

**BERMUDA STATUTORY INSTRUMENT
BR 4/1986**

**MUNICIPALITIES (HAMILTON PAY AND DISPLAY PARKING)
ORDINANCE 1986**

*[made under section 38 of the Municipalities Act 1923 [title 4 item 1] on 20
January 1986 and brought into operation on 24 January 1986]*

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FIRST SCHEDULE

Fee car parks

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SECOND SCHEDULE
Parking fees

Citation

1 This Ordinance may be cited as the Municipalities (Hamilton Pay and Display Parking) Ordinance 1986.

Interpretation

2 In this Ordinance—

"controlled hours" means the time beginning at 8.00 a.m. and ending at 6.00 p.m. on any fee-parking day;

"Corporation" means the Corporation of Hamilton;

"driver", in relation to a vehicle, means the person driving or riding the vehicle;

"fee car park" means land appointed pursuant to paragraph 3 to be a fee car park for the purposes of this Ordinance;

"fee-parking day" means every day that is not a Sunday or otherwise a public holiday;

"parking fee" means a fee prescribed in the Second Schedule, and "appropriate parking fee" means a parking fee appropriate to the circumstances;

"parking pass" means a pass issued under paragraph 8;

"ticket" means a parking ticket issued by a ticket-issuing machine;

"ticket-issuing machine" means a machine installed by the Corporation at a fee car park for the purpose of issuing tickets.

Fee car parks

3 The areas of land described in the First Schedule (the "scheduled parks") are appointed for use, subject to this Ordinance, as fee car parks during controlled hours with effect as respectively specified in the Table below—

Park	Date of Appointment
(a) Par-la-Ville:	3 August 1987
(b) the other scheduled parks:	such date in each case as the Corporation may appoint by notice published not fewer than 14 days previously in the Gazette.

Parking fees

4 (1) Unless he is authorized to the contrary by a parking pass, the driver of a vehicle must pay the appropriate parking fee in respect of the parking of the vehicle in a fee car park.

(2) The manner of paying a parking fee is by purchasing one or more tickets upon first entering the fee car park.

(3) The purchase of a ticket or tickets entitles the driver to leave his vehicle in the fee car park for the period represented by the ticket or tickets.

Exhibition of ticket

5 Upon obtaining a ticket or tickets, the driver of a vehicle shall—

(a) where the vehicle has a front windscreen, affix the ticket or tickets to the inside of the windscreen facing forwards;

(b) whether the vehicle has a front windscreen or not, exhibit the ticket or tickets in a conspicuous position on the vehicle and in such a manner that the date and time on the ticket or tickets are clearly visible from outside the vehicle.

6 [rescinded by BR 33/1987]

7 [rescinded by BR 33/1987]

Parking passes

8 (1) The Corporation may issue to any person a parking pass granting to him—

(a) total or partial exemption from the payment of parking fees in respect of the vehicle specified in the pass;

(b) any other privilege in relation to, or any other exemption from, any provision of this Ordinance.

(2) The production of a parking pass issued in respect of a vehicle is sufficient authority for the vehicle to be parked in a fee car park in accordance with the provisions of the parking pass, and this ordinance shall apply in relation to the vehicle accordingly.

Controls on parking

9 Except with the permission of the Corporation, the driver of a vehicle shall not cause or permit the vehicle—

(a) in contravention of directions contained in a notice referred to in sub-paragraph (2) of paragraph 15 to wait

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in a fee car park, or any part of a fee car park, when the park or that part (as the case may be) has been closed; or

- (b) to enter a park otherwise than by an entrance, or to leave a park otherwise than by an exit, or to proceed within a park otherwise than by a route, specified by notices or other indications displayed in or on the park.

Restrictions on driving

10 The driver of a vehicle using a fee car park shall not drive the vehicle—

- (a) recklessly or at a speed or in a manner which is dangerous to other users of that park, or without due care and attention, or without reasonable consideration for other users of that park, or
- (b) otherwise than for the purpose of leaving that vehicle in the park in accordance with this Ordinance or a direction given under it, or than for the purpose of departing from the park.

Removal of tickets prohibited

11 No person shall remove a ticket or tickets exhibited on a vehicle in a fee car park unless authorised thereto by the driver of the vehicle.

Duty to comply with directions

12 (1) A driver about to enter, or in, or leaving, a fee car park during controlled hours shall comply with any direction contained in any sign, notice or other indication erected by the Corporation in or about the fee car park for the regulation of traffic in the fee car park.

(2) [*rescinded by BR33/1987*]

(3) [*rescinded by BR33/1987*]

Abandoned vehicles

13 (1) Where a vehicle is left in a fee car park for the period of three consecutive fee-parking days without the appropriate fee having been paid, the Corporation shall be entitled to treat the vehicle as abandoned and to dispose of it accordingly.

