



Jersey

ROAD TRAFFIC (PUBLIC PARKING PLACES) (JERSEY) ORDER 2006

Arrangement

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Jersey

ROAD TRAFFIC (PUBLIC PARKING PLACES) (JERSEY) ORDER 2006

*Made**10th August 2006**Coming into force**1st September 2006*

THE MINISTER FOR TRANSPORT AND TECHNICAL SERVICES, in pursuance of Articles 59 and 84 of the Road Traffic (Jersey) Law 1956¹, orders as follows –

1 Interpretation

(1) In this Order, unless the context otherwise requires –

“car park official”, in respect of a parking place, means a person authorized by the controlling body of the parking place to carry out the duties prescribed by this Order in relation to the parking places;

“charging Order” means an Order made under Article 59(1) of the Law prescribing the charges payable in respect of parking places;

“commercial vehicle” means a vehicle designed or manufactured solely or mainly for purposes other than those of a private household;

“controlling body”, in respect of a parking place, means –

- (a) the parochial authority in the case of a parking place administered by a parochial authority;
- (b) the Minister for Education, Sport and Culture in the case of the parking places **STH6** and **STH21**; and
- (c) the Minister for Transport and Technical Services in any other case;

“disabled person’s badge” means a badge, parking card or permit as described in Article 2(4)(a) of the Road Traffic (Disabled Persons) (Parking) (Jersey) Order 2002²;

“disabled person’s vehicle” means a vehicle lawfully displaying a disabled person’s badge;

“displayed”, in respect of a disabled person’s badge, season ticket, pay card, parking disc or permit displayed on a vehicle, means –

- (a) displayed either against the internal face of the windscreen or against the internal face of a side window adjacent to the windscreen of the vehicle; or
- (b) if the vehicle has no windscreen, in a conspicuous place on the vehicle,

so that the details on the badge, season ticket, pay card, parking disc or permit are clearly visible from outside the vehicle;

“excess charge” means the charge payable on the issue of an excess charge notice;

“excess charge notice” means a notice in a form authorized by the Minister for Transport and Technical Services stating that the prescribed excess charge is payable and the time and manner in which it is to be paid;

“foreign registered vehicle” means a vehicle that is exempt from registration under the Registration Law pursuant to Regulation 4(2) of the Motor Vehicles (International Circulation) (Jersey) Regulations 1958³ and that has displayed on it –

- (a) the registration mark recorded in the visitor’s registration document (as defined in those Regulations) in respect of the vehicle as its registration mark; or
- (b) an identification mark assigned to the vehicle pursuant to those Regulations;

“invalid carriage” has the meaning assigned to that expression by the Registration Law;

“Law” means the Road Traffic (Jersey) Law 1956⁴;

“motor vehicle”, in the definition of “unregistered vehicle” does not include a motor vehicle that is exempt from registration under the Registration Law not being a foreign registered vehicle;

“notice”, in respect of a notice in a parking place giving directions to the public, includes a mark, sign or other indication clearly visible to the public;

“park”, in respect of a vehicle, includes to cause or knowingly permit the vehicle to be parked;

“parking bay”, in respect of a parking place, means an area marked on the ground of the parking place as an area where a vehicle may be parked;

“pay card” means a card in a form authorized by the Minister for Transport and Technical Services issued by or on behalf of a controlling body on payment of the prescribed charge and includes a card issued by a ticket issuing machine;

“parking disc” means a disc, issued by a Connétable for display on parked vehicles, that is composed of 2 pieces of pale yellow cardboard enclosing 3 red cardboard discs each pivoted about its centre on which are printed figures that can be set to reveal through 3 apertures in one of the pieces of yellow cardboard –

- (a) in the left hand aperture, the hour;

(b) in the centre aperture, the tens of minutes; and

(c) in the right hand aperture the minutes,

of the time of arrival of a vehicle at a parking place;

“parking place” means a public parking place the name or vicinity of which is specified in Schedule 1;

“parking unit” means a unit of charge having the value prescribed by a charging Order;

“pay period”, in respect of parking place specified in a Part of Schedule 3, means the period specified in that Part in respect of the parking place;

