



COMHAIRLE CHONTAE MHUINEACHÁIN

MONAGHAN COUNTY COUNCIL

PARKING CONTROL
(PAY PARKING) & CAR-PARKS BYE-LAWS, 2023 (AMENDED)

MONAGHAN COUNTY COUNCIL

PARKING CONTROL (PAY PARKING) BYE-LAWS, 2023 (AMENDED)

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MONAGHAN COUNTY COUNCIL PARKING CONTROL

(PAY PARKING) DRAFT BYE-LAWS, 2023

PART I

Preliminary

- Short Title:** 1. These Bye-Laws may be cited as the Monaghan County Council Parking Control (Pay Parking) & Car-Parks Bye-Laws, 2023 (amended).
- Commencement:** 2. These Bye-Laws shall come into operation on 19th September 2023.
- Area of Application:** 3. These Bye-Laws apply to the areas delineated in Drawing No. PP007, Monaghan Town Centre – Parking Control Area (Including Road Markings) and car parks mentions in Schedule 1, associated with these bye-laws.
- Interpretation:** 4. In these Bye-Laws:
- “the Regulations of 1997” means the Road Traffic (Traffic and Parking) Regulations, 1997 (S.I. No. 182 of 1997),
- “the signs Regulations of 1997” means the Road Traffic (Signs) Regulations, 1997 (S.I. No. 181 of 1997),
- “agent of the Council” means any person employed by Monaghan County Council or any other person authorised by the Council to carry out functions under these bye-laws,
- “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,
- “business hours” means the period from 9.00a.m. to 6.00p.m. (9.00 to 18.00) from Monday to Saturday inclusive, on a day which is not a holiday,
- “disabled persons parking permit” means a permit granted in accordance with Article 43 of the Regulations of 1997, by the Irish Wheelchair Association, Disabled Drivers Association. A permit issued by out of state authorities is also recognised but not a time card.

“disabled bay” means a bay provided for a disabled permit holders and indicated by road markings RPM014 as specified in the Road Traffic (Signs) Regulations 1997,

“Disabled Person” means a person who holds a valid permit for a disabled driver provided the permit is prominently displayed and legible on the vehicle.

“pay parking area” means an area on a public road or carpark where traffic signs or signs No. RPM 016 and No. RUS 018 authorised by the Signs Regulations of 1997 together with an accompanying information plate(s) indicates or indicate that parking of vehicles is permitted subject to the exhibition of a pre-paid parking ticket,

“pay parking place” means a place on a public road or in a carpark where the parking of vehicles is subject to the exhibition of a prepaid parking disc,

“parking bay” means a space which is intended for the parking of one vehicle and so indicated by surface or other signs or markings or where the space is intended for the parking of motorcycles, or more than one vehicle.

“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 paid,

“pay parking app” means the online application which allows purchase of a parking ticket in the requested pay parking zone when the appropriate parking fee prescribed by these bye-laws is paid,

“pay parking zone” means the street/ streets/ or carpark indicated on a resident’s parking disc,

“goods vehicle” means a vehicle used exclusively for the carriage of goods or burden in the course of trade or business and licensed and taxed as a goods vehicle,

“holiday” means Good Friday or any day that is a public holiday for the purposes of the Organisation of Working Time Act, 1997,

“information plate” means a plate accompanying a traffic sign which indicates the period during which the restrictions or prohibition indicated by such traffic sign applies,

“Valid Pay and Display Tickets” means a ticket issued by Monaghan Town Council which:-

- (a) indicates the year, month, date, hour or minute;
- (b) indicates no other year, month, date, hour or minute;
- (c) shall be exhibited in a prominent and accessible location behind the windscreen of the vehicle.

“parking fee” means a fee payable in accordance with these bye-laws for the parking of a vehicle,

“parking place” means a place on a public road which is a pay parking place, a meter parking place or a ticket parking place,

“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,

“valid coins” means the coins indicated on the appropriate pay and display parking ticket machine,

“Car Park” includes each of the car parks as set out in Schedule 1 hereunder.

‘Long Stay Area’ means an area where a vehicle may be parked for the full day at the appropriate rate as set out in Schedule 1.

