of the Fines and Penalties (Northern Ireland) Order 1984, Article 2(4) of and Schedule 4 to the Criminal Penalties etc (Increase) Order (Northern Ireland) 1984 and Article 3(2) of the Criminal Justice (Northern Ireland) Order 1994, any person who contravenes a byelaw shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale (£500).