

Restriction on Removal of Notices

6. When a notice has been attached to a vehicle in accordance with any of the foregoing provisions of this Order no person other than a person authorised by the Council in that behalf or the driver or a person authorised by the driver in that behalf shall remove the notice from the vehicle.

Manner of Payment of Excess Charge

7. The excess charge shall be paid to the Council either by cheque banker's draft money order or postal order which shall be delivered or sent by post so as to reach the Director of Development Services' Department at Roman House, Friar Gate, Derby, not later than 4 p.m. on the Tenth day following the day on which the excess charge was incurred or in cash in person at the said Department not later than as aforesaid provided that if the said Tenth day falls upon a day on which the said Department is closed the period in which payment of the said charge shall be made to the Council shall be extended until 4 p.m. on the next full day on which the said Department is open.

Legal Proceedings

8. The particulars given in the notice attached to a vehicle in accordance with the provisions of this Order shall be treated as evidence in any proceedings for an offence of failing to pay an excess charge.
 9. The provision contained in section 47(4) of the Act shall apply to proceedings brought under section 35(4) of the Act for non compliance with Article 7 of this Order namely failure to pay excess charge as if the parking place concerned was a designated parking place.

Other Provisions

10. The driver of a vehicle shall not permit that vehicle to wait in a parking place unless the vehicle is licensed in pursuance of the provisions of the Vehicle (Excise) Act 1971 and unless there is in relation to the use of the vehicle by the driver such a policy of insurance as complies with the requirements of Part VI of the Road Traffic Act 1972.
 11. The driver of a motor vehicle using a parking place shall stop the engine as soon as the vehicle is in position in the parking place and shall not start the engine except when about to change the position of the vehicle in or to depart from the parking place.
 12. (1) No person shall use a vehicle while it is in a parking place in connection with the sale of any article to persons in or near the parking place or in connection with the selling or offering for hire of his skill or services.
 (2) No person shall use any part of a parking place or any vehicle left in a parking place for the purpose of servicing or washing any vehicle or part thereof other than is reasonably necessary to enable that vehicle to depart from the parking place.
 13. The driver of a vehicle using a parking place shall not sound any horn or other similar instrument except when about to change the position of the vehicle in or to depart from the parking place.
 14. The driver of a vehicle drawing a trailer shall not permit the vehicle or trailer to wait in a parking place unless they have been disconnected and for the purpose of this Order the vehicle and the trailer shall be deemed to be separate vehicles and the said driver shall be deemed to be the driver of each of the said vehicles.
 15. (1) If a vehicle is left in a parking place in a position other than in accordance with the provisions of Article 3 a person authorised by the Council in that behalf may alter or cause to be altered the position of the vehicle so that its position is in accordance with the said provisions.
 (2) If a vehicle is left in a parking place in contravention of any of the foregoing provisions of this Order a person authorised by the Council in that behalf may remove the vehicle from that parking place or arrange for such removal.
 (3) In an emergency a person authorised by the Council or a police constable in uniform may alter or cause to be altered the position of a vehicle in a parking place or remove or arrange for the removal of a vehicle from a parking place.
 (4) Any person altering or causing the alteration of the position of a vehicle by virtue of paragraph 1 of this Article or removing or causing the removal of a vehicle by virtue of paragraphs (2) or (3) of this Article may do so by towing or driving the vehicle or in such other manner as he may think reasonably necessary to enable the position of the vehicle to be altered or the vehicle to be removed.
 (5) Any person removing or arranging for the removal of a vehicle by virtue of paragraphs (2) or (3) of this Article shall make such arrangements as he considers to be reasonably necessary for the safety of the vehicle in the place to which it is removed.
 16. Where in a parking place signs are erected or surface markings are laid for the purpose of:
 (a) indicating the entrance to or exit from the parking place or
 (b) indicating that a vehicle using the parking place shall proceed in a specified direction within the parking place then no person shall drive or permit to be driven any vehicle
 (i) so that it enters the parking place otherwise than by an entrance or leaves the parking place otherwise than by an exit so indicated or
 (ii) in a direction other than so specified.
 17. No person shall except with the permission of a person authorised by the Council in that behalf drive or permit to be driven any vehicle in a parking place for any purpose other than the purpose of leaving that vehicle in the parking place or for the purpose of departing from the parking place in accordance with the provisions of this Order.
 18. No person shall knowingly exhibit on any vehicle any parking ticket which has been altered or defaced mutilated or added to or upon which the figures or particulars have become illegible.

Exemptions

19. (1) The driver of a vehicle which displays in the relevant position a disabled persons badge shall be exempt from any payment specified in Articles 4 and 5.
 (2) For the purpose of this Order a vehicle shall be regarded as displaying a disabled persons badge in the relevant position when:
 (i) in the case of a vehicle fitted with a front windscreen the badge is exhibited thereon with the obverse side facing forwards on the near side of and immediately behind the windscreen and
 (ii) in the case of a vehicle not fitted with a front windscreen the badge is exhibited in a conspicuous position on the front or near side of the vehicle.
 20. A vehicle of any type specified in this Article which is left in a parking place shall be exempt from any payment specified in Articles 4 and 5.
 (i) an invalid carriage as defined in section 136(5) of the Act
 (ii) a motor cycle or pedal cycle.

Assistant City Secretary (Legal)