“permit”, in respect of a parking place, means a permit in a form authorized by the Minister for Transport and Technical Services issued by the controlling body of the parking place or a person acting with the authority of the controlling body, whether on the payment of a charge or otherwise, that authorizes the holder of the permit to park a vehicle in the parking place in accordance with the provisions of the permit;

“prescribed charge” means the charge prescribed by a charging Order and, in respect of a parking place specified in a Part of Schedule 3, means the charge (expressed in parking units) specified in that Part in respect of the parking place;

“prescribed excess charge” means the excess charge or charges prescribed by a charging Order;

“prescribed season ticket charge” means the charge or charges for a season ticket prescribed by a charging Order;

“public parking place” means a place under the administration of a public or parochial authority where vehicles may be parked;

“registered vehicle” means a vehicle registered under the Registration Law;

“Registration Law” means the Motor Vehicle Registration (Jersey) Law 1993⁵;

“season ticket” means a ticket in a form authorized by the Minister for Transport and Technical Services issued by or on behalf of a controlling body on payment of the prescribed season ticket charge that permits, subject to a parking bay being available, a vehicle on which the ticket is displayed to be parked in a parking place for which the ticket is valid during the calendar month in respect of which the ticket is issued;

“ticket issuing machine” means a device from which pay tickets are issued on payment of the prescribed fee;

“trailer” includes a caravan;

“unregistered vehicle” means a motor vehicle other than a registered vehicle, an invalid carriage or a foreign registered vehicle;

“valid pay card”, in respect of a vehicle in a parking place, means a pay card that has been correctly marked in accordance with the instructions

on the card to indicate that the prescribed charge required to be paid to park the vehicle in the parking place at that time has been paid;

“valid parking disc”, in respect of a vehicle in a parking place, means a parking disc that has been correctly set in accordance with the instructions on the disc to show that the vehicle may be parked in that parking place at that time;

“valid permit”, in respect of a vehicle in a parking place, means a permit that permits the vehicle to be parked in that parking place at that time;

“valid season ticket”, in respect of a vehicle in a parking place, means a season ticket that is currently in force in respect of that parking place;

“vehicle” does not include a trailer or a boat.

- (2) A reference in this Order to a parking place by a letter or letters and a number is a reference to the parking place in column 1 of Schedule 1 assigned the letter or those letters and the number in column 2 of that Schedule.

2 Use of parking places

- (1) A person may park a vehicle in a parking place, subject to compliance with this Order.
- (2) Paragraph (1) does not authorize a person to park –
 - (a) a commercial vehicle with an overall length of 15 feet or more; or
 - (b) an agricultural tractor,in a parking place that is not specified in Schedule 4, without the written permission of the controlling body of the parking place.
- (3) The controlling body of a parking place may in writing permit a person to park or place a trailer or boat or any other thing that is not a vehicle in any parking place.
- (4) Permission for the purpose of paragraph (2) or (3) may be given subject to such terms and conditions as the controlling body of the parking place may determine, including conditions requiring the payment of a charge and the display of the permission.

3 Controlling body may control use of parking place

The controlling body of a parking place may by notice displayed at the parking place –

- (a) indicate the speed and route to be taken and other restrictions to be observed by a person driving a vehicle in the parking place or by pedestrians;
- (b) restrict the size or mass of vehicles that may use the whole or any part of the parking place;
- (c) close for any period and for any purpose the whole or any part of the parking place;

- (d) set aside permanently or for any period the whole or any part of the parking place for parking vehicles of a type specified in the notice; and
- (e) set aside permanently or for any period the whole or any part of the parking place for parking vehicles on which a valid permit is displayed.

4 Restrictions on parking

A person must not park a vehicle in a parking place specified in a Part of Schedule 2 –

- (a) for more than the maximum parking period specified in that Part; or
- (b) in the circumstance that any condition specified in that Part is breached in relation to the vehicle.

