

The Right Honourable The Lord Mayor, Aldermen and Burgesses of Dublin, (hereinafter referred to as "the City Council") in exercise of the powers vested in them by Section 72 of the Roads Act, 1993 (No. 14 of 1993) and having consulted with the Commissioner of the Garda Síochána, hereby make the following Bye-Laws: -

PART 1 **Preliminary**

- Short title.** 1. These Bye-Laws may be cited as the Dublin City Council Control of Skips Bye-Laws, 1999.
- Commencement**
Bye-Laws 2. These Bye-Laws shall come into operation on 1st February 2000.
- Definitions** 3. In these Bye-Laws '*the Act of 1993*' means the Roads Act, 1993;
- 'the Act of 1968'* means the Road Traffic Act of 1968;
- 'the Act of 1961'* means the Road Traffic Act, 1961;
- 'agent of the City Council'* means any person employed by Dublin City Council or any other person authorised by the City Council to carry out functions under these bye-laws;
- 'appointed stand'* has the meaning assigned to it by Section 84 (as amended by Section 6 of the Act of 1968) of the Act of 1961;
- "approved person"* means an authorised person employed by Dublin City Council approved in writing by Dublin City Council for the purposes of these Bye-Laws and Section 72 of the Act of 1993
- 'authorised person'* means

a person authorised in writing by Dublin City Council for the purpose of Section 72 of the Act of 1993;
a member of the Garda Síochána;
an approved person.

'*business hours*' means the periods of operation indicated on the appropriate pay and display parking ticket machine or the appropriate parking meter;

'*cycle-track*' means part of a road, including part of a footway or part of the roadway which is provided primarily for the use of pedal cycles;

'*Dublin City Council*' means The Right Honourable The Lord Mayor, Aldermen and Burgesses of Dublin;

'*footpath*' means a road over which there is a public right of way for pedestrians only, not being a footway;

'*footway*' has the meaning assigned to it by Section 2(1) of the Act of 1993;

'*hirer*' means a person who hires a skip from a skip operator.

'*information plate*' means a plate accompanying a traffic sign which, unless otherwise specified, indicates the period during which the restrictions or prohibition indicated by such traffic sign applies;

'*motorway*' has the meaning assigned to it by Section 2(1) of the Act of 1993;

'*parking place*' means a place or a public road which is a disc parking place, a meter parking place or a ticket parking place.

'*public road*' has the meaning assigned to it by Section 2(1) of the Act of 1993;

'*road*' has the meaning assigned to it by Section 2(1) of the Act of 1993;

'*roadway*' has the meaning assigned to it by Section 2(1) of the Act of 1993;

'*road inset*' means any part of a road locally inset behind its normal line;

'skip' means a container used for the storage or removal of builders' materials, rubble, waste, rubbish or any other materials and which is designed to be transported by means of a mechanically propelled vehicle (as defined in the Act of 1961);

'skip operator' means a person who hires skips to others or who owns or operates a skip hire business.

- Area of Application** 4. These Bye-Laws apply to the County Borough of Dublin.
- Revocations** 5. The Dublin City Council Control of Skips Bye-Laws, 1998 are hereby revoked.

PART II

Prohibitions, Restrictions and Conditions relating to the Siting of Skips on Public Roads

Parts of Public Roads where skips may not be sited at any time

6. Subject to Bye-Laws 8, 9 & 12 a skip shall not, at any time, be sited
- (a) on that side of a section of roadway along the edge of which traffic sign number RRM 008 (double yellow lines) has been provided;
 - (b) on a section of roadway where traffic sign number RUS 019 (No Parking sign) has been provided, during the period indicated on the information plate accompanying such traffic sign; on a section of roadway within 5 metres of a road junction;
 - (c) on a section of roadway with less than 3 traffic lanes and where traffic sign number RRM 001 (continuous white line) has been provided;
 - (d) on a section of roadway where traffic sign number RUS 020, in association with RRM 029 (appointed stand) has been placed to indicate that an appointed stand has been provided;
 - (f) in any place, position or manner that will result in the skip obstructing, delaying or interfering with the entrance to or exit from a fire brigade station, an ambulance station or a Garda station;
 - (e) in any place, position or manner that will result in the skip obstructing an entrance or an exit to or from a premises, save with the consent of the occupier of such premises;
 - (f) within 15 metres (on the approach side) or 5 metres (on the side other than the approach side) of a section of

