

**THE YORK**

**PARKING, STOPPING AND WAITING**

**TRAFFIC ORDER 2014**

**EXTRACT**

## **THE YORK PARKING, STOPPING AND WAITING TRAFFIC ORDER 2014**

City of York Council, in exercise of powers under Sections 1, 2, 4, 19, 32, 35, 45, 46, 53 and Schedule 9 of the Road Traffic Regulation Act, 1984 (1984 Act) and in pursuance of powers granted by the Secretary of State under Section 74 and Part 2 of Schedule 8 and under Parts 1 and 3 of Schedule 9 of the Traffic Management Act 2004 and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Schedule 9 of the 1984 Act, hereby makes the following Order:

### **PART I - GENERAL**

#### **CITATION**

1. This Order may be cited as The York Parking, Stopping and Waiting Traffic Order 2014 and shall come into effect on the 10<sup>th</sup> day of February 2014.

#### **INTERPRETATION**

2. (1) (a) The Interpretation Act 1978 shall apply to this Order as it applies to an Act of Parliament.  
(b) Where a provision of this Order is in conflict with a provision contained in a previous order the provision of this Order shall prevail.  
(c) The headings and indices to this Order other than those headings to the Schedules which are not enclosed in brackets are included for reference only and do not form part of this Order.  
(d) The content of the Second Schedule is included for reference only and does not form part of this Order.  
(e) Where a Statute, Statutory Instrument, Specification, Regulations or Order is referred to such reference shall include an amendment to or replacement thereof.  
(f) All sums of money mentioned in this Order are inclusive of Value Added Tax.

- (2) In this Order:

**"1984 Act"** means the Road Traffic Regulation Act 1984.

**"1991 Act"** means the Road Traffic Act 1991.

**"2004 Act"** means the Traffic Management Act 2004.

**"Annual Period"** is defined by Article 16(5).

**"Article"** means an article of this Order unless otherwise stated and includes reference to any Paragraph of that Article referred to by number or letter.

**"being used"** means, in Column 5 of Part I of the Third Schedule, that the driver has left the vehicle only whilst the driver or passenger is engaged in the activity described in that entry in that Column.

**"Builders Skip"** has the same meaning as in Section 139 (11) of the Highways Act 1980.

**"building or industrial operation"** means a function or activity necessitating the use of a stationary or moving vehicle as an integral part of the operation.

**"Bus"** means:

- (a) a motor vehicle constructed or adapted to carry more than 8 seated passengers (exclusive of the driver); and
- (b) a Local Bus not so constructed or adapted.

**"Bus Lane" and "Local Bus Lane"** mean a traffic lane authorised and operated within the terms of Article 7 and Parts VI and VII of the First Schedule of the York Traffic Management Order 2011 or any replacement thereof provided there are in place in or near that lane traffic signs and road markings that accord with the Regulations indicating the permitted use of that lane;"

**"Business Premises"** means any one hereditament assessed for Uniform Business Rate or (except in the case of holiday flats or premises let on tenancies of less than three months which shall each be treated as separate Business Premises) where more than one such hereditament is occupied by substantially the same persons within the same or neighbouring buildings or curtilages, the combination of such hereditaments is one Business Premises for the purposes of this Order.

**"carriageway"** means that part of a road over which the public have a right of way for the passage of Motor vehicles.

**"Charge Certificate"** has the same meaning as in Regulation 21 of the General Regulations.

**"Civil Enforcement Area"** means the area designated by the Secretary of State, in exercise of powers under Paragraphs 1(1) and 2(1) of Schedule 3 to the 1991 Act, as a Permitted Parking Area and as a Special Parking Area under Article 4 of The Road Traffic (Permitted Parking Area and Special Parking Area) (District of York) Order 2000 (Order of 2000) and, by virtue of Article 3 of that Order, comprises the whole of the District of York excluding the following roads:

- (a) the A64 trunk road for the whole of its length in the District including all its on and off slip roads apart from the off slip road at Copmanthorpe leading to Top Lane, Copmanthorpe at Top Lane junction; and
  - (b) the A1237 road for the whole of its length;
- that parking area, on and after the 31<sup>st</sup> day of March 2008, being designated a "Civil Enforcement Area" by virtue of the Order of 2000 being deemed to have been made under Paragraph 8(1) of Part 2 of Schedule 8 to the 2004 Act by virtue of Paragraph 8(4) of that Schedule.

**"Civil Enforcement Officer"** has the same meaning as in Section 76 of the 2004 Act and such officer's appointment, powers, duties and mode of dress shall accord with the said Section 76.

**"Clearway"** means the main carriageway of a road specified in Columns 1 and 2 of Part I of the First Schedule and designated "Clearway" in Column 3.

**"Column"** means a column in the Schedule or Part of the Schedule referred to or last referred to.

**"Council"** means City of York Council.

**"credit card"** means a written authorisation issued by a bank or other financial institution allowing the holder to obtain credit within a specified limit in order to make direct payment for goods or services.

**"Cycle Lane"** has the meaning given by Regulation 4 of the Traffic Signs Regulations.

**"cycle track"** has the same meaning as in the Highways Act 1980.

**"debit card"** means a written authorisation issued by a bank or other financial institution allowing the holder to make direct payment for goods or services from an account held with that bank or other financial institution.

**"designated"** or **"designation"** means that the designation specified is set against the Parking Place, road, junction or Zone described in the Schedule or Part referred to and for the avoidance of doubt more than one designation may be set against a Parking Place, road, junction or Zone.

**"Disabled Person"** has the same meaning as in Regulation 2 of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000.

**"Disabled Person's Badge"** means any badge issued, or having effect as if issued, under any regulation for the time being in force under Section 21 of the Chronically Sick and Disabled Person's Act 1970.

**"Disabled Person's Vehicle"** means a vehicle lawfully displaying a Disabled Person's Badge.

**"display", "displaying", "displays" or "displayed"** means in relation to:

- (a) a Disabled Person's Badge or a parking disc:
  - (i) that the badge or disc is exhibited on the dashboard or facia of the vehicle, or
  - (ii) where the vehicle not fitted with a dashboard or facia, the badge or disc is exhibited in a conspicuous position on the vehicle so that the badge or disc is legible from outside the vehicle;
- (b) a Permit (other than a Visitor Permit or Guest House Permit) or ticket obtained under Article 7(2)(e)(i), that the Permit or ticket is exhibited on the front windscreen of the vehicle or on the side window nearest the kerb or in a conspicuous position on the dashboard so that the particulars entered upon it are clearly visible from outside the vehicle;
- (c) a Visitor Permit or Guest House Permit, that such Permit is exhibited in the front side window of the vehicle nearest the kerb or in a conspicuous position on the dashboard so that the particulars entered upon it are clearly visible.

**"District of York"** means the area within the boundary of the City of York Council.

**"driver"** in relation to a vehicle waiting means the person driving the vehicle at the time it was left.

**"dual purpose vehicle"** has the same meaning as in the Road Vehicles (Construction and Use) Regulations 1986. 'Employment and Support Allowance' means a monetary benefit of that title provided by, and under legislation administered by, a Government office.

**"Employment and Support Allowance"** means a monetary benefit of that title provide by and under legislation administered by a Government Office.

**"Enforcement Authority"** means City of York Council.

**"excursion or tour"** means a service for the carriage of passengers by road at separate fares on which the passengers travel together on a journey with or without breaks, from one or more places to one or more other places and back.

**"Exemption"** means a class of Vehicle or purpose for which a Vehicle may, subject to Article 10, park, stop, wait or be left in a road in accordance with Articles 3 or 7

that Exemption being set out in Column 2 of Part I of the First Schedule and identifiable for the purposes of any provision of this Order by the number set against that Exemption in Column 1.

**"Footstreet Areas"** means the areas shown on Plan 2 in Part III of the Fifth Schedule.

**"footway"** means a way comprised in a highway which also comprises a carriageway, being a way over which the public have a right of way on foot only.

**"Frequent User Pass"** means a pass issued under the provisions of The York Off-Street Parking Places Order 2013 and shall be deemed a 'Permit' for the purposes of this Order.

**"General Regulations"** means The Civil Enforcement of Parking Contraventions (England) General Regulations 2007.

**"goods"** means goods or burden of such weight or bulk that they cannot reasonably be conveyed otherwise than by means of a vehicle.

**"Goods Vehicle"** means a motor vehicle constructed or adapted for the carriage or haulage of goods or burden of any description (other than the effects of passengers) or a trailer so constructed or adapted whether or not such trailer may by superimposition be attached to the motor vehicle in such a manner as to cause a substantial part of its weight to be borne by the Motor vehicle.

**"gross weight"** means:

- (i) in relation to a motor vehicle, the sum of the weight transmitted to the road surface by all the wheels of the vehicle,
- (ii) in relation to a trailer, the sum of the weights transmitted to the road surface by all the wheels of the trailer and of any weight of the trailer imposed on the drawing vehicle.

**"Guidelines Order"** means The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007 made by the Secretary of State in exercise of power conferred by Paragraph 8 of Schedule 9 to the 2004 Act.

**"Hackney Carriage"** has the same meaning as in the Town Police Clauses Act 1847.

**"Hackney Carriage Stand"** means an area of carriageway reserved for use by hackney carriages waiting to pick up passengers, the said Hackney Carriage Stand having been appointed in exercise of powers conferred by Section 63 of the Local Government (Miscellaneous Provisions) Act 1976 and being a "taxi rank" and/or "taxi stand" for the purposes of the Traffic Signs Regulations.

**"Head of Network Management"** means an Officer for the time being appointed to that post by the Council.

**"Heavy Goods Vehicle"** means a Goods vehicle with a maximum gross weight exceeding 7.5 tonnes which is constructed or adapted to carry or haul goods of any description or which is fitted with a special appliance, plant, machinery or apparatus, such appliance plant machinery or apparatus being included in the weight and, for the purposes of this Order, includes a 'heavy commercial vehicle' as defined by S.138 of the 1984 Act.

**"high emission vehicle"** for the purposes of this Order means a motor vehicle being a light passenger vehicle within the terms of Part 1A of Schedule 1 of the Vehicle Excise and Registration Act 1994 having a high CO<sub>2</sub> emission figure qualifying that vehicle for a higher rate of annual vehicle excise duty that vehicle meeting the

requirements of either “Condition (Band) J”, “Condition (Band) K”, “Condition (Band) L” or “Condition (Band) M” of that part of that Schedule of that Act.

**“Highway Authority”**, for highways within the District of York except that highway being the ‘A64 trunk road’, means City of York Council”;

**“Horse Drawn Hackney Carriage”** means a vehicle drawn by a horse in respect of which a licence has been issued by the Council pursuant to the provisions of the Town Police Clauses Acts 1847 and 1889 and the Local Government (Miscellaneous Provisions) Act 1976;

**“hotel”** means a commercially run establishment providing lodging and, usually, meals for guests and includes a guest house, boarding house and other like establishments;

**"Household"** means those persons occupying a self contained unit of domestic living accommodation which contains sleeping, cooking, washing and toilet facilities;

**“House in Multiple Occupancy”** for the purposes of this Order, means a unit of living accommodation occupied by a number of unrelated and independently recruited tenants each tenant occupying a self-contained lockable room for which that tenant has personal responsibility and which provides, at least, a sleeping facility with provision within that unit of living accommodation of a shared cooking facility and, additionally, shared washing and toilet facilities where such additional facilities are not provided within the self-contained lockable room;

**"Immobilisation Device"** means any device or appliance designed or adapted to be fixed to a vehicle for the purpose of preventing it from being driven or otherwise put in motion being a device or appliance of a type approved by the Secretary of State for use for that purpose in accordance with Section 104(9) of the 1984 Act.

