

Ceantar Bardasach Bhré
Oifigí Carthartha
An Príomhshráid
Bré
Contae Chill Mhantáin

01 274 4900
BrayMD@wicklowcoco.ie

Comhairle Chontae Chill Mhantáin
Wicklow County Council



Municipal District of Bray
Civic Offices
Main Street
Bray
Co. Wicklow

01 274 4900
BrayMD@wicklowcoco.ie

Parking Fines Appeals Procedure

Motorists must comply with the Wicklow County Council Parking Bye Laws and must also comply with National Parking Regulations which govern illegal parking e.g. parking on double yellow lines, on a footpath or junction etc.

If you receive a Fixed Charge Offence and wish to dispute this you may lodge an appeal **within 28 days** of the date of the alleged offence. Appeals received outside of the 28 day period will be deemed invalid and will be rejected.

Please note APPEALS CANNOT BE ACCEPTED FOR ANY OF THE FOLLOWING OFFENCES:

1. Parking on double yellow lines
2. Parking in a manner likely to cause an obstruction i.e. parking on a footpath or on a corner
3. Parking in a Disabled Bay without displaying a valid Disability Permit
4. Parking in place prohibited e.g. a bus bay or taxi rank
5. Parking in a loading bay without displaying commercial tax disc, for longer than the time allowed or without loading or unloading being observed.
6. Or any other form of illegal parking

All appeals must be made in writing through the following methods:

- Post to Bray Municipal District, Civic Offices, Main Street, Bray, Co. Wicklow
- Email to parking@wicklowcoco.ie
- Online at <https://www.wicklow.ie/Living/Services/Roads-Transport/Parking-Bye-Laws>

Please Note: Appeals by telephone or voicemail will not be accepted as a valid appeal.

All appeals should clearly outline the basis for the appeal and must include:

- Name and Address of the Appellant who must be the registered owner of the vehicle – If you are not the registered owner of the vehicle you must be nominated by the registered as the driver responsible for the fine (see details below re nominations).
- Fixed Charge Notice (Fine) Number.
- Vehicle Registration Number.
- Any relevant documentation supporting the appeal.

On receipt of your appeal:

- The appeal will be processed in accordance with the appeals procedure.

- It will be considered in conjunction with the evidence supplied by the traffic warden in relation to the issue of the ticket.
- You will be notified in writing or by email of the decision of the appeal. The decision is final.
- Details of your appeal will be recorded for control and audit purposes.

Acceptable Grounds of Appeal:

Pay and Display offences

That the appellant was in possession of a valid pay and display ticket when a fixed charge notice was issued

- Appeals will only be considered where a valid pay and display ticket has been purchased prior to the issuing of a Fixed Charge Notice.
- That the pay and display ticket covers the period for which the Fixed Charge Notice (fine) was issued.
- And, the valid pay and display ticket is submitted with the appeal.

Residential/Annual Permit offences

- Appeals will only be considered where a valid permit covers the period for which the Fixed Charge Notice (fine) was issued and a copy of the valid permit is submitted with the appeal.
- If the permit has expired an appeal will only be considered where the appellant can prove that a completed application form with full payment had been submitted to Wicklow County Council prior to the date and time of the offence and that the permit for which an application had been submitted covered the location, date and time for which the fixed charge notice (fine) issued.

Non display of current motor tax offences

- Appeals will only be considered upon receipt of evidence of motor tax having been paid covering the period which the Fixed Charge Notice (fine) was issued.

Extenuating Circumstances will be considered on the following grounds:

- Medical Emergencies (please note this does not extend to an appointment for a doctors surgery or visit to pharmacy etc.) Documentation supporting the incident must be submitted. Examples are medical certificate, ambulance or fire services attendance.
- Mechanical Failure/Breakdown - Appeals will only be considered where a letter or receipt from a garage or a towing company confirming the dates the vehicle was towed and/or repaired is submitted with the appeal.
- Compassionate Grounds – Appeals will be considered in exceptional circumstances where the parking offence was unavoidable.

Nominations

If the registered owner was not driving the vehicle when the alleged offence (to which the Fixed Charge Notice (fine) relates) was committed then the registered owner must, within 28 days of the

date of issue of the fixed charge notice(fine), nominate to Wicklow County Council the person who was in charge of the vehicle at that time.

- Nominations must be made in writing or by email at the details listed above.
- All nominations must include the Name, Address and Contact number of the person making the nomination (in the case of a corporate/non-incorporated entity this should be an authorised officer of the entity i.e. Named Business owner, Company Secretary or Company Director);
- All nominations must include the Name, Address and Contact number of the Nominee
- All nominations must include the Fixed Charge Notice number (fine)
- All nominations must be signed by the person making the nomination.
- If the name and address on the nomination are incorrect the fine will revert to the registered owner.

IMPORTANT INFORMATION:

You should be aware, prior to submitting an appeal that the following timeframes apply in relation to the payment of all Fixed Charges and the submission of an appeal does not alter the timeframes for payment. These timeframes are set out by the Road Traffic Acts and Wicklow County Council has no discretion in relation to their implementation

- Payment of the Fixed Charge may be made during the period of 28 days from the date of issuing the Fixed Charge Notice.
- If payment is not made during the period of 28 days from the date of issuing of the fixed charge notice, payment of the initial amount plus 50% may be made within the following 28 day period.
- If payment is not made within the 56 day period, court proceedings will be initiated and payment cannot then be accepted.