“Licence” means a valid motor vehicle licence (Tax Disc)

PART II
Pay Parking

**Definitions:
Part II**

5. In this Part: -

“parking ticket” means a document having marks or symbols capable of indicating the year, date and time when the document or combination becomes a valid parking ticket

“valid parking ticket” means a parking ticket which: -

(a) has been issued by this Council, and indicates the year, month, day in the month, hour of the day and minute of the hour of commencement of a period of parking of the vehicle in which the parking ticket is exhibited in accordance with these Bye-Laws,

(b) indicates that the vehicle is so parked for a period not exceeding the period for which it may be parked in a pay parking place in accordance with these bye-laws,

**Obligation to
Display valid
Parking
ticket:**

6. 1) Where a vehicle is parked in a pay parking area on a day and during a period which is indicated on an authorised information plate accompanying Traffic Sign Number RRM016 of the Signs Regulations, 1997: -

(a) a valid parking ticket shall be displayed,

(b) the valid parking ticket shall be so exhibited in the interior of the vehicle that a person outside the vehicle can ascertain when the parking commenced, and

(c) the valid parking ticket shall be exhibited in accordance with paragraph (b) of this bye-law for so long as the vehicle is parking in that pay parking place.

2) Paragraph (1) of this bye-law shall not apply to the parking of a vehicle in a pay-parking place if there is a valid residents parking disc displayed.

3) Where a vehicle being parked in a pay parking place on a day and during a period which is indicated on an authorised information plate accompanying traffic sign number RRM 016 of the Signs Regulations, 1997 is a goods vehicle parked while goods are being actively loaded in or onto it or unloaded from it, paragraph (1) and (2) of this bye-law, shall not apply until the expiration of 30 minutes after the commencement of parking.

4) Where a vehicle which had been parked in a pay parking place in accordance with bye-law 8 of these bye-laws for that pay parking space, is subsequently lawfully parked in another pay parking place on the same day, within the said maximum parking period, it shall not be necessary, subject to compliance with

paragraph 1 (b) and 1 (c) of this bye-law, to comply with paragraph 1 (a) of this bye-law.

Manner and time of payment of parking fee.

7.
 - 1) A pay and display parking ticket shall be purchased from an appropriate pay and display parking ticket machine or via online parking App.
 - 2) The fee for the pay and display parking ticket shall be payable by means of any combination of valid coins or as a digital transaction through the online parking App..
 - 3) Payment shall be made by inserting the appropriate fee into the appropriate pay and display parking ticket machine and following the instructions on the parking ticket machine in order to obtain a valid pay and display parking ticket.
 - 4) The valid parking ticket shall be displayed immediately on parking provided that, where a vehicle is parked at a time not during business hours, the valid parking ticket shall be displayed in accordance with bye-law 7 at the commencement of business hours.

Period of Parking in a Pay Parking place

8.
 - 1) A vehicle parked in a pay-parking place on a day and during a period which is indicated on an authorised information plate accompanying traffic sign number RRM016 of the Signs Regulations, 1997 shall not be so parked for longer than the period indicated as the maximum parking period for that pay parking place by means of an authorised information plate accompanying traffic sign number RRM016 of the Signs Regulations, 1977.
 - 2) Where a vehicle which had been lawfully parked in a pay parking place is subsequently lawfully parked in another pay parking place, the period to which the subsequent parking is restricted by paragraph (1) of this bye-law shall be reduced by a period equal to the period from the time indicated on the Pay parking ticket to the time when the subsequent parking commenced.

Interference with pay parking ticket

9. Where a vehicle is parked in a pay parking place on a day and during a period which is indicated on an authorised information plate accompanying traffic sign number RRM016 of the Signs Regulations, 1997, a person shall not interfere with a parking ticket exhibited on the vehicle.

Removal of vehicle from pay parking place

10. A vehicle parked in a pay-parking place at a time which is not on a day and during a period which is indicated on an authorised information plate accompanying traffic sign number RRM016 of the Signs Regulations, 1997 shall be removed from the pay parking place when the period indicated on the authorised information plate 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 6(1)(b) of these bye-laws and bye-law 6(1)(c) of these bye-laws shall apply from such commencement in respect of such parking.

Prohibition on certain parking inside 2 hours of leaving pay parking place.

11. A vehicle which had been parked in a pay parking place for the maximum parking period for that pay parking place as indicated by means of an authorised information plate accompanying traffic sign number RRM016 of the Signs Regulations, 1997 shall not be parked again in a pay parking place in the public road in which that pay-parking place is situated until at least two hours have elapsed since the expiry of its earlier pay parking period.

Conditions for Parking in Pay Parking places

12. A vehicle of less than 3 ton which is parked, in a pay parking place on a day and during a period which is indicated on an authorised information plate accompanying traffic sign number RRM016 of the Signs Regulations, 1997 shall, where parking bays are provided at that pay parking place, be parked within the area comprising a single parking bay.
13. A person shall not park or cause to be parked, a vehicle in such a position that it or any portion of it extends from one parking bay to another.