**“Incapacity Benefit”** means a monetary benefit of that title provided by, and under legislation administered by, a Government Office.

**"Income Support"** means a monetary benefit of that title provided by and under legislation administered by a Government Office.

**"industrial"** means major repairs or maintenance of buildings and fixed plant.

**"Invalid Carriage"** means a mechanically propelled vehicle not being a specialist vehicle the weight of which unladen does not exceed 254 kgs and which is specially designed and constructed, and not merely adapted, for the use of a person suffering from severe physical defect or disability and which is used solely for such a person.

**"lay-by"** means any area of road intended for use for the waiting of vehicles and lying at the side of the main carriageway and bounded partly by the outer edge of that carriageway on that side of the road.

**"length"** referring to a road means a length of road described in a Schedule.

**"living van"** means a vehicle used primarily as living accommodation by one or more persons, and which is not also used for the carriage of goods or burden which are not needed by such one or more persons for the purpose of their residence in the vehicle.

**“Loading Area”** means an area of road designated for the loading or unloading of goods to and from a vehicle and signed and marked in accordance with the Regulations.

**"Local Bus"** means a Public Service vehicle used for the provision of a local service not being an excursion or tour

**"local service"** has the same meaning as in the Transport Act 1985.

**"Lodger"** means any person receiving board other than at a Registered Guest House at the Qualifying Address of a Household Authorisation Card Holder under an arrangement intended to last one month or more and for the purposes of this Order a Lodger shall be deemed to be a member of that Household and the Qualifying Address shall be deemed to be that Lodger's usual place of residence.

**"Long Distance Carrier"** means a Bus which is proceeding in a Bus Lane within the City of York and which is being operated to provide a timetabled long distance service for the carriage of passengers at separate fares which is not a local service, excursion or tour. A service shall not be regarded for the purposes of this Order as a long distance service if:

- (i) the conditions set out in Part III of Schedule 1 to the Public Passenger Vehicles Act 1981 are met in respect of the journey made by the Bus in providing the service: or
- (ii) the Bus used in providing the service is so used under a Permit granted under Section 19 of the Transport Act 1985.

Subsections (5)(b), (c) and (6) of Section 1 to the Public Passenger Vehicles Act 1981 shall apply for the purposes of this definition.

**"Long Term Incapacity Benefit"** means a monetary benefit of that title provided by and under legislation administered by a Government Office.

**"long vehicle"** means a motor vehicle having an overall length in excess of 5m.

**"low emission vehicle"** for the purposes of this Order means:

- (a) a motor vehicle being a light passenger vehicle within the terms of Part 1A of Schedule 1 of the Vehicle Excise and Registration Act 1994 having a low CO<sub>2</sub> emission figure qualifying that vehicle for a reduced rate of annual vehicle excise duty that vehicle meeting the requirements of either "Condition (Band) A", "Condition (Band) B" or "Condition (Band) C" of that part of that Schedule of that Act;
- (b) a motor vehicle being a light goods vehicle within the terms of Part 1B of Schedule 1 of the Vehicle Excise and Registration Act 1994 that vehicle having a low CO<sub>2</sub> emission figure qualifying that vehicle for a reduced rate of annual vehicle excise duty in accordance with paragraph 1J(b) of Part 1B of Schedule 1 of that Act;
- (c) a motor vehicle being an "electric" or "liquid propane gas" powered vehicle.

**"m"**, when used in conjunction with and to qualify a number, means metres.

**"main carriageway"** means a carriageway used primarily by through traffic but excludes a lay-by.

**"marked"** or **"markings"** when used in relation to road markings means a line or marking laid out in accordance with the relevant diagrams in the Traffic Signs Regulations.

**"Marked Police Vehicle"** means a vehicle owned by a Police Authority marked so as to be readily identifiable as a police vehicle.

**"maximum gross weight"** has the same meaning as in the Road Vehicles (Construction and Use) Regulations 1986.

**"Medical Practitioner"** means a qualified and practising doctor, nurse or midwife.

**"Medical Requirements"** means use by a medical practitioner, when visiting premises on or adjacent to that road or Parking Place in connection with that Medical Practitioner's duties provided that the vehicle displays a badge under the British Medical Association's Car Badge Scheme or such badge as is approved by the Council for the purposes of this Order.

**"metalled area"** for the purposes of this Order means any area of road having a surface of plastic based compound, metal, tarmacadam or concrete of a standard or consistency approved by the Highway Authority and includes any such area having a surface so perforated as to allow grass or other vegetation to overgrow that surface.

**"Minster Badge"** means a badge issued under the provisions of The York Off-Street Parking Places Order 2013.

**"Mn"** means midnight.

**"motor car"** means a mechanically propelled vehicle, not being a motor cycle or an invalid carriage, which is constructed itself to carry a load or passengers and the weight of which unladen –

- (a) if it is constructed solely for the carriage of passengers and their effects, its adapted to carry not more than seven passengers exclusive of the driver and is fitted with tyres of such type as may be specified in regulations made by the Secretary of State, does not exceed 3050 kilograms;
- (b) if it is constructed or adapted for use for the conveyance of goods or burden of any description, does not exceed 3050 kilograms, or 3500 kilograms if the vehicle carries a container or containers for holding for the purposes of its propulsion any fuel which is wholly gaseous at 17.5 degrees Celsius under a pressure of 1.013 bar or plant and materials for producing such fuel;
- (c) does not exceed 2540 kilograms in a case not falling within sub-paragraph (a) or (b) above.

**"motor caravan"** means a Motor Vehicle constructed or adapted to carry passengers and provide sleeping accommodation.

**"motor cycle"** means a mechanically propelled vehicle, not being an invalid carriage, with less than four wheels and the weight of which unladen does not exceed 410 kilograms.

**"motor vehicle"** means, subject to Section 20 of the Chronically Sick and Disabled Persons Act 1970 (which makes special provision about invalid carriages, within the meaning of that Act), a mechanically propelled vehicle intended or adapted for use on roads.

**"No", "No's"**, when used in conjunction with a figure or combination of figures to identify the address of property or premises, means number.

**"non-motorised vehicle"** means a Pedal Cycle which is either stationary or being pushed and vehicle which is propelled by the physical effort of a person not carried by it such vehicle being constructed and not merely adapted to be so propelled.

**"Office"** means the City Parking Office, West Offices, Station Rise, York, YO1 6GA.

**"Officer"** means an officer of the Council duly authorised for any purpose.



**"Operative Hours"** is defined in Article 5(6).

**"overall length"** has the same meaning as in the Road Vehicles (Construction and Use) Regulations 1986.

**"owner"** in relation to a vehicle is defined in Regulation 2(1) of the General Regulations.

**"Paragraph"** means a paragraph or sub-paragraph of the Article in which the word appears.

**"parking charge"** is defined in Article 6.

**"parking disc"** has the same meaning as in Regulation 8(5) of the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000.

**"parking period"** is defined in Article 6.

**"Parking Place"** means any road or any length of road designated a Parking Place within the terms of Article 5(1) and (2) and signed and marked on a road in accordance with the provisions of the Traffic Signs Regulations.

**"Parking Place situated within a Zone"** means a Parking Place marked on a road in accordance with the provisions of the Traffic Signs Regulations and situated within a Zone shown on a plan in Part II of the Fifth Schedule and, where a Parking Place is shown on a plan as outside a Zone on the same plan, that Parking Place shall be deemed to be only situated in the Zone delineated on that Plan.

**"Parking Space"** means a space within the highway that is:

- (a) suitable or adaptable for parking a vehicle;
- (b) lawfully accessible to a vehicle from the carriageway; and
- (c) either:
  - (i) where the space has not previously been used for parking of a motor vehicle (other than a solo motor cycle) is of a minimum width of 2.2m and minimum length of 4.8m; or
  - (ii) where the place has previously been used for parking a Motor Vehicle (other than a solo motor cycle) is of a minimum width of 2.1m and minimum length of 4.6m.

**"Part"** means a part of the Schedule referred to or last referred to.

**"Passenger"** means a passenger in a vehicle at the time it commences waiting and who intends to depart in that vehicle when the activity described in an entry in Column 5 of Part I of the Third Schedule is completed.

**"Passenger vehicle"** means a motor vehicle constructed solely for the carriage of passengers and their effects.

**"Paying Guest"** means a person staying at the Qualifying Address of an Authorisation Card Holder in exchange for payment.

**"pedal cycle"** means a vehicle which is not constructed or adapted to be propelled by mechanical power and which is equipped with pedals, including an electrically assisted pedal cycle prescribed for the purposes of Section 189 of the Road Traffic Act 1988 and Section 140 of the 1984 Act.

**"Penalty Charge"** means a Penalty Charge set by the Enforcement Authority in accordance with the Guidelines Order made by the Secretary of State in exercise of the power conferred by Paragraph 8 of Schedule 9 to the 2004 Act that charge being a charge appropriate to the level of contravention as set out in Part III of the Fourth Schedule to this Order and payable in accordance with Regulation 4 of the General Regulations.

**"Penalty Charge Notice"** has the meaning given by Regulations 8(1) of the General Regulations 2007.

**"Permit"** means a Permit issued under Articles 14 to 19 or 21 and the Second Schedule and includes a Permit which has become invalid or is used in circumstances in which it is invalid.

**"Permit Holder"** means a person to whom a Permit has been issued until such time as that Permit is surrendered to the Council or expires.

**"postal packet"** has the same meaning as in the Postal Services Act 2000.

**"provision of a universal postal service"** has the same meaning as in the Postal Services Act 2000.

**"Public Service Vehicle"** has the same meaning as in the Public Passenger Vehicles Act, 1981.

**"Qualifying Address"** means the property in respect of which an Authorisation Card is issued.

**"Quarterly Period"** is defined by Article 16(6).

**"Registered Guest House"** means a Guest House or Hotel with not more than 10 lettable bedrooms or, in the case of such premises within Zones R23 and R48, with not more than 13 lettable bedrooms or, in the case of such premises within Zone R49, with not more than 14 lettable bedrooms, registered with the Yorkshire Information Centre.

**"Relevant Zone"** means the Zone the reference number of which is or will be entered on a Permit under Article 14(2).

**"Return Period"** means a period beginning at the time that the last period of parking by that vehicle in that Parking Place or on that Street ceased and is of the duration specified in the relevant Article.

**"road"** means any highway and any other road to which the public has access and includes bridges over which a road passes and when referring to any prohibition, restriction, authorisation or Exemption in a specific road, length of road or side of road as described in this Order, shall be construed as meaning that road, length of road or side of road.

**"said junction", "said line" and "said end"** means the junction, line or end of the kerb, carriageway, building, property or boundary last referred to.

**"Schedule"** means a schedule of this Order unless otherwise stated.

**"School-person Carrier"** means a Bus which is not being used to provide an excursion or tour and is proceeding in a Bus Lane within the City of York to convey persons:

- (i) to, or to a place within the vicinity of, their school on a day during term time before they have attended the school on that day; or
- (ii) from, or from a place within the vicinity of, their school on a day during term time after they have finished attending school on that day and

in either case, a prescribed sign is fitted to the front of the bus so as to be plainly visible to road users ahead of the bus and a prescribed sign is fitted to the rear of the bus so as to be plainly visible to road users behind the Bus except that the requirement to fit such signs shall not apply where a Bus is on a Bus service of a description specified in paragraph 2 of the Schedule to the Fuel Duty Grant (Eligible Bus Services) Regulations 1985.

