1983 No. 240

ROAD TRAFFIC AND VEHICLES

Off-Street Parking Bye-Laws (Northern Ireland) 1983

Made . . . . . *16th August 1983*

Coming into operation . . . *12th September 1983*

The Department of the Environment in exercise of the powers conferred on it by Article 105 of the Road Traffic (Northern Ireland) Order 1981(a) and of every other power enabling it in that behalf, hereby makes the following bye-laws:—

Citation, commencement and interpretation

1.—(1) These bye-laws may be cited as the Off-Street Parking Bye-Laws (Northern Ireland) 1983 and shall come into operation on 12th September 1983.

(2) In these bye-laws:—

"Department" means the Department of the Environment for Northern Ireland;

"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(b);

"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 use 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;

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

"pay and display machine" means an apparatus approved by the Department for the purposes of these bye-laws being an apparatus designed to issue a ticket indicating the day and time at which it was issued and the number of hours for which it is valid.

Revocation

2. The Off-Street Parking Bye-Laws (Northern Ireland) 1976(c) are hereby revoked.

Use of parking places

3. Each area of land specified by name in column 1 of the Schedule may be used subject to the provisions of these bye-laws as a parking place for such classes of

(a) S.I. 1981/154 (N.I. 1)
(b) 1978 c. 53
(c) S.R. 1976 No. 332 as amended

vehicles, in such positions and on such days and during such hours and on payment of such charges as are specified in relation to that area in the Schedule.

4. Where in the Schedule a parking place is described as available for vehicles of a specified class or in a specified position, the driver of a vehicle shall not permit it to wait in that parking place:—

(*a*) unless it is of the specified class; or

(*b*) in a position other than that specified.

5. 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.

6. The driver of a vehicle shall not permit it to wait in a parking place for longer than the maximum period permitted for waiting specified in the Schedule in relation to that parking place.

7. The driver of a vehicle using a parking place shall pay the appropriate charge in accordance with the Scale of Charges specified in the Schedule.

8.—(1) In a parking place where charges are collected by means of a pay and display machine payment shall be made on parking the vehicle, by inserting into the machine a coin or combination of coins of appropriate denominations in payment of the charge relative to the period of time then chosen for which the machine will issue a ticket indicating the date and time of payment and the number of hours for which it is valid.

(2) The driver of a vehicle shall not permit it to wait in a parking place longer than the period of time for which payment has been made in accordance with paragraph (1) unless a further payment is made in accordance with that paragraph.

9. The driver shall attach the ticket issued in accordance with bye-law 8 on the vehicle in the following manner:—

(*a*) in the case of a motor car or a light goods vehicle on the inside surface of the windscreen so that the particulars recorded on the front of the ticket are clearly visible to a person standing at the front of the vehicle; and

(*b*) in the case of any other vehicle in a conspicuous position in front of the driving seat.

10. Where a vehicle is left parked in a parking place where charges are collected by means of a pay and display machine and the particulars on the ticket displayed on the vehicle in accordance with the provisions of bye-law 9 indicate that the period in respect of which payment was made has expired, for the purposes of any proceedings for an offence under bye-law 26 it shall be presumed, unless the contrary is proved, that said particulars are accurate.

11. The driver of a vehicle using a parking place shall stop the engine as soon as the vehicle is in 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.

12. A person shall not 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.

13. Where a vehicle is left in a parking place in contravention of any of the provisions of bye-laws 4, 5, 6, 7, 12 or 21 a person authorised in that behalf by the Department may remove the vehicle or arrange for it to be removed from that parking place.

14. Any person removing or altering the position of a vehicle by virtue of bye-law 13 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.

15. When a person authorised by the Department removes or makes arrangements for the removal of a vehicle from a parking place by virtue of bye-law 13 he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.

16. If a vehicle is waiting in a parking place in contravention of the provision of bye-law 4(*b*) a person authorised in that behalf by the Department may alter or cause to be altered the position of the vehicle in order that its position shall comply with that provision.

17. The driver of a vehicle using a parking place shall not sound any horn or other similar instrument except when about to change the position of the vehicle in or to depart from the parking place.

18. A person shall not, except with the permission of any person duly authorised by the Department, 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.

19. A person shall not in a parking place play any ball game or wantonly shout or otherwise make any loud noise to the disturbance or annoyance of users of the parking place or residents of premises in the neighbourhood.

20. 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.

21. 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 eating or cooking purposes; or

(*c*) for the purposes of servicing or washing any vehicle or part thereof other than is reasonably necessary to enable that vehicle to depart from the parking place.

22. A person shall not use a parking place as a means of passage from one road to another road.

23. 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.

24. 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 Department;

(*b*) light or cause to be lit any fire.

25.—(1) A person shall not cause or permit a supermarket trolley to enter a parking place in or under a building and any trolley so left may be removed by a person authorised by the Department.

(2) A person authorised by the Department may remove a supermarket trolley from any other parking place if he considers that it is in such a position as to cause or to be likely to cause any obstruction or danger.

26. Any person who contravenes a bye-law shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £20 for each offence.

Sealed with the Official Seal of the Department of the Environment for Northern Ireland on 16th August 1983.

(L.S.) *J. Cowan*

Assistant Secretary

SCHEDULE — PART I

Name of parking place	Position in which vehicle may wait	Classes of vehicle	Days of operation of parking place	Hours of operation of parking place	Maximum period for which vehicles may wait	Scale of charges
1	2	3	4	5	6	7
1. Castle Street, Antrim	Wholly within a parking bay where such has been marked out	Motor car, motor cycle, invalid carriage and light goods vehicle	All days	All hours	12 consecutive hours	No charge
2. Central Car Park, Antrim	Wholly within a parking bay where such has been marked out	Motor car, motor cycle, invalid carriage and light goods vehicle	Monday Tuesday Thursday Friday Saturday	8.30 a.m. to 6.30 p.m.	10 hours	Tariff A as set out in Part II
				6.30 p.m. to 8.30 a.m.	12 consecutive hours	No charge
			Wednesday Sunday	All hours	12 consecutive hours	No charge
3. Dublin Road, Antrim	Wholly within a parking bay where such has been marked out	All vehicles	All days	All hours	12 consecutive hours	No charge
4. Railway Street, Antrim	Wholly within a parking bay where such has been marked out	Motor car, motor cycle, invalid carriage and light goods vehicle	All days	All hours	12 consecutive hours	No charge
5. Quay Street, Ardglass	Wholly within a parking bay where such has been marked out	Motor car, motor cycle, invalid carriage and light goods vehicle	All days	All hours	12 consecutive hours	No charge