5 Parking charges

- (1) A person must not park a vehicle in a parking place specified in Schedule 3 during the pay period specified in that Schedule in respect of the parking place unless a valid season ticket, a valid pay card or a valid permit is displayed on the vehicle.
- (2) Paragraph (1) does not apply in respect of a disabled person's vehicle –
 - (a) if a valid parking disc is displayed on the vehicle; and
 - (b) in respect of a parking place specified in Schedule 3 where a vehicle may be parked in the parking place for a continuous period between 8 a.m. and 5 p.m. on any day, the disabled person's vehicle is not parked in the parking place for a total period of more than 12 hours during any continuous period of 24 hours.
- (3) Paragraph (1) does not apply in respect of a motor cycle parked in an area of a parking place set aside for motor cycles by the controlling body of the parking place.
- (4) Paragraph (1) does not apply in respect of a cycle left in an area of a parking place set aside for cycles by the controlling body of the parking place.

6 Excess charges

- (1) A prescribed excess charge is payable if a person –
 - (a) has failed to comply with Article 4 or 5 in respect of a vehicle parked in a parking place;
 - (b) has parked a vehicle in a parking place, whether within or partly within a parking bay, or otherwise, in a manner that obstructs or is likely to obstruct other vehicles using the parking place;
 - (c) has parked a vehicle in a parking place in a part of that place that is neither a parking bay where the vehicle is authorized to be parked nor an area set aside for parking vehicles of that type;

- (d) otherwise than in accordance with the permission of the controlling body of a parking place, has parked or placed a trailer, boat or other thing in the parking place;
- (e) has parked an unregistered vehicle anywhere in a parking place; or
- (f) otherwise than in accordance with the written permission of the controlling officer of a parking place not specified in Schedule 4, has parked a commercial vehicle with an overall length of more than 15 feet, or an agricultural tractor, in the parking place;
- (g) has parked a vehicle, trailer, boat or other thing in a parking place contrary to the terms of a notice displayed under Article 3 in the parking place,

and a car park official has attached an excess charge notice to a conspicuous part of the vehicle, trailer, boat or other thing.

- (2) If a car park official has attached an excess charge notice to a vehicle by virtue of paragraph (1)(a) the vehicle may remain parked in the parking place for 2 hours from the time specified in the notice.
- (3) If –
 - (a) a car park official has attached an excess charge notice to a vehicle, trailer, boat or other thing by virtue of paragraph (1); and
 - (b) the vehicle, trailer, boat or other thing has not been moved within 2 hours of the time specified in the notice,

a further excess charge notice may be attached to the vehicle, boat, trailer or other thing so that a further excess charge become payable in respect of the vehicle, trailer boat or other thing.

- (4) A vehicle shall be taken to be unregistered for the purpose of paragraph (1)(e) if it does not have displayed on it anything required to be displayed on it to show that it is registered.

7 Offences

- (1) A person must not fail to comply with the terms of a notice displayed in accordance with Article 3.
- (2) A person must not fail to pay a prescribed excess charge in accordance with the terms of the relevant excess charge notice.
- (3) A person must not interfere with a ticket issuing machine with intent to defraud.
- (4) A person must not with intent to deceive –
 - (a) make, copy, alter, deface or mutilate a disabled person's badge, a pay card, a parking disc, a season ticket or a permit;
 - (b) display on a vehicle in a parking place anything intended to appear to be a disabled person's badge, a pay card, a parking disc, a season ticket or a permit; or
 - (c) display on a vehicle in a parking place a disabled person's badge, a pay card, a parking disc, a season ticket or a permit that has been altered, defaced or mutilated.