**"Secretary of State"** means the Secretary of State for Transport.

**"Security Carrier"** means a vehicle designed or adapted for the conveyance of bullion, cash consignments and securities.

**"serve", "served", "service"** have the same meaning as in Regulations 3, 8, 9 and 10 of the General Regulations.

**"short vehicle"** means a passenger vehicle other than a solo motor cycle with or without a sidecar attached which has an overall length not exceeding 2.7m".

**"Skip Licence"** means a permission in writing signed by an officer authorising the deposit of a Builder's Skip on a highway and incorporating conditions as to its delivery placement and collection in accordance with section 139 (2) of the Highways Act 1980.

**"solo motor cycle"** means a motor cycle without a side car and having two wheels.

**"specialist vehicle"** means a vehicle not being a pedal cycle:

- (a) which is propelled by the physical effort of a person carried by it;
- or
- (b) which is an invalid carriage within the meaning of The Use of Invalid Carriages on Highways Regulations 1988 and used within the terms of those regulations.

**"Street"** means those lengths of road known by a single name.

**"Taxi"**, for the purposes of this Order, means a Hackney Carriage in respect of which a licence has been issued pursuant to the provisions of the Town Police Clauses Acts 1847 and 1889.

**"Tariff Period"** means the maximum period of parking permitted in a Parking Place during a specified period of time.

**"Taxi Rank"** and **"Taxi Stand"** mean an area of carriageway reserved for use by taxis waiting to pick up passengers such reserved area having been appointed a Hackney Carriage Stand under S63 Local Government (Miscellaneous Provisions) Act 1976.

**"traffic sign"** means a sign prescribed or authorised under, or having effect as though prescribed or authorised under, Section 64 of the 1984 Act.

**"Traffic Signs Regulations"** means the Traffic Signs Regulations and General Directions 2002 or any replacement thereof.

**"trailer"** means a vehicle drawn by a motor vehicle.

**"universal service provider"** has the same meaning as in the Postal Services Act 2000.

**"Unrestricted"** wheresoever it appears in Column 3 of Part II of the First Schedule against a road, length of road or side of road in Column 2 means that the said road, length of road or side of road is devoid of any parking, stopping or waiting restrictions within the terms of this Order or within the terms of any Statute or Statutory Instrument.

**"Valid Disabled Person's Badge"** means a Disabled Person's Badge which has not become invalid and is not being used in circumstances where it is not valid.

**"Valid Permit"** means a Permit which has not become invalid and is not being used in circumstances where it is not valid.

**"Valid Ticket"** means a ticket which has not become invalid and is not being used in circumstances where it is not valid.

**"vehicle"** means a carriage or conveyance including a caravan or trailer in or on which persons or goods are transported and includes a motor vehicle.

**"verge"** means any part of a road which is not a carriageway, footway or lay-by.

**"Work-person Carrier"** means a Bus which is not being used to provide an excursion or tour and is proceeding in a Bus Lane within the City of York to convey persons:

- (i) to, or to a place within the vicinity of, their place of employment on a day when those persons are required to work within the terms of their employment before they have attended the place of employment on that day, or
- (ii) from, or from a place within the vicinity of, their place of employment on a day when those persons are required to work within the terms of their employment after they have finished attending the place of employment on that day; and, in either case, a Bus Lane Permit issued by the Council is displayed on the Bus.

**"Working Day"** means any day other than a day upon which the Office is closed to the public.

**"Works"** means:

- (a) the removal of an obstruction to traffic;
- (b) a building or industrial operation;
- (c) a demolition or excavation in or adjacent to that road or Parking Place;
- (d) the maintenance, repair, cleaning, improvement or reconstruction of that or an adjacent road or Parking Place;
- (e) the laying, erection, alteration, removal, repair, cleaning or maintenance in or adjacent to that road or Parking Place of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any telecommunications apparatus kept installed for the purposes of a telecommunications code system or of any other telecommunications apparatus lawfully kept installed in any position or of a traffic sign.

**"Zone"** means an area in which holders of Permits issued under Article 14(1) may park and which is outlined by a black line on a plan contained in Part II of the Fifth Schedule and any one Zone may be referred to by the reference number or title on the plan of that Zone.

## **PART II - STOPPING AND WAITING RESTRICTIONS**

### **STOPPING AND WAITING RESTRICTIONS**

3. (1) Subject to Paragraph (3) and Article 10, a person shall not, except upon the direction or with the permission of a police constable in uniform, traffic warden, Civil Enforcement Officer, the Council's Head of Network Management or a person authorised to grant such permission on behalf of the Council's Head of Network Management, cause or permit a vehicle to wait in a road or in any part of a road designated:
- (a) "NW24" in Column 3 of Part II of the First Schedule at any time unless the waiting comes within Exemptions 3 to 11, 13 to 21, 23, 26, 28 or 32 in Part I;
  - (b) "NW" in Column 3 of Part II during the period from:
    - (i) 8am to 5pm if that road is additionally designated "8/5",
    - (ii) 8am to 6pm if that road is additionally designated "8/6",
    - (iii) 8am to 8pm if that road is additionally designated "8/8",
    - (iv) 9am to 5pm if that road is additionally designated "9/5",
    - (v) 9am to 6pm if that road is additionally designated "9/6",
    - (vi) 9am to 8pm if that road is additionally designated "9/8",
    - (vii) Noon to 4pm if that road is additionally designated "12/4",
    - (viii) 6pm to Mn and Mn to 8 am if that road is additionally designated "6/8",
    - (ix) 6am to 6pm if that road is additionally designated "6/6",
    - (x) 6am to Midnight if that road is additionally designated "6/Mn",
    - (xi) 6am to 10.30pm if that road is additionally designated "6/10.30",
    - (xii) 7am to 7pm if that road is additionally designated "7/7",
    - (xiii) 3.30 pm to Mn and Mn to 10am if that road is additionally designated "3.30/10",
    - (xiv) 11am to 6pm if that road is additionally designated "11/6",unless the waiting comes within Exemptions 3 to 11, 13 to 21, 23, 26, 28 or 32 in Part I;
  - (c) "NW" in Column 3 of Part II during the period from:
    - (i) 7.30am to 9.30am if that road is additionally designated "7.30/9.30",
    - (ii) 8.45am to 9.15am and from 2.45pm to 3.30pm if that road is additionally designated "8.45/9.15 and 2.45/3.30",
    - (iii) 8.30am to 9.30am and from 3pm to 4pm if that road is additionally designated "8.30/9.30 and 3/4",
    - (iv) 8.30am to 9.30am and from 3.15pm to 4.15pm if that road is additionally designated "8.30/9.30 and 3.15/4.15",
    - (v) 8.15am to 9.15am and from 2.45pm to 3.45pm if that road is additionally designated "8.15/9.15 and 2.45/3.45",
    - (vi) "8am to 9am and 3pm to 4pm if that road is additionally designated "8/9 and 3/4",
    - (vii) 8.00am to 8.35am, from 9.05am to 3.00pm and from 3.30pm to 6pm if that road is additionally designated "8/8.35, 9.05/3 and 3.30/6unless the waiting comes within Exemptions 2 to 11, 13 to 21, 26, 28 or 32 in Part I;
  - (d) "LA" in Column 3 of Part II unless the waiting is taking place during the periods Midnight to 8 am, 9.15 am to 4 pm or 6 pm to Midnight on Monday to Saturday inclusive or at any time on a Sunday and comes within Exemptions 3 to 10, 13, 18 or 26 in Part I;
  - (e) "GVB 6/8" in Column 3 of Part II if the vehicle is a Goods Vehicle having a maximum gross weight exceeding 3.5 tonnes waiting during the periods Mn to 8 am and 6 pm to Mn and that vehicle is not engaged in loading or unloading goods;
  - (f) "GVB 24" in Column 3 of Part II at any time if the vehicle is a Goods Vehicle having a maximum gross weight exceeding 3.5 tonnes and that vehicle is not engaged in loading or unloading goods.

- (2) Subject to paragraph (3) a person shall not, except upon the direction or with the permission of a police constable in uniform, traffic warden, Civil Enforcement Officer or the Council's Head of Network Management or a person authorised to grant such permission on behalf of the Council's Head of Network Management, cause or permit a vehicle to stop or to stop and remain at rest in a length of carriageway of a road or in a length on any side of a carriageway of a road described in Columns 1 and 2 of Part II of the First Schedule and designated:
- (a) "NS (Pol) 6/6 overn't" in Column 3 during the overnight period from 6pm to 6am unless the stopping comes within Exemptions 3, 4, 6 to 10, 13, 26, 33 or 35";
  - (b) "NS 10.30/6 overn't" in Column 3 during the overnight period from 10.30pm to 6am unless the stopping comes within Exemptions 3, 4, 6 to 10, 13, 26, 33 or 38;
  - (c) "NS Mn/6 overn't" in Column 3 during the overnight period from midnight to 6am unless the stopping comes within Exemptions 3, 4, 6 to 10, 13, 26, 33 or 38";
  - (d)
    - (i) "NS (Sch) 24 in Column 3 at any time;
    - (ii) "NS (Sch) 8.30/9.30 and 3/4" in Column 3 during the period from 8.30am to 9.30am and from 3.00pm to 4.00pm,
    - (iii) "NS (Sch) 8/5" in Column 3 during the period from 8.00am to 5.00pm,
    - (iv) "NS (Sch) 8.15/9.15 and 2.45/3.45" in Column 3 during the periods from 8.15am to 9.15am and from 2.45pm to 3.45pm,
    - (v) "NS (Sch) 8.15/9.15 and 3/4" in Column 3 during the periods from 8.15am to 9.15am and from 3.00pm to 4.00pm,
    - (vi) "NS (Sch) 8/6" in Column 3 during the period from 8.00am to 6.00pm,
    - (vii) "NS (Sch) 8.30/9.30 and 2.30/3.30" in Column 3 during the periods from 8.30am to 9.30am and from 2.30pm to 3.30pm,
    - (viii) "NS (Sch) 8.30/9.30 and 2.45/3.45" in Column 3 during the periods from 8.30am to 9.30am and from 2.45pm to 3.45pm,
    - (ix) "NS(Sch) 8.35/9.05 and 3/3.30" during the periods from 8.35am to 9.05am and from 3.00pm to 3.30pm,
    - (x) "NS (Sch) 8.30/9.30 and 2.30/4" during the periods from 8.30am to 9.30am and 2.30pm to 4pm",
    - (xi) "NS (Sch) 8/4.30" in column 3 during the period from 8am to 4.30pm",
    - (xii) "NS (Sch) 8/9.30 and 2.30/4.30" in Column 3 during the periods from 8am to 9.30am and from 2.30pm to 4.30pm
 unless the stopping comes within Exemptions 3,6 to 10, 13, 27 or 33 in Part 1
- (3) The addition after a designation set out in Paragraphs (1) or (2) of:
- (a) "XS" means that the prohibition does not apply on a Sunday;
  - (b) "XSS" means that the prohibition does not apply on Saturday or Sunday;
  - (c) "LBXS" means that Exemptions 17, 18 and 23 in Part I do not apply during the periods 8am to 9.15am and from 4pm to 6pm Monday to Saturday;
  - (d) "LBXS (B)" means that Exemptions 17, 18 and 23 in Part I do not apply during the periods from 8 am to 9.15 am and from 4pm to 6pm Monday to Saturday inclusive unless the vehicle is a Bus;
  - (e) "Sat" means that the prohibition only applies on a Saturday";
  - (f) "Sun" means that the prohibition only applies on a Sunday;
  - (g) "PLB" means Exemptions 17, 18 and 23 in Part I do not apply during the periods from 10.30am to 4pm Monday to Friday and from 9.30am to 4pm Saturday;
  - (h) "NL" means Exemptions 17, 18 and 23 in Part I do not apply;
  - (i) "NL10/4" means Exemptions 17, 18 and 23 in Part I do not apply during the period from 10 am to 4pm daily;
  - (j) NL 7/10 & 4/7 means Exemptions 17, 18 and 23 in Part I do not apply during the periods from 7am to 10am and from 4pm to 7pm daily";
  - (k) "BS5", "BS10" or "BS15" means that a local bus may wait at a designated bus

stop for 5, 10 or 15 minutes respectively;  
(1) "Sat-Sun" means the prohibition only applies on Saturday and Sunday.