(2) Where in virtue of sub-paragraph (1) the Corporation treats a vehicle left in a car park as abandoned and removes and disposes of it under that sub-paragraph, the Corporation may recover as a civil debt either from the person who brought the vehicle into the car park or from its owner the Corporation's reasonable expenses incurred in connection with the removal and disposal.

Corporation not a bailee

14 The Corporation shall not be responsible or liable to any person as a bailee, or as if it were a bailee, in relation to any vehicle brought into a fee car park, whether or not a ticket has been issued to any person in respect of the vehicle.

Saving

15 (1) Nothing in this Ordinance entitles a person to bring any vehicle into a fee car park, whether during controlled hours or not, without the Corporation's consent.

(2) Nothing in this Ordinance prevents the Corporation, by notice displayed at a fee car park—

- (a) from setting aside particular parts of the fee car park for particular uses at particular times; or indeed
- (b) from closing the fee car park for any period.

Offences

16 A person who—

- (a) leaves a vehicle in a fee car park during controlled hours otherwise than in accordance with the provisions of a parking pass issued to him in respect of that vehicle; or
- (b) not being the holder of a parking pass in respect of a vehicle, leaves the vehicle in a fee car park during controlled hours without exhibiting a ticket or tickets on the vehicle in conformity with paragraph 5; or
- (c) leaves a vehicle in a fee car park during controlled hours after the expiry of the validity period of a ticket or tickets exhibited on the vehicle; or
- (d) leaves a vehicle in a fee car park in contravention of a direction contained in a notice referred to in subparagraph (2) of paragraph 15; or
- (e) contravenes a prohibition in paragraph 9, 10 or 11, being a prohibition applying to him; or
- (f) contravenes a direction referred to in paragraph 12, being a direction applying to him,

commits an offence.

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FIRST SCHEDULE (Paragraphs 2, 3)

FEE CAR PARKS

1 Par-la-Ville

The whole of the Par-la-Ville Car Park, described as follows, that is to say, bounded on the north by Church Street West, on the east by the entrance road leading to the Par-la-Ville Car Park, on the south by the Par-la-Ville Park, and on the west by Par-la-Ville Road.

2 City Hall

The whole of the City Hall Car Park, described as follows, that is to say, bounded on the north by Victoria Street West, on the east by the road running in a north south direction immediately to the west of City Hall building, on the south by Church Street, and on the west by Wesley Street.

3 City Hall North

The premises immediately north of the City Hall described as follows, that is to say, bounded on the north by Victoria Street West. on the east by Washington Street, on the south by the City Hall building, and on the west by the road running in a north south direction immediately to the west of the City Hall building.

4 Number One Dock

The whole of the interior of the building situate on the Number One dock and that portion of the dock that lies to the east thereof and which extends between Front Street and the waters of Hamilton Harbour.

5 Number Five Dock

The whole of that portion of Number Five dock situate to the west of the Corporation of Hamilton park established between the Number Five and Number Six docks, and which extends between Front Street and the waters of Hamilton Harbour.

6 Number Seven Dock

The roof of the freight storage shed situate on the Number Seven dock immediately to the east of Hamilton Hall building.

7 Number Eight Dock

That part of the Number Eight dock situate immediately to the south of that part of Front Street that lies between its junction with Fagan's Alley and its junction with King Street.

8 Cavendish Heights

The premises described as follows, that is to say, bounded on the north by premises of the Fire Services Headquarters on the north east and east by Property belonging to Dorothy Halstead Harvey, on the south by Reid Street extension, and on the west by eastern boundary of the City of Hamilton.

9 King Street

The whole of Lot 24 King Street situate to the east of King Street immediately to the north of the premises of the Fire Services Headquarters.

10 Dundonald Street

The whole of Lot 13 Dundonald Street situate on the south west corner of the Junction of Union Street and Dundonald Street.

11 Elliott Street

The premises extending between Dundonald Street and Elliott Street, comprising Lots 35, 37, 39, 41 and 43 (eastern part) Elliott Street and Lot 44 Dundonald Street.

12 Bull's Head South

The whole of Lots X and Y (Brooklyn District).

13 Bull's Head North

The whole of Lot S (Brooklyn District) and Lots 74, 76, 78 and 80 Elliott Street West situate to the north and south of Canal Road.

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SECOND SCHEDULE (Paragraph 2)

Parking Fees

One hour or part of an hour	25¢ or such other fee, not exceeding 75¢, as the Corporation may by notice published not less than 14 days in advance in the Gazette, determine.
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[Amended by:

BR 38/1986

BR 33/1987]