-
- (5) A person must not, except with the written permission of the controlling body of the parking place, do or cause or knowingly permit another person to do any of the following things –
- (a) attach advertising material to a parking place or a vehicle in a parking place;
 - (b) display advertising material in a parking place;
 - (c) carry on a trade or business in a parking place;
 - (d) use a vehicle in connection with a trade or business while it is parked in a parking place; or
 - (e) solicit or collect alms, contributions, donations or subscriptions in a parking place.
- (6) A person must not –
- (a) drive a vehicle in a parking place except with the intention of parking the vehicle or to remove it afterwards;
 - (b) injure or deface a parking place or a notice in a parking place;
 - (c) deposit refuse in a parking place except in a receptacle provided for the purpose;
 - (d) discharge a firearm, throw a missile or light a fire or firework in a parking place;
 - (e) wash a vehicle, trailer or boat in a parking place;
 - (f) carryout work on a vehicle, trailer, boat or other thing in a parking place except, in the case of a vehicle or trailer, to any extent necessary to be able to remove it from the parking place;
 - (g) sleep in a vehicle or trailer in a parking place or otherwise use a vehicle or trailer in a parking place for a residential or domestic purpose;
 - (h) use a vehicle in connection with a trade or business while it is parked in a parking place; or
 - (i) place on a vehicle in a parking place, other than a motor cycle, a cover of the type normally used to protect the exterior of a vehicle from the weather during storage in the open air.
- (7) A person, other than the driver of the vehicle, or a person acting with the driver's permission, must not remove from a vehicle a disabled person's badge, season ticket, pay card, parking disc or permit displayed on a vehicle.
- (8) A person must not consume alcohol in a parking place or be in possession of an open container containing alcohol unless the general consumption of alcohol in the parking place has for the time being been approved by the controlling body of the parking place.
- (9) The driver of a vehicle in a parking place must not fail to comply with any reasonable instructions given to the driver by a car park official –
- (a) as to how the vehicle should be parked; or
 - (b) to remove the vehicle from the parking place.

- (10) A person who is in a parking place other than to park or collect a motor vehicle must not –
- (a) fail to leave the parking place if requested to do so by a police officer or a car park official; or
 - (b) refuse or fail to give his or her name and address or give a false name and address if on reasonable grounds the person is requested to give his or her name and address by a police officer or a car park official.
- (11) A person who contravenes, or fails to comply with, a provision of this Article shall be liable to a fine not exceeding level 2 on the standard scale.

8 Condition

A vehicle parked in a parking place or a thing permitted to be placed in a parking place by the controlling body of the parking place, is parked or placed in the parking place subject to the condition that no claim shall lie against the controlling body of the parking place or any car park official in respect of the loss of or damage to the vehicle or thing, or a fitting or the contents of the vehicle or thing.

9 Revocations

The following Orders shall be revoked –

- (a) the Road Traffic (Public Parking Places) (Jersey) Order 2004⁶;
- (b) the Road Traffic (Public Parking Places) (Amendment) (Jersey) Order 2005⁷.

10 Citation and commencement

- (1) This Order may be cited as the Road Traffic (Public Parking Places) (Jersey) Order 2006.
- (2) This Order shall come into force on 1st September 2006.

DEPUTY G.W.J. DE FAYE OF ST. HELIER

Minister for Transport and Technical Services

SCHEDULE 1

(Article 1(1))

PARKING PLACES

<i>Column 1</i>	<i>Column 2</i>
<i>Name or vicinity of parking place</i>	<i>Assigned letters and number of parking place</i>
PART 1	
Grouville	
Beach Road	GR1
Gorey Common	GR2
Gorey Village, Coast Road lay-by	GR3
La Parcage, La Rue Hilgrove, Gorey Village	GR4
La Rocque Harbour	GR5
Ville ès Renauds	GR6
PART 2	
St. Brelade	
Beauport	STB1
Blanches Banques East	STB2
Blanches Banques West	STB3
Corbière, near the lighthouse keepers' cottages, both sides of track	STB4
La Carrière	STB5
Landslide	STB6
La Pulente, Sand Dunes	STB7
La Pulente, Slip	STB8
Le Boulevard, St. Aubin	STB9
Le Braye	STB10
Les Mielles	STB11
Midbay	STB12
Noirmont	STB14
Ouaisné	STB15
Parish Hall, alongside	STB16
Parish Hall, rear	STB17A
Parish Hall, far rear	STB17B
Parish Hall, from a point starting 17 yards east of the slipway to a further point 32 yards in an easterly direction	STB18

<i>Column 1</i>	<i>Column 2</i>
Pont Marquet Country Park	STB19
Portelet Hotel carpark, part leased to controlling body	STB20
Red Houses, lower level	STB21
Red Houses, upper level	STB22
St. Brelade's Church, top of slip	STB23
Tam's, St. Brelade's Bay	STB24
Woodford	STB25
Pont Marquet East	STB26