- (4) A person shall not, except upon the direction or with the permission of a police constable in uniform, a traffic warden, Civil Enforcement Officer, the Council's Head of Network Management or a person authorised to grant such permission on behalf of the Council's Head of Network Management, cause or permit a Vehicle to stop or to stop and remain at rest in the main carriageway of a road described in Columns 1 and 2 of Part II of the First Schedule and designated 'Clearway' in Column 3 unless the stopping or waiting comes within Exemptions 5 to 11, 13, 27 or 28 in Part I.
- (5) A person shall not, except upon the direction or with the permission of a police constable in uniform, a traffic warden, Civil Enforcement Officer, the Council's Head of Network Management or a person authorised to grant such permission on behalf of the Council's Head of Network Management, cause or permit a Vehicle to wait on the verge or footway or on both the verge and footway of a road described in Columns 1 and 2 of Part II of the First Schedule and designated 'NW (Verge)' or 'NW (Footway)' or 'NW (Verge/Footway)' respectively in Column 3 unless the waiting comes within Exemptions 5 to 10, 13, 14, 15, 23, 27 or 28 in Part I.
- (6) A person shall not cause or permit a Vehicle to wait on any verge, footway or lay-by on a road described in Columns 1 and 2 of Part II of the First Schedule and designated 'NW (Verge)', 'NW (Footway)' or 'NW (Verge/Footway)' in Column 3 for the purpose of selling goods from that Vehicle unless the goods are immediately delivered to or taken into premises adjacent to the Vehicle from which the sale is effected.

#### **SUSPENSION OF STOPPING AND WAITING RESTRICTIONS**

- 4. (1) Any provision, prohibition, restriction or other requirement imposed by this Order in any road, length of road or side of road shall be suspended where, for the time being, the Council has, in that road, length or side of road, placed traffic signs or road markings or both traffic signs and road markings to apply a provision, prohibition, restriction or other requirement in accordance with powers conferred by:
  - (a) Sections 23, 25, 64 or 65 of the 1984 Act or any Regulations made thereunder
  - Or
  - (b) Section 63 Local Government (Miscellaneous Provisions) Act 1976that suspension continuing for such period as the provision, prohibition, restriction or other requirement under an Act or Regulation specified at sub paragraphs (a) or (b) is in force.
- (2) Where an Exemption to any provision, prohibition, restriction or other requirement imposed by this Order is in conflict with a provision, prohibition, restriction or other requirement imposed in that road, length of road or side of road by a Temporary Order made by the Council then that Exemption shall be suspended during the period that the temporary provision, prohibition restriction or other requirement is in force.

## **PART III - PARKING PLACES AND RESIDENTS' PARKING PLACES**

### **PARKING PLACES AND RESIDENTS' PARKING PLACES**

5. (1) Subject to Articles 6, 7, 8, 9 and 17 the roads and lengths of road described in Columns 1 and 2 of Part II of the First Schedule and designated "Res.P", Res. P (Area), "Comm.P", "GMO.P", "SpCon.P", "R/SpCon.P", "Res.P&D", "Comm.P&D", "SpCon.P&D" and "R/SpCon.P&D" in Column 3 are authorised to be used during the Operative Hours as Parking Places or, in the case of a "Res. P (Area)", as a Residents' Parking Area for the parking of motor cars and for the parking of all other motor vehicles having an unladen weight of not more than 1525 kgs always provided that, where any such motor car or motor vehicle is drawing a trailer then that trailer remains attached to the drawing motor vehicle during the parking period in such manner to allow it to be lawfully drawn on a road.
- (2) Subject to Articles 6, 7, 8 and 9 the roads and lengths of road described in Columns 1 and 2 of Part II of the First Schedule and designated in Column 3:
  - (a) "Park" are authorised to be used by motor cars and solo motor cycles,
  - (b) "Park Scarc" are authorised to be used:
    - (i) during the period 7am – 7pm by motor cars, solo motor cycles and Buses,
    - (ii) during the overnight period from 7pm to 7am by motor cars and solo motor cycles;
  - (c) "Park P&D" and "Park P&D" with the additional designation "(M)" or "(P)" are authorised to be used during the Operative Hours by motor vehicles of a class specified in Column 2 of Part III of the First Schedule against the respective designation in Column 1;
  - (d) "Park P&D" with the additional designation "(FIR)" are authorised to be used during the Operative Hours by motor vehicles of a class specified in Column 2 of Part III of the First Schedule against that designation in Column 1;
  - (e) "Solo m/c Park" are authorised to be used during the Operative Hours as Parking Places for solo motor cycles;
  - (f) "Doc.Park" are authorised to be used during the Operative Hours as Parking Places for motor vehicles on which a "Doctor's Permit" is displayed;
  - (g) "Mags.Park" are authorised to be used during the Operative Hours as Parking Places for motor vehicles displaying a "Magistrates Permit";
  - (h) "Dis.Park" are authorised to be used during the Operative Hours as Parking Places for motor vehicles not exceeding 3050 kilograms maximum gross vehicle weight on which a Valid Disabled Person's Badge is displayed;
  - (i) "Pol.Park" are authorised to be used during the Operative Hours as Parking Places for Marked Police Vehicles displaying a "Police Permit";
  - (j) "Veh.Load" are authorised to be used, during the Operative Hours by motor vehicles parking, waiting or being left for so long as is necessary for the purposes of loading goods to or from premises on or adjacent to that road or length of road;
  - (k) "GV Load" are authorised to be used, during the Operative Hours by goods vehicles parking, waiting or being left for so long as is necessary for the purposes of loading goods to or from premises on or adjacent to that road or length of road;
  - (l) "Car Club Park" are authorised to be used during the Operative Hours as parking Places for motor vehicles displaying a "City Car Club Permit".
- (3) Subject to sub-paragraph (4), where a vehicle is of a class that is authorised, within the terms of this Order, to park within the Operative Hours in a Parking Place or Resident's Parking Area for a specified period not exceeding 3 hours then such vehicle, not being a vehicle on which is displayed a Valid Disabled Persons Badge, having been parked for a period not exceeding that specified period, shall not commence a further period of parking within the Return Period.



- (4) The "Return Period" for a Parking Place or Resident's Parking Area subject of Paragraph (3) is 60 minutes.
- (5) "P&D" within or as part of a designation wheresoever it appears in this Order means a Parking Place or Resident's Parking Area designated in Column 1 of the Second Schedule which is subject to payment of a Parking Charge for a class of vehicle specified in Column 3 against that Parking Place or Resident's Parking Area in accordance with Article 6(3), (7) or (8) and the display of the ticket issued in respect of that payment under Article 6(3) and (7) is in accordance with Article 6(9).
- (6) "Operative Hours" in relation to a Parking Place or Resident's Parking Area additionally designated in Column 3 of Part II of the First Schedule as:
- (i) "(24)" means 24 hours each day;
  - (ii) "(24)XS" means 24 hours each day excluding Sunday;
  - (iii) "(1/8 Sun)" means the period from 1pm to 8pm on Sundays only;
  - (iv) "(9/9XS)" means the period from 9am to 9pm each day excluding Sunday;
  - (v) "(7/1) XS" means the period from 7am to 1pm each day excluding Sunday;
  - (vi) "(7/7)" means the period from 7am to 7pm each day;
  - (vii) "(7/7 overn't)" means the overnight period from 7pm to 7am;
  - (viii) "(8/6)" means the period from 8am to 6pm each day;
  - (ix) "(8/6 XS)" means the period from 8am to 6pm each day excluding Sunday;
  - (x) "(8/6XSS)" means the period from 8am to 6pm each day excluding Saturday and Sunday;
  - (xi) "(8/8)" means the period from 8am to 8pm each day;
  - (xii) "(8/8XS)" means the period from 8am to 8pm each day excluding Sunday;
  - (xiii) "(9/1)" means the period from 9am to 1pm each day;
  - (xiv) "(9/4.30)" means the period from 9am to 4.30pm each day;
  - (xv) "(9/5)" means the period from 9am to 5pm each day;
  - (xvi) "(9/5 XS)" means the period from 9am to 5pm each day excluding Sunday;
  - (xvii) "(9/5 XSS)" means the period from 9am to 5pm each day excluding Saturday and Sunday;
  - (xviii) "(9/6 XS)" means the period from 9am to 6pm each day excluding Sunday;
  - (xix) "(9/8)" means the period from 9am to 8pm each day;
  - (xx) "(8/8 overn't)" means the overnight period from 8pm to 8am;
  - (xxi) "(6/8 overn't)" means the overnight period commencing at 6pm and ending at 8am on the day following that on which the parking commenced;
  - (xxii) "(Mn/8 and 6/Mn XS)" means the periods from Midnight to 8am and from 6pm to Midnight each day excluding Sunday, any two such periods to be regarded as one continuous period where parking commences at or after 6pm Monday to Friday;
  - (xxiii) "(7/9XS)" means the period from 7am to 9am each day except Sunday;
  - (xxiv) "(9am/10pmXS)" means the period from 9am to 10pm each day except Sunday";
  - (xxv) "(10/4XSS)" means the period from 10am to 4pm each day excluding Saturday and Sunday";
  - (xxvi) "(9/1Sat)" means the period from 9am to 1pm on Saturdays only;
  - (xxvii) "(8/11XS and 10/1 Sun)" means the periods from 8am to 11am each day excluding Sunday and the period from 10am to 1pm on Sundays only;
  - (xxviii) "(7/5XS)" means the period from 7am to 5pm each day excluding Sunday;
  - (xxix) "Mn/10 and 4/Mn XSS)" means the periods from Midnight to 10am and from 4pm to Midnight each day excluding Saturday and Sunday any two such periods to be regarded as one continuous period where parking commences at or after 4pm Monday to Thursday;
  - (xxx) "24 Sat/Sun" means 24 hours on each of the days Saturday and Sunday;
  - (xxxi) "(6/Mn)" means the period from 6am to Midnight each day.