roadway where any of the following traffic signs have been provided:-

- (g) traffic sign number RPC 001 (Pedestrian Crossing); traffic sign number RPC 002 (Pedestrian Crossing Complex); or traffic sign numbers RTS 001, RTS 002, RTS 003 or RTS 004 (Traffic Lights);
- (h) on a footway, a grass margin or a median strip;
- (i) on a part of a roadway which is a casual trading area, during hours of trading;
- (j) in a manner in which it will interfere with the normal flow of traffic or which obstructs or endangers traffic;
- (k) where traffic sign RUS 031 (Bus Stop) or RRM 030 (Stopping Place or Stand) has been provided;
- (l) on a motorway;
- (m) in a parking place during business hours;
- (n) on a section of a roadway where traffic sign number RRM 010 (Stopping prohibition at school entrances) is provided;
- (o) on a section of a roadway where traffic sign number RRM 015 (Disabled Persons Parking Bay) is provided.
- (p) on a cycle track.

7. Subject to Bye-Laws 8, 9 & 12, a skip shall not be sited during a period which may be

- (a) indicated on an information plate
- (b) on a part of a roadway which is a bus lane or a contra flow bus lane or on a public footway adjoining a bus lane or a contra flow bus lane;
- (c) on a part of a roadway which is a clearway or on a public footway adjoining that clearway;
- (d) on that side of a section of roadway along the edge of which traffic sign number RRM 007 (Single Yellow Line) has been provided;
- (e) on a section of roadway where traffic sign number RRM (Loading Bay) is provided;
- (f) on a section of roadway where traffic sign number RUS 018 (Restricted Parking) is provided;
- (g) on a road, a portion of a road, or an area at the entrance to which traffic sign number RUS 021 (Pedestrianised Street or Area) is provided;
- (h) on a cycle track.

Notwithstanding the provisions of Bye-Laws 6 and 7, an approved person may grant permission to site a skip on a part of the public road specified in Bye-Laws 6 or 7.

Where the hirer of a skip wishes to site a skip on a part of the public road specified in Bye-Laws 6 or 7 he/she shall apply to Dublin City Council for a skip permit. A skip permit may be granted on the recommendation of an approved person subject to compliance with the following to the satisfaction of Dublin City Council:

The hirer must provide all information required by Dublin City Council including: –

- The name and address of the hirer.
- The name and address and licence number of the operator who will provide the skip.
- The exact location where it is proposed to site the skip.
- The date and times at which it is proposed to site the skip at the location.
- The date and times at which it is proposed to remove the skip.
- The maximum dimensions of the skip to be sited on the public road.
- The production of satisfactory evidence that the skip hirer is the holder of a current valid Public Liability Policy with an approved insurance company, fully indemnifying himself and Dublin City Council in respect of all claims by third parties. The limit of indemnity shall be at least £2,000,000 for any one accident.

The payment of the charges specified in Appendix 2 of the Dublin City Council Parking Control (No. 2) Bye-Laws 1998 as amended, where it is proposed to site a skip in a parking place during business hours. In any other location specified in Bye-Laws 6 or 7, payment of a fee of £20 per day or part thereof for each 5 metres of the public road on which it is proposed to site a skip.

A skip permit shall not be granted to a hirer if the operator indicated in accordance with Bye-Law 9 Subsection (a)(ii) is not the holder of a skip licence.

The skip permit shall include the following information: -

- The name and address of the hirer.
- The name and address of the operator who will provide the skip.
- The exact location where it is proposed to place the skip.
- The date and times at which the skip may be placed at the location indicated under subsection.
- The date and times by which the skip must be removed.
- The maximum dimensions of the skip which is to be placed at the location.
- Any other conditions imposed by an approved person.
- The words Dublin City Council
- The signature of the person granting the licence

A skip may not be sited on a part of the public road specified in Bye-Laws 6 or 7 unless the hirer is the holder of a valid skip permit and that permit is at all times available on site for immediate inspection by an authorised person.