PART 3**St. Helier**

Elizabeth Lane	STH1
Esplanade	STH3
First Tower	STH5
Fort Regent, including access roads and south and east ditches within ramparts	STH6
Gas Place	STH7
Green Street	STH8
Hue Street	STH9
Inn on the Park	STH10
La Collette, Phase 1 reclamation	STH11
La Plage Hotel, near	STH12
La Route du Fort, Cleveland Road	STH13
Midvale Road	STH14
Minden Place	STH15
Nelson Street	STH16
Patriotic Street	STH19
People's Park	STH20
Pier Road car park, levels 14 and 15	STH21
Pier Road car park (excluding levels 13, 14 and 15)	STH22
Sand Street	STH23
Snow Hill	STH24
South Hill, east of recreation area	STH25
Victoria Avenue, lay-bys 1 - 4	STH26
Victoria Avenue, lay-bys 5 and 6	STH26A
La Fregate	STH28

PART 4**St. John**

Route du Nord	SJ1
Sorel	SJ2

<i>Column 1</i>	<i>Column 2</i>
PART 5	
St. Martin	
Archirondel, café	STMN1
Bel Val	STMN2
Gorey Harbour Slip, adjacent	STMN3
Gorey Hill, north side	STMN4
Gorey promenade, adjacent to and east of public gardens	STMN5
Gorey Slip, promenade north	STMN6
La Crête, quarry	STMN7
La Rue de la Haye	STMN8
Pine Walk	STMN9
St. Catherine's Bay, near Martello Tower	STMN10
St. Catherine's Breakwater, top of and adjacent sea walls	STMN11
Welcome Inn, north-east of slipway	STMN12
PART 6	
St. Ouen	
Grève de Lecq, Martello Tower	STO1
Grève de Lecq, near the Old Harbour	STO2
Grosnez	STO3
Kemp Tower	STO4
La Pierre Butée	STO5
Les Laveurs Slipway	STO6
L'Etacq	STO7
Mont Huelin Quarry	STO8
Route du Marais and Route de Vinchelez junction	STO9
PART 7	
Trinity	
Bouley Bay, Water's Edge Hotel	T1
Bechet ès Cats, La Rue des Platons	T2
PART 8	
St. Clement	
Green Island	STC1
La Mare Common	STC2
Le Hocq	STC3
Old Grève d'Azette Station site	STC4
Le Hocq Slip, tarmac area at top	STC5

<i>Column 1</i>	<i>Column 2</i>
PART 9	
St. Lawrence	
Bel Royal, Victoria House	STL1
La Perquage	STL2
Millbrook, Coronation Gardens	STL3
Victoria Avenue, lay-by 7	STL4
PART 10	
St. Peter	
Beaumont, Gunsite	STP1
Goose Green	STP2
Sands Disco	STP3
St. Peter's Parish Hall Car Park	STP4
The unnamed road that runs between the Gunsite Slipway and La Route de la Haule	STP5
PART 11	
St. Saviour	
Bagatelle	STS1
Georgetown, La Route du Fort	STS2

SCHEDULE 2

(Article 4)

MAXIMUM PARKING PERIODS**PART 1**

The maximum parking period in respect of the following parking places is a continuous period of 7 days.

STB1	STB4	STB10	STB12	STB14
STB17B	STB22	STB23	STB24	STB25
STH1	STH3	STH5	STH7	STH8
STH9	STH10	STH11	STH12	STH13
STH14	STH16	STH19	STH20	STH22
SJ1	SJ2	STMN2	STMN7	STMN10
STMN11	STO1	STO2	STO3	T1

PART 2

The maximum parking period in respect of the following parking places is a total period of 3 hours in any continuous period of 24 hours.

GR3	STMN8
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PART 3

The maximum parking period in respect of the following parking places is 3 hours during any one visit to the parking place.

STB19	STB26	STH15	STH23	STH24
STH25				

PART 4

The maximum parking period in respect of the following parking places is a total period of 12 hours in any continuous period of 24 hours.