## **PARKING PERIOD IN PARKING PLACES AND RESIDENTS' PARKING AREAS**

6. (1) Subject to Article 5(3) and the following provisions of this Article a vehicle of a description set out in Article 5(1) and (2) and a vehicle parked, waiting or left in accordance with Article 8(a), (b) and (c) may park, wait or be left during the Operative Hours in a Parking Place or Residents' Parking Area.
- (2) The maximum parking period for the purposes of Paragraph 1 in a Parking Place or Resident's Parking Area additionally designated in Column 3 of Part I of the First Schedule as:
  - (a) "10" is ten minutes;
  - (b) "20" is twenty minutes;
  - (c) "30" is thirty minutes;
  - (d) "60" is one hour;
  - (e) "90" is ninety minutes;
  - (f) "120" is two hours;
  - (g) "12" is twelve hours;
  - (h) "180" is three hours.
- (3) Subject to Article 5(3) a vehicle of a class specified in Column 2 of Part III of the First Schedule against a designation specified in Column 1 may, during the Operative Hours, wait in a Parking Place or Resident's Parking Area identified in Column 2 of Part II where that designation appears in Column 3 of that Part for a period not exceeding the parking period specified in Column 4 of Part III always providing that the parking charge, unless such charge is Nil, has been paid except that such charge shall not apply to a vehicle falling within the Exemptions specified in Article 7(1)(a) and (c) always provided that any period of parking, stopping or waiting is in accordance with the requirements of Article 10.
- (4) Subject to Column 4 of Part III of the First Schedule the maximum parking period in a Parking Place or Resident's Parking Area additionally designated in Column 3 of Part II and in Column I of Part III as:
  - (a) "60" is 1 hour between 8am and 8pm;
  - (b) "120" is 2 hours between 8am and 9pm and 11 hours during the overnight period from 9pm to 8am;
  - (c) "120(S)" is 2 hours between 7am and 7pm and 12 hours during the overnight period 7pm to 7am;
  - (d) "(M)" is, subject to sub-paragraph (f), 2 hours between 8am and 3pm, Monday to Saturday and 1pm and 3pm on Sundays and 3 hours between 3pm and 6pm on all days;
  - (e) "(P)" is 2 hours between 8am and 3pm, Monday to Saturday and 1pm and 3pm on Sundays and 3 hours between 3pm and 6pm on all days;
  - (f) "(M)" the maximum parking period when payment is made at the 30 minute charge for a period of up to 1 hour shall be determined by the parking charge paid at the commencement of parking and such parking period shall be the specified period within the terms of Article 5(3) and (4).
- (5) The Return Period for a Parking Place or Resident's Parking Area additionally designated "P&D" in Column 3 of Part II of the First Schedule is 60 minutes except that this shall not apply to a vehicle waiting in accordance with Article 5(2)(f),(g),(h) or (i) in which case there is no Return Period.
- (6) The parking charge for the purposes of Paragraph (3) is set out in Column 3 of Part III of the First Schedule.
- (7) Except as provided in Paragraph 8 or where the Parking Charge is Nil the Parking Charge for a Parking Place or Resident's Parking Area having a designation in Column 1 of Part III of the First Schedule shall be payable by the insertion of an

appropriate coin or coins into an apparatus or device provided in the Parking Place or Resident's Parking Area, such an apparatus or device being known as a ticket-issuing machine, provided that if the said apparatus or device is at any time out of order the charge shall be payable at any other apparatus or device provided in that Parking Place or Residents' Parking Area.

- (8) The excepted payment specified in Paragraph (7) shall be made by credit card or debit card by way of mobile telephone communication to the Council in accordance with Paragraphs 12 and 13.
- (9) Where payment is made in accordance with Paragraph (7) the ticket obtained shall be displayed on the vehicle so that it remains visible throughout the period of parking purchased and if that ticket is not displayed then for the purposes of Paragraph (3) it is deemed that no Parking Charge has been paid.
- (10) Where the Council is unable to confirm that payment has been made in accordance with Paragraph (8) then for the purposes of paragraph (3) it is deemed that no Parking Charge has been made.
- (11) Where a ticket, which is not a Valid Ticket, is displayed on a vehicle then for the purposes of Paragraph (3) it is deemed that no Parking Charge has been paid.
- (12) Where payment of a Parking Charge is made by credit card or debit card by way of mobile telephone communication in pursuance of Paragraph (8) the payee shall disclose the:
  - (a) call number of the mobile telephone;
  - (b) identification number and any such other details as may be requested by or on behalf of the Council relating to the credit card or debit card against which the Parking Charge is being paid;
  - (c) location number of the Parking Place in respect of which payment is being made;
  - (d) registration number of the motor vehicle being parked.
- (13) Where payment of a Parking Charge is made in accordance with Paragraph (12):
  - (a) the transaction fee specified in Column 2 of Part VI of the Fourth Schedule shall be payable at the time;
  - (b) the Parking Period shall commence on receipt by the Council of the details specified in Paragraph (12).
- (14) At any time after a Parking Charge has been paid, in accordance with Paragraph (12) in respect of a Parking Period that Parking Period may be increased on further payment of the additional Parking Charge and the appropriate transaction fee specified in Column 2 of Part VI of the Fourth Schedule always provided that the maximum permitted Parking Period for that Parking Place or Residents' Parking Area is not exceeded.
- (15) The payee of a Parking Charge under Paragraph (12) may request to be informed by a text message as to the imminent expiry of the Parking Period provided that where such message is sent the appropriate fee specified in Column 2 of Part VI of the Fourth Schedule is paid.
- (16) The Council shall display a Notice at every location where a Parking Place or Residents' Parking Area or number of Parking Places are provided where the option of payment of the Parking Charge in accordance with Paragraph 8 is available, such notice shall display the location number of the car park or coach park in which it is sited and provide operational guidance on payment of Parking Charges under that Paragraph.

## **LIMITS ON PARKING**

7. (1) Subject to Articles 5, 6 and 10 and compliance with the provisions of this Order a person shall not, except upon the direction or with the permission of a police constable in uniform, traffic warden, Civil Enforcement Officer, the Council's Head of Network Management, a person authorised to grant such permission on behalf of the Council's Head of Network Management, cause or permit a vehicle to park, wait or be left in a Parking Place or Residents' Parking Area designated:
- (a) "Res.P", "Res. P(Area)", "Comm.P", "GMO.P", "SpCon.P", "R/SpCon.P", "Res.P&D", "Comm.P&D", "SpCon.P&D" and "R/SpCon.P&D" in Column 3 of Part II of the First Schedule other than in accordance with Articles 5 to 9 unless the waiting comes within Exemptions 1 to 10, 12 to 18, 22, 24 or 26 in Part I;
  - (b) "Car Club Park", "Dis.Park", "Doc.Park", "Pol.Park", "Mags.Park" and "Solo m/c.Park" in Column 3 of Part II other than in accordance with Articles 5 to 9 unless the waiting comes within Exemptions 3 to 10, 13 or 26 of Part I;
  - (c) "Park", "Park.P&D" and "Park Scarc" either with or without the additional designation "(M)", "(P)" or "(FIR)" in Column 3 of Part II other than in accordance with Articles 5 to 9 unless the waiting comes within Exemptions 1 to 10, 12 to 18, 24, 26 or 29 of Part I;
  - (d) "GV Load" and "Veh. Load" in Column 3 other than in accordance with Articles 5 to 9 unless that vehicle is parked, waiting or left within Exemptions 5 to 10, 13 or 26";
  - (e) in the case of a Parking Place or Residents' Parking Area suspended under Article 9 unless that vehicle is parked, waiting or left within the provisions of Article 9(5).
- (2) A person shall not cause or permit a vehicle of a class specified in Articles 5(1) or (2) to park, wait or be left in a Parking Place or Residents' Parking Area during the Operative hours for longer than the maximum period permitted for parking:
- (a) in relation to that Parking Place or Residents' Parking Area;
  - (b) that class of vehicle in relation to that Parking Place or Residents' Parking Area.

## **CONDUCT IN A PARKING PLACE AND RESIDENTS' PARKING AREA**

8. A person shall not cause or permit a vehicle to park, wait or be left in a Parking Place or Residents' Parking Area:
- (a) unless, in the case of a Parking Place, it is positioned wholly within the road markings placed to identify that Parking Place;
  - (b) so as to prevent vehicular access to or from any premises adjoining that Parking Place or Residents' Parking Area
  - or
  - (c) in connection with:
    - (i) the sale of that vehicle or the sale of any article or service from that vehicle or
    - (ii) the hiring of any person's skill or services from that vehicle.

## **SUSPENSION OF PARKING PLACES AND RESIDENTS' PARKING AREAS**

9. (1) Notwithstanding any suspension in force by virtue of Article 4 the Council or an Officer may suspend the use of a Parking Place or Residents' Parking Area or any part thereof whenever such suspension is considered necessary:
- (a) for the purpose of facilitating the movement of traffic or promoting its safety;
  - (b) for Works;
  - (c) for the convenience of occupiers of premises adjacent to the Parking Place or Residents' Parking Area on any occasion of the delivery or collection of furniture, weddings, funerals or other special occasion;
  - (d) on any occasion on which it is likely by reason of some special attraction that a road adjacent to the Parking Place or Residents' Parking Area will be thronged or obstructed.

- (2) Notwithstanding any suspension in force by virtue of Article 4 a police constable in uniform may suspend for not longer than twenty four hours the use of a Parking Place or Residents' Parking Area or any part thereof whenever the police constable considers that it is reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.
- (3) Any person suspending the use of a Parking Place or Residents' Parking Area or any part thereof in accordance with Paragraphs (1) or (2) shall place or cause to be placed in or adjacent to that Parking Place or part thereof a Traffic Sign indicating that waiting by vehicles is prohibited.
- (4) A person shall not cause or permit a vehicle to be left in a Parking Place or Residents' Parking Area or part thereof during such period as there is in or adjacent to that Parking Place or Residents' Parking Area or part thereof a Traffic Sign placed in pursuance of Paragraph (3).
- (5) Nothing in Paragraph (4) shall render it unlawful to cause or permit a vehicle to wait in a Parking Place or Residents' Parking Area suspended in accordance with Paragraphs (1) or (2) if the vehicle:
  - (a) is, subject to Article 10, being used for a purpose specified in Exemptions 3 to 10;
  - (b) is waiting with permission of:
    - (i) the person suspending the use of the Parking Place or Resident's Parking Area or part thereof in pursuance of Paragraph (1)
    - (ii) a police constable in uniform, traffic warden, Civil Enforcement Officer, the Council's Head of Network Management or a person authorised to grant such permission on behalf of the Council's Head of Network Management.

### **PARKING, STOPPING AND WAITING EXEMPTIONS**

10. Exemptions 1, 5 to 20, 27, 28 and 38 in Part I of the First Schedule apply only for so long as is necessary for a Vehicle to park, stop, wait or be left for the purpose specified in the respective Exemptions.

### **PENALTY CHARGE AND PAYMENT**

11. (1) Subject to Paragraph 2, where a vehicle stops, waits, parks or is left on a road within a Civil Enforcement Area:
  - (a) in contravention of the provisions of this Order insofar as it relates to a vehicle stopping, waiting, parking or being left on a road;
  - (b) in contravention of any enactment enforceable by a Civil Enforcement Officer or the Enforcement Authority by virtue of Section 73 and Paragraph 4 of Schedule 7 of the 2004 Act then, by virtue of Regulation 4(c) of the General Regulations, a Penalty Charge shall be payable.
- (2) Where, in the case of a vehicle in respect of which a Penalty Charge is payable under Regulation 4(c) of the General Regulations, a Penalty Charge Notice has been served by a Civil Enforcement Officer or the Enforcement Authority in accordance with Regulation 9 or 10 respectively of the General Regulations then, subject to Paragraph 3, that Penalty Charge shall be:
  - (a) at the "higher level" if the contravention is one falling within the list of contraventions contained in Table 2 of the Schedule to the Guidelines Order;
  - (b) at the "lower level" if the contravention is one not falling within the aforesaid Table 2;
 that "higher level" and "lower level" Penalty Charge being one set by the Enforcement Authority in accordance with the Guidelines Order and specified in the Table in Part III of the Fourth Schedule to this Order.

- (3) The Penalty Charge referred to at Paragraph (2) may be varied in accordance with the scale of charges set out in Part III of the Fourth Schedule, any such variation being determined by procedural provisions of the General Regulations.