Motor cycles and pedal cycles

14. A motor cycle or pedal cycle shall be exempt from these bye-laws.

Issue of parking ticket.

15. Pay Parking tickets shall be issued by Monaghan County Council by dispensing machines or via online parking App.

Fee for pay Parking ticket

16. (a) The fee for a pay parking ticket shall be a sum as set out in schedule 1 of these bye-laws and shall be for a period of one hour where indicated by an authorised information plate accompanying Traffic Sign RRM 016 of the Signs Regulations, 1997.
- (b) The payment of fees shall be on a pro-rata basis for any period of parking up to the maximum period allowed in that ticket parking place as indicated on an authorised information plate accompanying traffic sign RRM 016 of the Signs Regulations, 1997.

**Suspension of
Pay & Display
Machines or
Ticket Parking
Places:**

17. (a) The Council may suspend from operation a pay parking area or part thereof. The suspension shall be subject to any conditions that may be specified in writing by the Council, including the payment of a fee/fees by the person requesting the suspension.
- (b) The maximum fee/fees payable shall be as indicated in Appendix 1.
- (c) The suspension of a pay parking area or a part thereof shall be indicated by the placing thereon of a sign or other device clearly indicating that it is non-operational or by the temporary removal of the pay and display parking ticket machine and the erection of a sign indicating that the parking of vehicles is prohibited in the ticket parking place.
- (d) It shall be an offence to breach a condition specified in writing by the Council when a pay parking area or part thereof is being suspended. In the event of vehicles being parked in contravention of these conditions they shall be deemed to be unlawfully parked for the purposes of the Road Traffic Acts and any Regulations made thereunder.

- Interference:** 18. (a) No person shall insert 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 display parking ticket machine, or interfere in any other way with a pay and display parking ticket machine in a pay parking area.
- (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 in a pay parking area.
- (c) A person shall not interfere with, alter or deface a parking ticket.

PART III
Car-Parks

19. No person shall use the car park for any purpose other than for the parking of a mechanically propelled vehicle, without the authorization of Monaghan County Council.
20. Where a mechanically propelled vehicle, other than a motorcycle, is parked in a car park as outlined in Schedule 1, hereunder, during business hours it shall display a valid pay and display ticket for each hour, day or week during which it is so parked.
21. A vehicle parked in a car park at a time, which is not during business hours shall be removed from the car park when a period of business hours commences unless a valid Pay and Display tickets is exhibited or the appropriate charge is paid, as appropriate.
22. Bye-Laws (2) and (3) shall not apply to a vehicle the registered owner and/or driver of which is a disabled person.
23. A person shall not park or cause to be parked in a car park a vehicle in such a position or in such condition or in such circumstances that it would 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.
24. 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. A vehicle of less than 3 ton which is parked, in a pay parking place on a day and during a period which is indicated on an authorised information plate accompanying traffic sign number RRM016 of the Signs Regulations, 1997 shall, where parking bays are provided at that pay parking place, be parked within the area comprising a single parking bay.
25. 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 in order to enable the vehicle to be removed from the car park.
26. A vehicle while parked in a car park 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.
27. 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 loud speaker or radio in anyway connected to the vehicle.
28. A person shall not throw, place or leave any bottle or any broken glass, nail, litter or other substances on or in a car park except when deposited in a suitable

receptacle and no person shall at any time without the consent in writing of the Monaghan County Council play ball or any game in a car park.

29. Every person using the car park shall comply with lawful direction given by an Officer or Servant of the County Council authorised for the purposes of these Bye-Laws by the County Council or member of the Garda Siochana in relation to the parking of a vehicle in or its removal from a car park or in relation to any of these Bye-Laws.
30. A person shall not in any car park willfully obstruct, disturb, interrupt or annoy an Officer or Servant of the Monaghan County Council in the execution of his/her duty including the execution of any work in connection with laying out or maintenance of any part of a car park by the County Council staff and agents.
31. A person shall give on demand to an Officer or Servant of the County Council or a member of the Garda Siochana his/her name and address and a person shall not in car park resist, obstruct, aid or incite any person to resist or obstruct any Officer or Servant of the County Council or other person in the execution of his/her duty or lawful exercise of his/her authority.
32. Any person may be requested by an Officer or Servant of the County Council or a member of the Garda Siochana to quit or leave a car park and shall forthwith comply with such request.
33. No person other than a Disabled Permit holder may park at a Disabled Bay provided in any of the locations mentioned in Schedule 1.
34. No vehicle shall enter, pass through or park in any of the locations mentioned in Schedule 1 if it does not comply with display of licences required by the Road Traffic Acts 1961 – 1994.
35. No Public Service Vehicles engaged in plying for hire and authorised under the Road Traffic (Public Service Vehicles) Regulations 1963 – 2000 shall park at any of the locations mentioned in Schedule 1 unless picking up or setting down passengers.
36. These bye-laws shall not apply to a vehicle whose owner has been granted a licence to trade under the Casual Trading Act, 1995.