The hirer shall ensure that the following conditions shall be complied with in relation to any skip sited on the public road at his/her request:

No skip may be loaded higher than a point 1 metre above the upper edge of the skip.

Skips shall not be used for the disposal of any hazardous or noxious material

A secure cover shall be placed on the skip at times when the skip has been fully loaded and when the loaded skip is being transported

The skip must be removed within (i) 24 hours of the skip being fully loaded (ii) not more than 1 hour after a request from an authorised person for its removal (iii) where a skip permit is granted, at a time not later than the expiry date and time indicated on the permit, whichever is the earlier, and the hirer shall include such conditions in any contract for the hire of a skip.

The skip shall: -

have permanently attached horizontal reflective markings using engineering grade reflective sheeting which are at least 150 millimetres high, and extend along the full length of all sides, approximately half-way between the top and bottom of the skip. These markings shall be maintained at all times in a condition which ensures that they are clearly visible at all times to road users; and

not be painted in any colour likely to decrease visibility at night.

Any other conditions imposed under Section (vii) of Bye-Law 11.

An operator may not site a skip on a public road unless he/she ensures compliance with the following conditions:

(a) where a skip is being sited on a part of a public road specified in Bye-Laws 6 or 7, the operator shall be satisfied that a skip permit has been granted to the hirer by Dublin City Council authorising the placing of a skip at that time and at that location.

(b) where the hirer holds a valid skip permit the operator shall ensure that the skip shall be sited in accordance with the conditions specified in that permit.

The skip shall: -

(i) have permanently attached horizontal reflective markings using engineering grade reflective sheeting which are at least 150 millimetres high, and extend along the full length of all sides, approximately half-way between the top and bottom of the skip. These markings shall be maintained at all times in a condition which ensures that they are clearly visible at all times to road users; and

(ii) be marked on all sides with the the name, address, telephone number and licence number of the skip operator in clearly legible indelible lettering at least 125 millimetres high; and not be painted in any colour likely to decrease visibility at night.

(iii) a skip sited on a public road shall not be placed closer than 1 metre to a drainage gully.

A skip sited on a roadway shall be sited so that the longer sides of the skip are parallel or approximately parallel to the kerb and with the inner or near side, a maximum of 225 millimetres from the kerb face, but without obstructing the drainage channel which must at all times be kept clear or spoil or rubbish being loaded.

A skip sited on a footway or margin shall be sited so that the longer sides of the skip are parallel or approximately parallel to the kerb and with the outer or off side a minimum of 225 millimetres from the edge of the kerb face.

Skip operators shall ensure that no skip is loaded higher than a point 1 metre above the upper edge of the skip and shall include such a condition in any contract for hire of a skip to a third party.

Skip operators shall ensure that skips are not used for the disposal of any hazardous or noxious material and include a condition in any contract for hire of a skip to a third party

Skip operators shall ensure that each skip shall be provided with a secure cover which shall be put in place at times when the skip has been fully loaded and when the loaded skip is being transported.

Skip operators shall ensure that the skips are removed within 24 hours of being fully loaded; not more than 1 hour after a request, from the Authorised Person, that the skip be removed.

(a) If a skip is sited on the public road in contravention of these Bye-Laws an authorised person may in addition to issuing a violation notice (i) arrange to have a skip removed or repositioned or (ii) direct an operator to remove or reposition a skip from any location.

(b) notwithstanding the provision of these Bye-Laws or of a licence issued under them, an authorised person may arrange to remove or reposition a skip which he/she considers presents an immediate and serious hazard to persons using a public road.

18. Where a skip is removed or repositioned by Dublin City Council or its agents in accordance with these bye-laws the skip operator shall pay to Dublin City Council the amount of the expenditure incurred in removing and storing the skip.