### **IMMOBILISATION OF VEHICLES**

12. Where an Immobilisation Device has been fixed to a vehicle in accordance with Regulation 12 of the General Regulations such vehicle may only be released from that device in accordance with Regulation 14 of the said Regulations on payment of the charge set out in Part IV of the Fourth Schedule to this Order, that charge being a charge approved by the Secretary of State by virtue of Article 4 of the Guidelines Order.

### **MOVEMENT, REMOVAL, STORAGE AND DISPOSAL OF VEHICLES**

13. (1) Where, in the case of a stationary vehicle left on a road in a Civil Enforcement Area, A Civil Enforcement Officer has served a Penalty Charge Notice in respect of that vehicle in accordance with Regulation 5(c) of the Removal and Disposal of Vehicles Regulations 1986 then a Civil Enforcement Officer or a person acting under that Officer's direction may remove that vehicle in accordance with Paragraphs 2 and 3 of the said Regulations.
- (2) Where a vehicle has been removed from a road in accordance with Regulation 5(c) of the Removal and Disposal of Vehicles Regulations 1986 the Council shall, in accordance with Sections 101, 101A and 102 of the 1984 Act, be entitled to recover from any person responsible for that vehicle such charges in respect of the removal and any subsequent storage and disposal of the vehicle as set out in Part V of the Fourth Schedule being charges approved by the Secretary of State by virtue of Article 3 of the Guidelines Order.

### **PART IV - PERMITS**

#### **ISSUE**

14. (1) Except as provided in Paragraph 3 the Council shall, subject to Articles 15, 16, 18 (3) and 19 issue Permits of the types set out in Column 1 of the Second Schedule to the persons set out in Column 2 up to the maximum number and limitations set out in Column 3 and such Permits shall be Valid Permits, subject to Article 17, when displayed at a location specified in Column 4:
- (a) if the Permit is issued in respect of a particular vehicle on that vehicle;
- (b) otherwise on a vehicle of a class permitted by Article 5.
- (2) A Permit issued under Paragraph (1) shall be in writing and shall include such particulars and be of such design as the Council may from time to time consider desirable and shall, in respect of a Parking Place situated within a Zone, except where that Permit is a Community Permit or a Commercial Permit, state the reference number set out in Column 1 of Part I of the Fifth Schedule, to identify the Zone for which the Permit is valid.
- (3) The Justices' Clerk for York Magistrates Court shall, on behalf of the Council and subject to Articles 16(9) and (10), issue a Magistrates' Permit as set out in Column 1 of the Second Schedule to a Magistrate undertaking duty as described in Column 2 up to the maximum number and limitations set out in Column 3 and such Permits shall be Valid Permits, subject to Article 17(5)(6)(7) and 18(4), when displayed at a location specified in Column 4.

- (4) A Magistrates' Permit issued under paragraph (3) shall include such particulars and be of such design as the Justices Clerk, with the approval of the Council, may from time to time consider desirable and shall state the reference letter or letters identifying the Parking Place for which the Permit is valid.

### **AUTHORISATION CARDS**

15. (1) For the purpose of the issue of:
- (a) Visitor Permits under Article 14(1) and the Second Schedule, the Council shall issue Household and Discount Authorisation Cards;
  - (b) Guest House Permits, the Council shall issue Guest House Authorisation Cards; in each case that issue being to the persons set out in Column 2 of the Third Schedule up to the maximum number and limitations set out in Column 3.
- (2) Articles 14(2), 16(1)(2)(3)(4)(5), 17(1)(a)(c)(d)(e)(f) and (g), 18, 19 and 21 shall apply to Authorisation Cards as though they were Permits and references in those Articles to Article 14 shall be construed as a reference to this Article.

### **APPLICATIONS**

16. (1) A person entitled to a Permit under Article 14(1) and the Second Schedule may apply to the Council for the issue of a Permit and such application shall be made in such form and include such particulars and information as may be required by the Council.
- (2) The Council may at any time require a Permit Holder or applicant for a Permit to produce to an Officer such evidence in respect of an application made to them for a Permit as they may reasonably require to verify any particulars or information given to them and pending receipt of such information and approval or rejection of the application may issue a Temporary Permit of such nature and duration as the Officer shall consider fit and such Temporary Permit is, subject to Article 17, a Valid Permit until it is withdrawn or expires.
- (3) The Council, upon being satisfied that the applicant is a person entitled to a Permit or Permits, shall, subject to Paragraph (4) and Article 18(3), issue to the applicant a Permit or Permits.
- (4) The Council has no obligation to issue a Permit until the fee specified in Column 3 of Part I of the Fourth Schedule has been paid and it may require such payment prior to the issue of a Temporary Permit the same to be refunded less the Administrative Fee specified in Column 3 if the application is rejected.
- (5) The Council may issue a Permit under Paragraph (1) (other than a Visitor Permit, Property Permit or Guest House Permit) for a period of a year ("the Annual Period") so that most Permits for a Zone expire on the same date.
- (6) Where an application is made for a Quarterly Permit then provided such Quarterly Permits are available the Council may issue such a Permit at the rate specified in Part I to expire three, six or nine months before the expiry of the Annual Period or at the expiration of the Annual Period provided that a Quarterly Permit issued one calendar month or less before the expiration of a Quarterly Period shall expire at the end of the following Quarterly Period.
- (7) Where an application is made for an Annual Permit, or Guest House Authorisation Card during the Annual Period the charge shall be equivalent to the number of quarterly periods to the expiry of the Annual Period provided that a Permit issued one calendar month or less before the expiration of a Quarterly Period or an Annual Period shall expire at the end of the following Quarterly Period or Annual Period respectively.

- (8) Upon surrender under Article 18(1) of a Permit issued for an Annual Period the Council shall remit 75%, 50% or 25% of the fee for that Permit specified in Part I of the Fourth Schedule if it is surrendered during the first, second or third Quarterly Periods respectively.
- (9) A Magistrate entitled to a Magistrates' Permit under Article 14(3) may apply to the Justices' Clerk for York Magistrates' Court at the Law Courts, Clifford Street, York and such application shall be made in such form and include such particulars and information as may be required by the Justices' Clerk.
- (10) The Justices' Clerk for York Magistrates' Court upon being satisfied that the applicant/a person's entitlement under paragraph (9) shall issue to that person a Magistrates Permit.

## **VALIDITY**

17. (1) A Permit issued under Article 14(1) shall cease to be valid:
  - (a) if the Permit Holder is no longer qualified under that Article and the Second Schedule;
  - (b) if a Permit is issued in respect of a particular vehicle upon the Permit Holder ceasing to be the owner of that vehicle;
  - (c) upon its expiry;
  - (d) if the applicant fails to provide information requested under Article 16(1) or (2) within a reasonable time and the Council has given notice in accordance with Article 18(2);
  - (e) in the case of a Temporary Permit if the Council rejects the application which forms the basis for the grant of the Temporary Permit;
  - (f) upon service by the Council of a notice under Article 18(2);
  - (g) upon the issue of a duplicate Permit under Article 19;
  - or
  - (h) in the case of a Visitor Permit or Guest House Permit, the date has been entered or exposed and then altered or obliterated.
- (2) A Permit issued under Article 14(1) is not valid :
  - (a) where it is issued in respect of a particular vehicle and the Permit is displayed on another vehicle;
  - (b) when displayed in the circumstances set out in Column 5 of Part I of the Third Schedule;
  - (c) in the case of a Visitor Permit or Guest House Permit, if it has not come into effect;
  - (d) if displayed on a class of vehicle not permitted to park in a Parking Place or Residents' Parking Area during the Operative Hours;
  - (e) when that Permit is a Community Permit and is displayed other than in a Parking Place or Residents' Parking Area situated within the Relevant Zone;
  - (f) when that Permit is a Community Permit and is displayed in a Parking Place or Residents' Parking Area not designated in Column 4 of Part 1 of the Third Schedule as for use with that type of Permit;
  - (g) if it is other than a Guest House Permit, Additional Permit or Special Additional Permit and, notwithstanding any other provision of this Order, is displayed on a vehicle the owner of which is a Paying Guest.
- (3) A Visitor Permit and Guest House Permit comes into effect on the earliest date exposed on that Permit and expires at 10 am on the day after the earliest date exposed on the Permit.
- (4) A Permit authorising the use of a Parking Place or Residents' Parking Area does not reserve any part of a Parking Place for the use of a Permit Holder.
- (5) A Magistrates Permit issued under Article 14(3) shall cease to be valid:



- (a) if the Magistrates' Permit Holder is no longer qualified under that Article and the Second Schedule;
  - (b) if that Permit is issued in respect of a particular vehicle upon the Holder ceasing to be the owner of that vehicle;
  - (c) when displayed on a Vehicle otherwise than during a period when the Holder is presiding at the Law Courts, Clifford Street, York;
  - (d) upon its expiry.
- (6) A Magistrates' Permit issued under Article 14(3) is not valid:
- (a) where it is issued in respect of a particular vehicle and is displayed on another vehicle;
  - (b) when displayed in the circumstances set out in Column 5 of the Second Schedule;
  - (c) if displayed on a class of vehicle not permitted to park in a Parking Place during the Operative Hours.
- (7) A Magistrates Permit authorising the use of a Parking Place or Resident's Parking Area does not reserve any part of a Parking Place or Residents' Parking Area for the use of the Holder of that Magistrates' Permit.
- (8) Where, in Part I of the Fifth Schedule, a designated Zone and a designated Zone additionally designated "SC" are identifiable by the same zonal reference number then that Permit issued in respect of the Zone is valid when displayed on a Permit Holder's vehicle parked in a Parking Place or Residents' Parking Area identifiable by that same zonal reference number additionally designated "SC".

## **WITHDRAWAL**

18. (1) Except as provided in Paragraph (4) a Permit Holder may surrender a Permit to the Council at any time and shall do so that it is received within 72 hours of the occurrence of any one of the events set out in Article 17(1)(a)(b)(f) or (g) and, unless the Permit has been lost or destroyed, (h).
- (2) The Council may, by notice in writing served on the Permit Holder by sending the same by recorded delivery service or by delivering the same by hand to the Permit Holder at the address shown on the Permit Holders application for the Permit or at any other address believed to be that person's place of abode, withdraw a Permit and state a period for the purpose of Paragraph (3) if it or any Officer believes that:
- (a) the Permit Holder is no longer qualified under Article 14(1) and the Second Schedule;
  - (b) the applicant has failed to provide information requested under Article 16(1) or (2);
  - (c) the Permit was issued on the basis of false information;
  - (d) the Permit Holder has used or permitted the use of a Permit in circumstances where it was not a Valid Permit;
  - (e) the Permit has ceased to be valid;
- and in such cases the Permit Holder shall return the Permit so that it is received by the Council within 72 hours of the receipt of the aforementioned notice.
- (3) If the Council withdraws a Permit under Paragraph (2)(c) or (d) the Council shall be under no obligation to issue any further Permit to that Permit Holder for such period as may be stated in the notice given in accordance with Paragraph (2).
- (4) The Justices' Clerk for York Magistrates Court may withdraw a Magistrates Permit if that person or an Officer believes that:
- (a) the holder of that Permit is no longer qualified under Article 14(3) and the Second Schedule;
  - (b) that Permit has ceased to be valid

and in such cases the holder of that Permit shall return the Permit to the Justices' Clerk.