**Definitions
Part IV**

**PART IV
Parking For Residents**

In this part: -

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

“resident” means a person 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 disc” means a document issued by the Council or its agent for the purposes of bye-laws 21 to 30 and containing the particulars specified in bye-law 22;

“Vehicle” means

(a) a vehicle currently licensed in this state under the Road Traffic Acts 1961 – 1994.

(b) a passenger vehicle with passenger accommodation for not more than twelve persons excluding the driver and not drawing a trailer or other vehicle

(c) a goods vehicle whose unladen weight does not exceed 3 tonnes and not drawing a trailer or other vehicle.

“valid resident’s parking disc” means a residents parking disc which relates to a particular pay parking zone and to a period which has not expired and which is issued by the Council or its agents.

“acceptable evidence” means the following: -

(i) Current insurance certificate confirming that the vehicle is normally kept by the resident at the residents address in the pay parking area to which the disc will relate and

(ii)
(1) 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 pay parking area to which the disc will relate

or

(2) Where the applicant is not the registered owner of the vehicle in respect of which the application for a residents parking disc 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 applicants at the residents address in the pay parking area to which the disc will relate and evidence from the Revenue Commissioners that a vehicle owned by the registered owner is normally kept by the applicant and

(iii) A driving or provisional licence in the name of the resident applying for the residents parking permit and

(iv) Documentation acceptable to Monaghan County Council e.g., Utility bills, bank statements or other documentation addressed to the applicant at his/her address in the pay parking area which the residents parking disc will relate and

(v) Where the applicant is resident in a rented house, confirmation that the dwelling is registered with Monaghan County Council in accordance with the provisions of the Housing (Registration of Rented Houses) Regulations 1996.

(vi) Confirmation of entry in the Register of Electors.

(vii) Any other information that may be requested by Monaghan County Council.

Non-application of bye-laws 6 to 12 of these bye-laws.

37. Bye-laws 6 to 12 of these bye-laws shall not apply to the parking of a vehicle in a pay parking place if there is displayed, in accordance with bye-law 22 of these bye-laws, in the vehicle when it is so parked, a valid residents parking disc which relates to the street in which that pay parking place is situated.

Particulars of Residents Parking disc

38. A residents parking disc shall contain the following particulars: -

(a) the words Monaghan County Council,

(b) the registration number of the vehicle in respect of which it is issued,

(c) the date of issue,

(d) the pay parking zone(s) to which it relates,

(e) the period to which it relates, including the date of expiry.

- Permission to park vehicle displaying residents parking disc**
39. The display, in accordance with bye-law 22, of a valid resident's parking disc on the vehicle in respect of which the disc 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 pay parking place in the pay parking zone to which the disc relates.
- Display of residents parking disc.**
40. A valid residents parking disc shall be so displayed in the interior of the vehicle in respect of which it is issued that it can be read from outside the vehicle.
- Interference with residents parking disc.**
41. Where a vehicle displaying a resident's parking disc is parked in a pay parking place, a person shall not interfere with the disc.
- Issue of residents parking discs.**
42. 1) A resident's parking disc may be issued by the Council or its agents in respect of the parking of a vehicle in a pay parking area subject to the production of acceptable evidence.
- 2) A resident's parking disc may be issued by the Council or its agents in respect of the vehicle 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 pay parking zone(s) to which the disc relates.
- 3) The fee for a residents parking disk shall be a sum as set out in schedule 1 of these bye-laws.
- Issue of replacement residents parking disc.**
43. Where the Council are satisfied that a valid residents parking disc has been lost, destroyed or stolen, the Council or its agents shall issue a replacement to the owner on payment of a fee as set out in schedule 1 of these bye-laws and such replacement disc shall be substituted for the original disc and the original disc shall be void.
- Return of resident's parking disc.**
44. Where, during the period to which a resident's parking disc relates, the holder ceases to reside at the address notified at the time of issue of the disc or ceases to be an owner by disposing of the vehicle to which the disc relates, he/she shall return the resident's parking disc to the Council or its agents.
- Transfer of residents parking disc.**
45. If the holder of a resident's parking disc for a vehicle replaces that vehicle with another, he/she shall be entitled, following the surrender of the original disc, to receive a resident's parking disc in respect of the new vehicle which shall be valid for the period specified on the original disc. The fee for such replacement disc shall be a sum as set out in schedule 1 of these bye-laws.

