STATUTORY RULES OF NORTHERN IRELAND

# 2010 No. 275

# ROAD TRAFFIC AND VEHICLES

## The Parking Places on Roads (Kesh) Order (Northern Ireland) 2010

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| *Made - - - -* | *19th August 2010* |
| *Coming into operation -* | *13th September 2010* |

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, and paragraph 5 of Schedule 4 to, 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 suitable parking places for vehicles on the lengths of road specified in the Schedule.

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 the occupiers of land adjacent to the parking places the particulars specified in paragraph 3(2) of that Schedule.

No written objection or other representation has been received.

The Department has modified the draft Order.

**Citation, commencement and interpretation**

**1.**—(1) This Order may be cited as The Parking Places on Roads (Kesh) Order (Northern Ireland) 2010 and shall come into operation on 13th September 2010.

(2) In this Order—

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

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

(**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

"specified hours" means the hours between 8.30 a.m. and 6.30 p.m. on Monday to Saturday inclusive.

**Authorisation of a parking place**

**2.** The use as a parking place of the lengths of road specified in the Schedule is authorised.

**Position within a parking place**

**3.** Save as provided in Article 5, a person shall not leave or cause a vehicle to be left in a parking place unless it is wholly within a parking space where such has been marked out.

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

**4.**—(1) Subject to paragraph (2) and save as provided in Article 5, during the specified hours—

(a) a person shall not leave or cause a vehicle to be left in a parking place 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 person's vehicle.

**Exceptions**

**5.** Nothing in Articles 3 or 4(1) shall render it unlawful to leave or cause a vehicle to be left in a parking place 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 left in a parking place before the expiration of 1 hour from the time that vehicle is removed from that parking place 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 for fire and rescue, ambulance, police or customs purposes or for the purposes of the security forces;

(c) the vehicle to be used for the purpose of delivering or collecting postal packets as defined in section 125 of the Postal Services Act 2000(**a**);

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

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

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

(iii) in connection with the discharge of the functions of the holder of a licence granted under Article 10 of the Electricity (Northern Ireland) Order 1992(**b**) or of a licence granted under Article 8 of the Gas (Northern Ireland) Order 1996(**c**); or

(iv) in connection with the laying, erection, alteration or repair of any electronic communications apparatus as defined in Schedule 2 to the Telecommunications Act 1984(**d**); or

(e) goods to be loaded or unloaded from the vehicle.

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(**a**) 2000 c. 26
(**b**) S.I. 1992/231 (N.I. 1)
(**c**) S.I. 1996/275 (N.I. 2)
(**d**) 1984 c. 12 as amended by 2003 c. 21 Sch. 3 para. 2(2)