



Statutory Document No 142/95

The Road Traffic Regulation Act 1985

BOROUGH OF DOUGLAS (SOUTH QUAY) (CAR PARK) ORDER 1995

Coming into Operation : 26th April 1995

In exercise of the powers conferred on the Department of Transport by Section 11 of the Road Traffic Regulation Act 1985 (a), and of all other enabling powers, and after complying with the requirements of paragraph 1 of Schedule 2 of that Act, the following Order is hereby made :-

Citation and Commencement and Interpretation

1. (1) This Order may be cited as Borough of Douglas (South Quay) (Car Park) Order 1995 and shall come into operation on the 26th April 1995

(2) In this Order -

"the Act" means the Road Traffic Regulation Act 1985;

"contract ticket" means an authorisation in writing issued by the Department for the purposes of Article 3 (1);

"the Department" means the Department of Transport;

"driver" in relation to a vehicle waiting in the parking place, means the person driving the vehicle at the time it was left in the parking place;

"owner" in relation to a vehicle waiting in the parking place, means the person by whom such vehicle is kept and used;

"parking bay" means a parking bay shown by a sign or surface marking as parking bay within which a single vehicle may wait in the area specified in Column 1 of the Schedule;

"private parking bay" means a parking bay shown by a sign or surface marking as a private parking bay or as reserved for a particular vehicle or a vehicle used by a particular person or a person of a particular description and within which a single vehicle may wait in the area specified in Column 1 of the Schedule;

"the parking place" means the area provided by the Department as a parking place and specified by name in Column 1 of the Schedule.

(3) Any reference in this Order to a class or description of vehicles shall be construed in accordance with the Road Traffic Act 1985 (b).

Use of Land and Parking Place

2. (1) A private parking bay or parking bay in the area of land specified by name in Column 1 of the Schedule shall, subject to the provisions of this

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(a) 1985 c.20

(b) 1985 c.23

(c) 1985 c.32

Order, be used only by a person authorised in writing by the Department for parking a vehicle used by him, on such days and during such hours as are specified in relation to that area in the Schedule.

(2) Where in the Schedule the parking place is described as available for vehicles of a specified class or in a specified position, the driver shall not permit a vehicle to wait in the parking place unless it is of the class and in the position so specified.

(3) The driver of a vehicle, if so required by an officer of the Department shall -

(a) remove the vehicle from the parking place; or

(b) move the vehicle from one position to another in the parking place.

#### Amount of Charge at Parking Place

3. (1) The owner of a vehicle may on application to the Department purchase a contract ticket for a private parking bay in the area of land specified in Column 1 of the Schedule in respect of that vehicle and that contract ticket shall be valid in the private parking bay during the period for which it is issued.

(2) On payment of the appropriate charge for a contract ticket, a driver shall be entitled to park a vehicle on a specified private parking bay in the parking place, for such period as may be stated on the contract ticket.

(3) Any contract ticket issued on payment of the charge referred to in paragraph (2) of this Article shall be exhibited on the vehicle so that the particulars on the contract ticket are readily visible from the front or near side of the vehicle.

(4) If, at any time, while a vehicle is left in a private parking bay during the charging hours no contract ticket is exhibited, it shall be presumed, unless the contrary is proved, that the charge has not been duly paid or that the driver has no authority to park the vehicle on that space.

#### Traffic in Parking Place

4. (1) This article applies where in the parking place signs are erected or surface markings are laid indicating -

(a) the entrance to or exit from the parking place, or

(b) that a vehicle using the parking place shall or shall not proceed in a specified direction within the parking place.

(2) No person shall, without the consent of the Department, drive a vehicle, or cause or permit a vehicle to be driven -

(a) so that it enters the parking place otherwise than by an entrance so indicated, or

(b) so that it leaves the parking place otherwise than by an exit so indicated, or

(c) in, or otherwise than in, a direction so indicated, as the case may be.

Further Conditions as to Use of Parking Place

5. (1) No person shall without the consent in writing of the Department bring any vehicle into the parking place or permit any vehicle to wait there, except a vehicle of a class specified in column 3 of the Schedule.

(2) No person shall carry out or permit to be carried out, any work of cleaning or maintenance or repair to the vehicle waiting in a private parking bay or parking place area as specified in Column 1 of the Schedule except such as may be necessary to enable the vehicle to be removed from the parking place.

(3) The driver of a vehicle shall stop the engine thereof as soon as it is in position in the private parking bay or parking bay and shall not restart it except when about to depart from the parking place or change its position in the parking place.

(4) No person shall bring any trailer or caravan into a private parking bay or parking place area as specified in Column 1 of the Schedule except with the consent in writing of the Department.

(5) No person shall use a vehicle or anything towed by a vehicle while it is in a private parking bay or parking place area as specified in Column 1 of the Schedule for domestic purposes or sleeping or as a place of habitation.

(6) No person shall without the consent in writing of the Department bring any vehicle into a private parking bay in the parking place or use any vehicle in a private parking bay in the parking place for any purpose other than that of permitting it to wait in or removing it from the parking place.

(7) Without prejudice to the generality of paragraph (6), no person shall without the written consent of the Department :-

(a) use a vehicle or anything towed by a vehicle while it is in a parking place in connection with

(i) the sale or attempted sale of any article;

(ii) the selling or offering for hire of skills or services;

(iii) for the display of articles or publicity material in connection with a business; or

(b) advertise for sale any vehicle while it is in the parking place;

(8) The driver of a vehicle shall not permit that vehicle to wait in a parking place unless the vehicle is licensed in pursuance of the provisions of the Licensing and Registration of Vehicles Act 1985 (c).

Removal of Vehicle

6. (1) The Department may remove from a parking place any vehicle left in that parking place in contravention of this Order.

(2) The Department may move any vehicle from one position to another in a parking place.

SCHEDULE

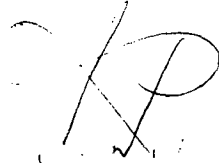
Parking Place	Position in which vehicles may wait	Permitted classes of vehicles	Type of authorisation to be displayed in the windscreen	Days of operation of parking place	Hours of operation of parking place	Maximum period for which vehicles may wait
1	2	3	4	5	6	7
1. South Quay -Northside from the boundary of the swingbridge recess eastwards to its junction with the footbridge to the jetty	Wholly within a private parking bay	(i) Motor cars  (ii) Invalid carriages (within the meaning of Section 69 of the Road Traffic Act 1985)	Private parking bay annual contract ticket	All day	All hours	24 hours no parking on a Sunday
2. South Quay -Southside from the boundary of the swingbridge buildings eastwards to its junction with the end of the pavement with the exception of hatched areas of yellow lines		(iii) Motor cycles  (iv) Motor vehicles constructed or adapted for use for the conveyance of goods or burden the unladen weight of which does not exceed 1525 kilogrammes				

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Made this

15<sup>th</sup>

day of April, 1995



MINISTER  
for Transport

Explanatory Note

(This note is not a part of the Order)

The effect of this Order will be to provide private parking bays on areas of the South Quay for contract ticket holders in the Borough of Douglas.