STATUTORY RULES OF NORTHERN IRELAND

# 2012 No. 404

# ROAD TRAFFIC AND VEHICLES

## The Parking Places on Roads (Belfast) Order (Northern Ireland) 2012

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| *Made - - - -* | *13th November 2012* |
| *Coming into operation -* | *5th December 2012* |

The Department for Regional Development(**a**) makes the following Order in exercise of the powers conferred by Articles 10(4) and 13(1), (13) and (16) of the Road Traffic Regulation (Northern Ireland) Order 1997(**b**) and now vested in it(**c**).

It appears to the Department to be necessary to provide a suitable parking place for vehicles on the length of road specified in Schedules 1 and 2.

The Department has consulted such persons as it considered appropriate in compliance with paragraphs 1 and 2 of Schedule 4 to the Road Traffic Regulation (Northern Ireland) Order 1997.

The Department has published a Notice in compliance with paragraphs 1 and 3 of that Schedule.

The Department in compliance with paragraph 3(4) of that Schedule has taken such other steps as appear to the Department reasonably practicable for the purpose of bringing specifically to the knowledge of occupiers of land adjacent to the parking place the particulars specified in paragraph 3(2) of that Schedule.

No written objection or other representation has been received.

**Citation, commencement and interpretation**

**1.**—(1) This Order may be cited as The Parking Places on Roads (Belfast) Order (Northern Ireland) 2012 and shall come into operation on 5th December 2012.

(2) In this Order—

"medical practitioner" means a registered person within the meaning of the Medical Act 1983(**d**);

"parking place" means the length of road authorised by Article 2 to be used as a parking place;

(**a**) S.I. 1999/283 (N.I. 1) Article 3(1)
(**b**) S.I. 1997/276 (N.I. 2)
(**c**) S.R. 1999 No. 481 Article 6(*d*) and Schedule 4 Part IV
(**d**) 1983 c. 54

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

"postal packet" means a letter, parcel, packet or other article transmissible by post as defined in section 125 of the Postal Services Act 2000(**a**);

"statutory undertaker" means—

(a) the railway undertaking within the meaning of the Transport Act (Northern Ireland) 1967(**b**);

(b) any body or person authorised by any statutory provision to carry out any harbour or dock undertaking; and

"universal service provider" has the same meaning as in section 4(3) and (4) of the Postal Services Act 2000.

**Authorisation of a parking place**

**2.** The use as a parking place of the length of road specified in Schedules 1 and 2 is authorised.

**Position within a parking place**

**3.** Subject to Article 10, a person shall not leave or cause a vehicle to be left in the parking place unless it is wholly within a parking space where such has been marked out.

**Suspension of the use of a parking place**

**4.** The Department may suspend the use of the parking place or any part of it for so long as may be necessary for the purpose of enabling—

(a) a vehicle, if it cannot conveniently be used for such purpose outside the parking place, to be used in connection with any of the following purposes—

(i) building, repair or demolition operations, including works to property adjacent to the parking place;

(ii) the removal of any obstruction to traffic;

(iii) the cleansing, maintenance, improvement or reconstruction of the road;

(iv) the laying, erection alteration or repair in, or in land adjacent to the road, of any sewer, main, pipe or apparatus for the supply of gas, water or electricity or of electronic communications apparatus as defined in Schedule 2 to the Telecommunications Act 1984(**c**);

(b) the implementation of any traffic management scheme;

(c) street works as defined in Article 3(3) of the Street Works (Northern Ireland) Order 1995(**d**) to be executed.

**Prohibition of the use of a suspended parking place**

**5.** A person not using a vehicle in connection with any of the undertakings specified in Article 4 shall not leave or cause that vehicle to be left in the parking place where the use of that parking place has been suspended by the Department in accordance with that Article.

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(**a**) 2000 c. 26
(**b**) 1967 c. 37 (N.I.)
(**c**) 1984 c. 12 as amended by 2003 c. 21 Schedule 3 para. 2(2)
(**d**) S.I. 1995/3210 (N.I. 19)

**Removal of a vehicle in an emergency**

**6.** A person authorised by the Department may remove a vehicle from the parking place in an emergency.

**Method of Removal of a vehicle**

**7.** Any person removing a vehicle by virtue of Article 6 may do so by towing or driving the vehicle or in such other manner as is reasonably necessary and may take such measures as are reasonably necessary to enable that person to remove it.

**Custody of a vehicle**

**8.** When a person authorised by the Department removes or makes arrangement for the removal of a vehicle from the parking place by virtue of Article 6 that person shall make such arrangements as may be necessary for the safe custody of the vehicle.

**Maximum period of waiting and further use of the parking place**

**9.**—(1) Subject to paragraph (2) and save as provided in Article 10, between the hours of 11.00 a.m. and 6.00 p.m.—

(a) a person shall not leave or cause a vehicle to be left in the parking place specified in Schedule 1 for longer than 1 hour;

(b) a person shall not leave or cause that vehicle to be left again in that parking place, until the expiration of 1 hour from the time that vehicle is removed from that parking place.

(2) The prohibitions in paragraph (1) shall not apply to a disabled persons' vehicle.

**Exceptions to use as a parking place**

**10.**—(1) Nothing in Articles 3 or 9(1) shall render it unlawful to leave or cause a vehicle to be left in the parking place between the hours of 11.00 a.m. and 6.00 p.m. where the person in control of it is prevented from proceeding by circumstances beyond that person's control or to avoid an accident or for so long as may be reasonably necessary to enable—

(a) a person to board or alight from a vehicle provided that such boarding or alighting does not cause that vehicle to be left again in that parking place for more than 2 minutes;

(b) the vehicle to be used in an emergency by a medical practitioner, or for fire and rescue, ambulance, police or customs purposes or for the purposes of the security forces;

(c) the vehicle to be used by or on behalf of a universal service provider for the purposes of the delivery to or collection from premises situated adjacent to the parking place of postal packets;

(d) the vehicle, if it cannot conveniently be used for such purpose outside that parking place, to be used—

(i) in connection with any building, repair or demolition operations;

(ii) in connection with the removal of any obstruction to traffic;

(iii) by or on behalf of a district council, government department or statutory undertaker in pursuance of statutory powers or duties; or

(iv) by or on behalf of a sewerage undertaker or a water undertaker in connection with the discharge of that undertaker's functions; or