### **DUPLICATES**

19. (1) Except as provided in Paragraph (3) where a Permit other than a Visitor Permit, Guest House Permit, Day Permit or Market Trader's Permit is mutilated or defaced or the figures or particulars thereon have become illegible or the colour of the Permit has become altered by fading or otherwise, the Permit Holder shall surrender it to the Council and the Council, upon receipt of the Permit, shall issue a duplicate Permit marked "Duplicate".
- (2) Except as provided in Paragraph (4) where a Permit other than a Visitor Permit or a Guest House Permit is lost or destroyed, the Permit Holder may apply to the Council for the issue of a duplicate and the Council upon being satisfied as to the loss or destruction shall upon payment of the fee specified in Column 3 in Part II of the Fourth Schedule appropriate to the circumstances set out in Column 2 issue a duplicate Permit marked "Duplicate".
- (3) Where a Magistrates' Permit is mutilated or defaced or the figures or particulars thereon have become illegible or the colour of the Permit has become altered by fading or otherwise, the Permit Holder shall surrender it to the Justices Clerk for York Magistrates' Court, who, upon receipt of the Permit, shall issue a duplicate Permit marked "Duplicate".
- (4) Where a Magistrates' Permit is lost or destroyed, the Permit Holder may apply to the Justices Clerk for York Magistrates Court for the issue of a duplicate and the Justices Clerk upon being satisfied as to the loss or destruction shall upon payment of the fee specified in Column 3 in Part II of the Fourth Schedule appropriate to the circumstances set out in Column 2 issue a duplicate Permit marked "Duplicate".
- (5) The provisions of this Order shall apply to a Duplicate Permit and an application therefore as if it were a Permit or an application therefore.

### **REMOVAL**

20. A person, shall not remove a Permit from a vehicle unless authorised to do so by the driver of the vehicle.

### **APPEALS**

21. Any person aggrieved by:
  - (a) the refusal of the Council to issue a Permit;
  - (b) the withdrawal of a Permit under Article 18(2);
  - (c) any period stated under Article 18(3)shall have a right to appeal to the Council's Officer in Consultation for traffic matters who shall have power to confirm the action taken or to substitute a decision always provided that such decision accords with the provisions of this Order.

## **PART V – AMENDMENTS AND REVOCATIONS**

### **AMENDMENTS**

22. The charges set out in Parts III, IV and V of the Fourth Schedule may be amended by Notice under Paragraph 9 of Schedule 9 of the 2004 Act, the commencement date of those amended charges being that specified in the said Notice which shall be published in a newspaper circulating locally to the Civil Enforcement Area or published in such manner as the appropriate national authority may determine.

23. The charges set out in Part III of the First Schedule and in Parts I, II and VI of the Fourth Schedule may be amended by Notice under Section 46(a) and Schedule 9 of the Road Traffic Regulation Act 1984 the commencement date of those amended charges being that specified in the said Notice which shall be published in a newspaper circulating locally to the Civil Enforcement Area in such manner as the appropriate national authority may determine.

### **REVOCATIONS**

24. (1) The Orders and Notices set out in Column 1 of the Sixth Schedule are hereby revoked to the extent specified in Column 2 except insofar as they affect the liability of any person under those Orders or Notices to either pay any charge or penalty which has arisen before this Order comes into effect or to prosecution for a breach of any of the provisions of those Orders or Notices which have occurred before the date of revocation.
- (2) A Permit issued under any provision of an order revoked by this Order shall remain valid for the period for which it was issued but shall be subject to the provisions of this Order.

## **FIRST SCHEDULE**

### **PART I**

#### **PARKING, STOPPING AND WAITING EXEMPTIONS**

**(Articles 3, 7 and 10)**

Column 1

Column 2

(Exemption Number)

(Exemption)

- |     |  |
|-----|--|
| 1.  | being used for the removal of furniture to or from premises adjacent to the Parking Place.   |
| 2.  | displaying a Valid Disabled Person's Badge except that this exemption shall not apply if the vehicle waits within a Bus Lane, Local Bus Lane or Cycle Lane during its hours of operation or waits within a road, length or side of a road which is for the time being subject to a prohibition on loading or unloading.  |
| 3.  | being a Specialist vehicle or Non-motorised vehicle stopping or waiting other than on the carriageway.   |
| 4.  | being a pedal cycle waiting in a cycle stand erected by the Council.   |
| 5.  | being used for fire brigade, ambulance or police purposes.   |
| 6.  | stopping or waiting due to circumstances beyond the driver's control.  |
| 7.  | being used for the removal of an obstruction to traffic.   |
| 8.  | stopping or waiting as required by law.  |
| 9.  | stopping or waiting to prevent an accident.  |
| 10. | being used in the direct and specific exercise of either statutory powers or duties by or on behalf of the Council or a statutory undertaker such exercise of statutory powers or duties being reliant on that vehicle being parked, stopped, waiting or left whereby it is carrying out a function forming a necessary and integral part of the operation amounting to that statutory power or duty.. |
| 11. | being a Local Bus stopping or waiting for persons to board or alight.  |
| 12. | being a motor cycle.   |
| 13. | being used in accordance with the conditions of a Skip Licence or being used for Works such works being reliant on that vehicle being parked, stopped, waiting or left whereby it is carrying out a function forming a necessary and integral part of those works.   |

Column 1

Column 2

(Exemption Number)

(Exemption)

- |     |  |
|-----|--|
| 14. | a marked vehicle being used by a universal service provider for the collection of postal packets in the course of the provision of a universal postal service.   |
| 15. | being used for Medical Requirements.   |
| 16. | other than a Local Bus waiting while a person boards or alights.   |
| 17. | being used for a wedding or funeral at or from premises adjacent to that road.   |
| 18. | waiting while goods are loaded or unloaded to or from premises on or adjacent to that road.  |
| 19. | displaying a Day Permit, Periodic Permit, or Disability Permit issued under the provisions of the York Traffic Management Order 2011 or any replacement thereof providing such Permit is a Valid Permit and the vehicle is waiting within the Footstreet Areas on a road on which it is permitted to proceed within the terms of the Permit and such waiting is for the purpose for which the Permit was issued.   |
| 20. | being a Security Carrier waiting within the Footstreet Areas being used for deliveries to or collections from premises situate on that road.   |
| 21. | being a Local Bus waiting at a signed bus stop for a maximum of:<br>(a) 5 minutes if that road is designated "BS5";<br>(b) 10 minutes if that road is designated "BS10";<br>(c) 15 minutes if that road is designated "BS15";<br>(d) 2 hours in the case of break down if that road is designated "BS5", "BS10" or "BS15"<br>in Column 3 of Part II of the First Schedule, except that this exemption shall not apply where the waiting occurs in a length of road designated a 'Bus Stop' Clearway or 'Bus Stand' Clearway in accordance with the Traffic Signs Regulations during the period of operation of the respective clearways. |
| 22. | on which is displayed a Permit of a type defined in the Third Schedule providing such Permit is a Valid Permit.  |
| 23. | displaying a Disabled Persons Badge together with a parking disc on which is indicated the time at which the period of waiting began provided that the vehicle does not wait for a period exceeding three hours and provided that it has not waited in that road during the Return Period which, for the purpose of this Exemption, is 60 minutes except that this Exemption shall not apply if the vehicle waits within a Bus Lane, Local Bus Lane or Cycle Lane during its hours of operation or waits within a road, length or side of a road,  |

Column 1

Column 2

(Exemption Number)

(Exemption)

- which is for the time being subject to a prohibition on loading or unloading.
24. being a solo motor cycle.
25. being a Bus.
26. parked, stopped or waiting within an authorised vehicular access linking the carriageway of the road to adjacent private land or premises or parked, stopped or waiting within a metalled area of verge only accessible from the main carriageway by means of an authorised vehicular access provided that such vehicle is not left in circumstances whereby any part of it projects on to or overhangs the carriageway, footway or any part of non-metalled verge over which that authorised vehicular access is provided.
27. stopping or stopping and remaining at rest in any length of a main carriageway, verge or footway to which this Exemption is applied while any gate or other barrier at the entrance to the premises to which that Vehicle requires access or from which it has emerged is opened or closed.
28. other than a local bus stopping or waiting for the purposes of:  
(a) allowing persons going to or coming from premises adjacent to the location where that Vehicle has stopped or is waiting to board or alight; or  
(b) loading and unloading goods to or from premises adjacent to the road where that vehicle has stopped or is waiting;  
provided it is not reasonably practicable to stop or wait otherwise than on the main carriageway, verge or footway.
29. “on which is displayed a Permit which is a Valid Permit within the Zone in which the Parking Place or Residents’ Parking Area is situate and the designation of that Parking Place or Residents’ Parking Place is “Res.P”, “Res.P(Area)”, “Comm.P”, “GMO.P”, “SpCon.P&D”, “Res.P&D (8/8) 60”, “Comm. P&D (8/8) 60” or “SpCon.P&D (8/8) 60” in Column 3 of Part II of the First Schedule provided that the Permit being displayed is valid in that Parking Place by virtue of Column 4 of Part I of the Third Schedule.”
30. on which is displayed a Frequent User Pass and which is parked, left or waiting in a Parking Place during the:

Column 1

Column 2

(Exemption Number)

(Exemption)

- (a) evening/overnight period from 5pm to 8.30am in a Parking Place designated "Park P&D(24)", "Park P&D(24)(P)", or "Park P&D(24)(M)" in Column 3 of Part II of the First Schedule;
  - (b) period from 8am to 12.30pm on Sundays in a Parking Place designated "Park P&D(24)", "Park P&D(24)(M)", or "Park P&D(24)(P)" in Column 3 of Part II of the First Schedule;
  - (c) evening/overnight period from 6pm to 8am in a Parking Place designated "Park P & D (6/8 overn't)" or during the periods midnight to 8am and 6pm to midnight, Monday to Saturday, in a Parking Place designated "Park P & D (Mn/8 and 6/Mn XS)" in Column 3 of Part II of the First Schedule";
- 31. on which is displayed a Minster Badge and which is parked, left or waiting in a Parking Place during the period from:
  - (a) 6pm to Midnight in a Parking Place designated "Park P&D(24)", "Park P&D(24)(M)", "Park P&D (24)(P)" in Column 3 of Part I of the First Schedule always provided that the charge specified in Column 3 of Part III of the First Schedule has been paid;
  - (b) evening/overnight period from 6pm to 8am in a Parking Place designated "Park P & D (6/8 overn't)" or during the periods midnight to 8am and 6pm to midnight, Monday to Saturday, in a Parking Place designated "Park P & D (Mn/8 and 6/Mn XS)" in Column 3 of Part II of the First Schedule always provided that the charge specified in Column 3 of Part III of the First Schedule has been paid.
- 32. waiting and/or being used in accordance with the conditions of Street Trading Licence issued by the Council.
- 33. being a fire brigade, ambulance or police vehicle in an emergency.
- 34. being a Marked Police Vehicle.
- 35. being a police vehicle.
- 36. being an ambulance.

