

THE FIFE COUNCIL (DISABLED PERSONS' ON-STREET PARKING PLACES) ORDER 2012

The Fife Council ("the Council") in exercise of the powers conferred on them by section 45 of the Road Traffic Regulation Act 1984 (hereinafter referred to as "the said Act") and of all other enabling powers and after consultation with the Chief Constable in accordance with paragraph 20(1) of Schedule 9 to the said Act, hereby make the following Order:-

- (1) This Order may be cited as "The Fife Council (Disabled Persons' On-Street Parking Places) Order 2012" and shall come into operation on the Sixteenth day of January Two Thousand and Twelve.

INTERPRETATION

- (2) (i) In this Order the following expressions have the meanings hereby respectively assigned to them:-

"disabled persons' badge" means –

- (a) a badge issued under section 21 of the Chronically Sick and Disabled Persons Act 1970;
- (b) a badge issued under a provision of the law of Northern Ireland corresponding to that section; or
- (c) a badge issued by any member State other than the United Kingdom for purposes corresponding to the purposes for which badges under that section are issued;

"disabled persons' vehicle" means a vehicle lawfully displaying a disabled persons' badge;

"Schedules" means Schedule 1, Schedule 2 and Schedule 3 annexed and signed as relative to this Order.

- (ii) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

PARKING PLACES FOR DISABLED PERSONS' VEHICLES

- (3) (i) Each area of road which is described in the Schedules is hereby designated as a parking place.
- (ii) Every parking place designated by this Order shall be used only by a disabled persons' vehicle and may be so used without charge.

- (iii) Every vehicle left in a parking place designated by this Order shall so stand such that every part of the vehicle is within the limits of the parking place provided that, where the length of a vehicle precludes compliance with this paragraph, such vehicle shall be deemed to be within the limits of the parking space if:-
- (a) the extreme front portion or, as the case may be, the extreme rear portion of the vehicle is within 300 mm of the limits of the parking place as indicated on the carriageway; and
 - (b) the vehicle, or any part thereof, is not within the limits of any adjoining parking place.
- (iv) Any person duly authorised by the Council, a traffic warden, a police officer in uniform or a parking attendant may move or cause to be moved in case of an emergency, to any place they think fit, a vehicle left in a parking place designated by this Order.
- (v) Any person duly authorised by the Council may suspend the use of a parking place designated by this Order whenever such suspension is considered reasonably necessary:-
- (a) for the purpose of facilitating the movement of traffic or promoting its safety; or
 - (b) for the purpose of any building operation, demolition, or excavation in or adjacent to the parking place or the maintenance or improvement or reconstruction of the parking place or the laying, erection, alteration, removal or repair in or adjacent to the parking place of any sewer or of any main, pipe, apparatus for the supply of gas, water or electricity or of any telecommunications apparatus, traffic sign or parking meter.
- (vi) A police officer in uniform may suspend for not longer than twenty-four hours the use of a parking place designated by this Order whenever such suspension is considered reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.
- (4) Nothing in this Order shall apply to any vehicle on an occasion when it is being used for fire brigade, ambulance or police purposes, if the observance of that provision would be likely to hinder the use of the vehicle for the purposes for which it is being used on that occasion.

Dated this Twenty-first day of December, Two Thousand and Twelve.

Julie E. Donaldson

Proper Officer of the Council