Display of a void resident's parking disc.

46. It shall be an offence to display a void resident's parking disc.

PART V Miscellaneous

Non-application of bye-laws 6 to 12 of these bye-laws to certain vehicles

47. Bye-Laws 6 to 12 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 apparatus for the supply of gas, oil, water or electricity or of a telegraph or telephone line 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 Siochana or the Defence Forces in the performance of his/her duties as a member.

(c) a vehicle in which a valid disabled persons permit is displayed and which is parked for the convenience of the person to whom that permit was granted if the permit is prominently displayed on the vehicle when the vehicle is parked in a pay parking place on a day and during a period which is indicated on an authorised information plate accompanying traffic sign number RRM016 of the Signs Regulations 1997.

(d) a service delivery or collection vehicle, a refuse collection vehicle or other HGV loading or unloading activity associated with commercial premises subject to such activities occurring only outside the hours of 7.00 am to 7.00 pm Monday to Wednesday (inclusive), 7.00 am to 9.00 pm Thursday and Friday and 9.00 am to 7.00 pm Saturdays

(e) a vehicle whose owner has been granted a licence to trade under the Casual Trading Act, 1995.

Schedule 1

Payparking fees payable

| Item | Description | Fee |
|------|--|--|
| 1. | Parking in pay parking area other than a long stay area. | 10c per 10 minutes or 50c per hour. Minimum fee 20c. |
| 2. | Parking in long stay areas at:- <ul style="list-style-type: none">• Glaslough Street Car Park, Rooskey,• Convent Car Park at Roundabout, Mullaghmonaghan, Clones Road,• Car Park at Sli Ogie Ui Dhufaigh, Rooskey Road (off Old Cross Square),• Lower Courthouse Car Park, Rooskey – Long Stay area Red Marked spaces• Broad Road Car Park, Dublin Road – Long Stay area Red Marked Spaces <p>Parking at Monaghan Harps GFC car park - no charge. Bus Parking only available adjacent Monaghan Harps GFC car park.</p> | €1 per day |
| 4. | Residents parking disc | €20.00 |
| 3. | Replacement of residents parking disc | €10.00 |

List of carparks

1. Upper Courthouse Car-Park to rear of Courthouse and adjacent Shopping Centre in townland of Rooskey.
2. Lower Courthouse Car Park (rear of First Monaghan Presbyterian Church) in townland of Rooskey
3. Carpark off Glaslough St. adjacent Peter's Lake in townland of Rooskey.
4. Carpark adjacent roundabout on Clones Road in townland of Mullaghmonaghan.
5. Carpark at Sli Ogie Ui Dhufaigh, Rooskey Road (off Old Cross Square).
6. Carpark at Monaghan Harps GFC in townland of Rooskey.
7. Diamond Centre Car Park in townland of Rooskey.
8. Car Park at Broad Road, Dublin Road, Mullaghmonaghan.
9. Car Park at PEACE Campus, Plantation Road, Monaghan.

Schedule 2

CHARGES FOR TEMPORARY REMOVAL AND SUSPENSION OF METERED PARKING BAYS AND ROAD MARKINGS

| Item No. | Description | Fee (Euro) |
|----------|--|---|
| 1 | Removal of 1 parking bay marking | €30 |
| 2 | Replacement of 1 parking bay marking | €25 |
| 3 | Removal & Replacement of 1 parking Bay marking | €50 |
| 4 | Suspension of each parking space | €25 per day or part thereof |
| 5 | Laying of Single Yellow Lines | €10 per linear metre |
| 6 | Removal of Yellow Lines | €20 per linear metre |
| 7 | Laying of Double Yellow Lines | €20 per linear metre |
| 8 | Removal of Double Yellow Lines | €40/m per linear metre |
| 9 | All other road markings and removal of same | To be determined by Monaghan County Council on application |
| 10 | Removal and replacement of Pay & Display machine | To be determined by Monaghan County Council on application |
| 11 | Removal and replacement of base | To be determined by Monaghan County Council on application |

Schedule 4.

Drawing No. PP007

MADE AND ADOPTED UNDER THE COMMON SEAL OF THE
COUNCIL THIS
PRESENT WHEN THE COMMON SEAL OF THE COUNTY COUNCIL
WAS AFFIXED THERETO: -

Cathy Bennett
CATHAIRLEACH

BSM
DIRECTOR OF SERVICES

Donal M^c Eneaney
MUNICIPAL DISTRICT COORDINATOR