## **FIRST SCHEDULE**

### **PART II**

#### **PARKING, STOPPING AND WAITING RESTRICTIONS**

(Articles 3, 5 and 6)

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>
<u>(Road and Side)</u>	<u>(Length)</u>	<u>(Designation)</u>
<b><u>YORK</u></b>		
<b>PICCADILLY</b>		
West side	From the projected north western kerbline of Merchantgate north for the remainder of its length.	NW 24
	Between the said line and the projected northern kerbline of St Deny's Road.	NW 24
	From the said line south for 68m.	NW 24
	Between a point 68m south from the said line and a point 6m north from the projected northern kerbline of Mill Street.	Park P&D (24)
	From the said line north for 6m and south for 60m including the lay-by within that length.	NW 24
East side	From a point 60m south from the said line south for the remainder of its length.	NW 24 NL
	From the projected north western kerbline of Merchantgate north for 12m and south for 45m.	NW 24
	Between points 46m and 121m north from the said line.	NW 24
	Between points 121m and 162m north from the said line.	NW 8/6 Park P&D (6/8 overn't)
	From a point 162m north from the said line north for the remainder of its length.	NW 24
	Between points 45m and 89m south from the said line.	Park P&D (24)
	Between points 89m and 97m south from the said line.	Solo m/c Park (24)
	Between a point 97m south from the said line and the centreline of Lead Mill Lane.	NW 24
	Between the said line and its junction with Fishergate.	NW 24 LBXS



## FIRST SCHEDULE

### PART III

#### (PAY & DISPLAY PARKING PLACES AND CHARGES)

(Articles 5, 6 and 23)

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
(Designation of Special Parking Place)	(Class of vehicle)	(Parking Charge £)	(Parking Period)
<b>Park P&amp;D(24) and Comm P&amp;D (24)</b>	Motor cars.	When parking commences: Between 8am and 3pm up to a maximum of 2 Hours. 2.10 - 1 Hour 4.20 - 2 Hours Between 3pm and 6pm: 2.10 - 1 Hour 4.20 - 2 Hours 6.30 - 3 Hours Over 3 Hours: Hourly rate to 6pm Plus Nil - Minster Badge Holders or 2.00 - Non Minster Badge Holders buys parking to 8am following day. Between 6pm and 12mn: Nil - Minster Badge Holders buys parking to 8am following day or 2.00 - Non Minster Badge Permit Holders buys parking to 8am following day. Overnight between 12mn and 8am Nil - Minster Badge Holders buys parking To 8am. 0.10 Non Minster Badge Holders buys parking to 8am.	Between time of purchase of ticket and expiry time shown on that ticket.

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
(Designation of Special Parking Place)	(Class of vehicle)	(Parking Charge £)	(Parking Period)
<b>Park P&amp;D(24) (M)</b>	Motor cars	<p>A. Subject to paragraphs ‘B’ and ‘C’ when parking commences:  Between 8am and 3pm  Monday to Saturday and  Between 1pm and 3pm  Sundays up to a maximum of:  2 Hours:  0.30 - 30 minutes  0.70 - 1 Hour  4.20 - 2 Hours</p> <p>When parking commences  Between 3pm and 6pm up to a maximum of:  (i) 3 Hours:  0.30 - 30 minutes  0.70 - 1 Hour  4.20 - 2 Hours  6.30 - 3 Hours  (ii) Over 3 Hours:  Hourly rate to 6pm  plus  Nil – Minster Badge Holders or  2.00 – Non Minster Badge Holders buys parking to 8am following day.</p> <p>When parking commences between 6pm and 8pm:  Nil - Minster Badge Holders buys parking to 8am following day or  2.00 – Non Minster Badge Holders buys parking to 8am following day.  No charge - between 8am and 1pm on Sundays.</p> <p>B’ The permitted period of parking within the tariff periods at paragraph ‘A’ shall be determined by the period of parking purchased at the commencement of parking always provided that the</p>	Between time of purchase of ticket and expiry time shown on that ticket.

Column 1

(Designation of  
Special Parking  
Place)

Column 2

(Class of vehicle)

Column 3

(Parking Charge £)

Column 4

(Parking Period

maximum period of parking  
specified in that tariff period  
is not exceeded.

‘C’ Following expiry of a  
permitted period of parking  
purchased in accordance with  
sub-paragraphs ‘A’ and ‘B’  
then, in accordance with  
Article 5(3) and (4), such  
period of parking shall not be  
extended within that tariff  
period.

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
(Designation of Special Parking Place)	(Class of vehicle)	(Parking Charge £)	(Parking Period)
<b>Park P&amp;D (24) (P)</b>	Motor cars	<p>When parking commences:  Between 8am and 3pm  Monday to Saturday and  Between 1pm and 3pm  Sundays up to a maximum of  2 Hours:  2.10 - 1 Hour  4.20 - 2 Hours  Between 3pm and 6pm:  2.10 - 1 Hour  4.20 - 2 Hours  6.30 - 3 Hours  Over 3 Hours:  Hourly rate to 6pm plus  Nil – Minster Badge  Holders or  2.00 – Non Minster  Badge Holders buys  parking to 8am  following day.  Between 6pm and 12mn:  Nil - Minster Badge  Holders or  2.00 – Non Minster Badge  Holders buys parking  to 8am following day.  Overnight between 12mn and  8am  Nil - Minster Badge  Holders buys parking to 8am.  0.10 - Non Permit Holders  buys parking to 8am.  No charge. - between 8am and  1pm on Sundays.</p>	Between time of purchase of ticket and expiry time shown on that ticket.
<b>Res.P&amp;D(8/8)60</b>	Motor cars	<p>When parking commences:  Between 8am and 8pm up to a maximum of:  1 hour - £0.90</p>	Between time of purchase of ticket and expiry time shown on that ticket.
<b>Comm.P&amp;D (8/8)60</b>	Motor cars	<p>When parking commences:  Between 8am and 8pm up to a maximum of:  1 hour - £0.90</p>	Between time of purchase of ticket and expiry time shown on that ticket.

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
(Designation of Special Parking Place)	(Class of vehicle)	(Parking Charge £)	(Parking Period)
<b>SpCon.P&amp;D (8/8)60</b>	Motor cars	When parking commences: Between 8am and 8pm up to a maximum of 1 hour £0.90 - 1 hour	Between time of purchase of ticket and expiry time shown on that ticket.
<b>Park P&amp;D(24) (FIR)</b>	Motor Vehicles with caravans attached thereto, Buses constructed or adapted to carry not more than 25 seated passengers exclusive of the driver and motor caravans.	When parking commences: Between 8am and 6pm £3.80 – up to 2 hours £6.00 – 2 to 5 hours £9.50 – 5 to 13 hours  Between 6pm and 12mn £2.00 – buys parking to 8am following day Overnight period 12mn to 8am £0.10 - buys parking to 8am	Between time of purchase of ticket and expiry time shown on that ticket.
	Market Trader's Permit Holder	Between 8am and 6pm £2.00 – buys parking up to maximum of 13 hours Between 6pm and 12mn £1.00 - buys parking to 8am following day Overnight period 12mn to 8am £0.10 - buys parking to 8am	
<b>Park P&amp;D(6/8 Overn't)</b>	Motor cars	Overnight between 6pm and 8am. Nil - Minster Badge Holders buys parking to 8am 2.00 - Non-Minster Badge Holders buys parking to 8am	Overnight period from 6pm to 8am.

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
(Designation of Special Parking Place)	<u>(Class of vehicle)</u>	<u>(Parking Charge £)</u>	<u>(Parking Period)</u>
<b>Park P&amp;D (Mn/8 and 6/Mn XS)</b>	Motor cars	<p>Evening and overnight when parking commences after 6pm Monday to Saturday, and after Mn Sunday</p> <p>Nil - Minster Badge Holders buys parking to 8am</p> <p>2.00 - Non-Minster Badge Holders buys parking to 8am</p> <p>Except that no charge shall be payable when parking commences at any time on a Sunday.</p>	Period from Mn to 8am and 6pm to Mn, Monday to Saturday.

**FOURTH SCHEDULE**  
**PART III**  
**(PENALTY CHARGE)**

**(Articles 2(2) 11 and 22)**

Penalty Charge:

- (a) for a “higher level” parking contravention is specified in Column (1) of the Table;  
and
- (b) for a “lower level” parking contravention, at the level specified in Column (2) of the Table.

The Penalty Charge which is paid within 21 days in the case of a Penalty Charge imposed on the basis of a record produced by an approved device under regulation 10(1)(a) of the General Regulations and within 14 days in all other cases:

- (a) for a “higher level” parking contravention is specified in column (3) of the Table;
- (b) for a “lower level” parking contravention is specified in column (4) of the Table.

The Penalty Charge after a Charge Certificate has been issued:

- (a) for a “higher level” parking contravention is specified in column 5 of the Table;
- (b) for a “lower level” parking contravention is specified in column (6) of the Table.

**TABLE**

1	2	3	4	5	6
Higher level Penalty Charge	Lower level Penalty Charge	Higher level Penalty Charge paid early	Lower level Penalty Charge paid early	Higher level Penalty Charge paid after service of Charge Certificate	Lower level Penalty Charge paid after service of Charge Certificate
£70	£50	£35	£25	£105	£75

**FOURTH SCHEDULE**  
**PART V**  
**REMOVAL, STORAGE AND DISPOSAL CHARGES**

**(Articles 13 and 22)**

Column 1  
(Type)

Column 2  
(Charge)

**VEHICLE REMOVAL CHARGE**

£105.00

**VEHICLE STORAGE CHARGE**

£12.00 for each day or part of day during  
which the vehicle is impounded

**VEHICLE DISPOSAL CHARGE**

£50.00

**FOURTH SCHEDULE**  
**PART VI**  
**(TRANSACTION FEES)**

**(Articles 6 and 23)**

Column 1  
(Type)

Column 2  
(Fee)

**MOBILE TELEPHONE TRANSACTION  
FEE:**

- |   |       |
|---|-------|
| (a) where Parking Charge is £2.00 or over                                   | £0.20 |
| (b) where Parking Charge is less than £2.00                                 | £0.10 |
| (c) where text message is requested as to imminent expiry of Parking Charge | £0.10 |
| (d) where the initial Parking Period is extended                            | £0.10 |
| (e) where Parking Charge is £20 and less than £40                           | £0.50 |
| (f) where Parking Charge is £40 or over                                     | £0.75 |



**SIXTH SCHEDULE**  
**(REVOCATIONS)**

**(Article 24)**

<u>Column 1</u> (Order)	<u>Column 2</u> (Extent of Revocation)
The York Parking, Stopping and Waiting Traffic Order 2011	The whole Order
The York Parking, Stopping and Waiting (Amendment) (No 11/2) Traffic Order 2011	The whole Order
The York Parking, Stopping and Waiting (Amendment) (No 11/3) Traffic Order 2011	The whole Order
The York Parking, Stopping and Waiting (Amendment) (No 11/4) Traffic Order 2012	The whole Order
City of York Council On-Street Parking Places – Notice of Variation of Parking and Permit Charges – April 2012	The whole Notice
The York Parking, Stopping and Waiting (Amendment) (No 11/5) Traffic Order 2012	The whole Order
The York Parking, Stopping and Waiting (Amendment) (No 11/6) Traffic Order 2012	The whole Order
The York Parking, Stopping and Waiting (Amendment) (No 11/7) Traffic Order 2012	The whole Order
The York Parking, Stopping and Waiting (Amendment) (No 11/8) Traffic Order 2012	The whole Order
The York Parking, Stopping and Waiting (Amendment) (No 11/10) Traffic Order 2012	The whole Order
The York Parking, Stopping and Waiting (Amendment) (No 11/13) Traffic Order 2012	The whole Order
City of York Council On-Street Parking Places – Notice of Variation of Parking and Permit Charges – April 2013	The whole Notice
The York Parking, Stopping and Waiting (Amendment) (No 11/15) Traffic Order 2013	The whole Order
The York (Coppergate) (Local Bus Priority) Traffic Order 2013	Article 13
The York (Parking, Stopping and Waiting) – (Amendment) (Noll/17) Traffic Order 2013	The whole Order
The York (Parking, Stopping and Waiting) (Amendment) (No11/20) Traffic Order 2013	The whole Order

Dated the 6<sup>th</sup> day of February 2014

THE COMMON SEAL OF THE  
CITY OF YORK COUNCIL  
WAS HERETO AFFIXED IN  
THE PRESENCE OF

ASSISTANT DIRECTOR OF  
GOVERNANCE AND ICT