GR2	GR5	GR6	STB2	STB3
STB5	STB6	STB7	STB8	STB9
STB11	STB15	STB20	STH26	STH26A
STMN1	STMN4	STMN9	STMN12	STO4
STO5	STO6	STO7	STO8	STC1
STC2	STC3	STC4	STC5	STL1
STL2	STL4	STP2	STP3	STP4
T2				

PART 5

The maximum parking period in respect of the following parking places is 4 hours during any one visit to the parking place.

STH21 STL3 STP1 STP5

PART 6

The maximum parking period in respect of the following parking places between 8 a.m. and 6 p.m. on any day except Sunday is a total period of 1 hour. A valid parking disc must be displayed on the vehicle during the period when it is parked there.

GR1 GR4 STB21 STO9 STS1
STS2

PART 7

The maximum parking period in respect of the following parking places between 8 a.m. and 5.30 p.m. on any day except Sunday is a total period of 2 hours. A valid parking disc must be displayed on the vehicle during the period when it is parked there.

STB16 STB17A STB18

PART 8

The maximum parking period in respect of the following parking places is 3 hours during any one visit to the parking place. A valid parking disc must be displayed on the vehicle during the period when it is parked there to the extent that that period falls between 8 a.m. and 5 p.m. on any day except Sunday.

STH6

PART 9

The maximum parking period in respect of the following parking places between 8 a.m. and 10 p.m. on any day is a total period of 3 hours. A valid parking disc must be displayed on the vehicle during the period when it is parked there.

STMN3 STMN5 STMN6

PART 10

The maximum parking period in respect of the following parking places between 8 a.m. and 6 p.m. on any day is a total period of 3 hours. A valid parking disc must be displayed on the vehicle during the period when it is parked there.

No parking places

PART 11

The maximum parking period in respect of the following parking places on any day is a total period of 3 hours. A valid parking disc and a disabled person's badge must be displayed on the vehicle during the period when it is parked there.

STH28

SCHEDULE 3

(Article 5(1))

PARKING CHARGES**PART 1**

The pay period in respect of each of the following parking places is the period between 8 a.m. and 5 p.m. on any day except Sunday.

The prescribed charge payable in respect of a vehicle parked in the parking place during that pay period is 1 parking unit for each period of one hour or part of that period that a vehicle is parked in the parking place during the pay period.

STH1	STH3	STH5	STH7	STH8
STH9	STH10	STH13	STH14	STH15
STH16	STH17	STH19	STH20	STH21
STH22	STH23	STH24	STH25	STB22

PART 2

The pay period in respect of each of the following parking places is the period between 8 a.m. and 5 p.m. on any day except Sunday.

The prescribed charge payable in respect of a vehicle parked in the parking place during that pay period is 1 parking unit for each period of 2 hours or part of that period that a vehicle is parked in the parking place during the pay period.

STB9	STB17B	STH11	STH26	STP1
STP2	STP5			

PART 3

The pay period in respect of each of the following parking places is the period between 8 a.m. and 5 p.m. on any day except Sunday during the period 1st April to 30th September (inclusive).

The prescribed charge payable in respect of a vehicle parked in the parking place during that pay period is 1 parking unit for each period of 2 hours or part of that period that a vehicle is parked in the parking place during the pay period.

STB11	STB12	STB24	STB25	STH26A
STL1	STL2	STL4		

SCHEDULE 4

(Article 2(2))

**LONG COMMERCIAL VEHICLE AND AGRICULTURAL TRACTOR
PARKING PLACES**

Commercial vehicles with an overall length of 15 feet or more and agricultural vehicles may be parked in the following parking places without the written permission of the controlling body of the parking place.

STB1	STB2	STB3	STB4	STB5
STB10	STB14	STB20	STH7	SJ1
STM2	STM5	STMN7	STM11	STO3

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- 1 *chapter 25.550*
 - 2 *chapter 25.550.24*
 - 3 *chapter 25.400.50*
 - 4 *chapter 25.550*
 - 5 *chapter 25.350*
 - 6 *chapter 25.550.36*
 - 7 *R&O.122/2005*