19. The design of skips shall not incorporate any feature which may cause hazard or injury to the public. An authorised person may direct that modifications be made to any skip when, in the opinion of the authorised person, a hazard to the public may arise and such direction must be complied with.

20. When a direction for a modification is made by Dublin City Council, neither the skip requiring modification nor any similar skip may be sited on a public road by the skip operator within the County Borough of Dublin until the necessary safety modification(s) have been completed to the satisfaction of Dublin City Council.

PART III
Licensing of Skip Operators

**Requirements to
have a licence**

21. All skip operators who provide skips for hire and/or for use on public roads within the County Borough of Dublin are required to have a valid licence issue by Dublin City Council. Licences shall be for a period of one year and must be renewed within one year of the date of issue or last renewal.

22. An operator who is not the holder of a valid licence may not place a skip on public roads, footways or footpaths within the County Borough of Dublin.

Licence Conditions

23. A licence may be granted to a skip operator subject to the payment to Dublin City Council of the appropriate annual fee as follows:-

<u>No. of Skips*</u>	<u>Annual Fee</u>
1 – 100	€634
101 – 500	€952
Over 500	€1,269

*No. of skips available for hire in *Dublin City Council* area.

The production of satisfactory evidence that the skip operator is the holder of a current valid Public Liability Policy with an approved insurance company, fully indemnifying himself and Dublin City Council in respect of all claims by third parties. The limit of indemnity shall be at least £2,000,000 for any one accident.

The provision of the following information by the skip operator:

Name of Operator
Address of Operator
Daytime Telephone & Fax Numbers
Nighttime Address and Fax Number
Contact Name - Day and Night
the provision of a Safety Statement.

Licence Renewal

24. A licence may be renewed subject to:-
compliance with paragraphs 1(a) (b) and (c) of Bye-Law

25. An authorised person being satisfied that the operator has complied during the previous year with –
the provisions of these Bye-Laws;
the specific licence conditions; and
Section 72 of the Act of 1993.

Refusal of Licence

26. In considering the operators compliance in accordance with Bye-Law 24(b)(i)(ii) & (iii) the authorised person shall have regard to the number of violation notices issued and the reasons for their issue.

27. A licence shall be granted or renewed for a period of one year.

PART IV

Offences and Miscellaneous

Violation Notices

28. Where non-compliance with licence conditions or these Bye-Laws has been observed, Dublin City Council may issue Violation Notices specifying the nature of the alleged non-compliance; and

**Infringements
of Bye-Laws**

29. Under Section 72(6) of the Roads Act, 1993 these Bye-Laws shall be deemed to be Penal Bye-Laws and any person who contravenes them shall be guilty of an offence. A person found guilty of an offence under these Bye-Laws shall be liable on summary conviction to a fine not exceeding £1,000 or, at the discretion of the Court, to imprisonment for a term not exceeding six months, or to both such fine and imprisonment.

In the event of a refusal to issue or to renew a licence, Dublin City Council shall not be liable in any way for any claims, monies, etc. directly or indirectly occasioned by the refusal to issue or renew a licence.

The Roads Act, 1993

Dublin City Council Control of Skips Bye-Laws

Application for a Licence to place Skips for Hire and/or for use on public roads within the County Borough of Dublin

Dublin City Council, Roads & Traffic Dept, Block 2, Floor 4,
Civic Offices, Fishamble Street, Dublin 8
Ph. 01 222 2246

Name of Operator	
Address of Operator	
3. Day Time Telephone Fax	
4. Night Time Telephone Fax	
5. Contact Name Day Night	
6. Number of Skips available for hire in Dublin City Council area	
7. Details of Public Liability Policy* (please enclose copy of policy)	
Details of Safety Statement (please enclose copy)	

*This policy must be
Current throughout the licence period;
With an approved insurance company; and
Must indemnify the operator and Dublin City Council in respect of all claims by third parties.
The limit shall be at least £2,500,000 for any one accident.

I/We _____ of _____
_____ (address) hereby apply for a licence under Section 11 of the
Dublin City Council Control of Skips Bye-Laws 1998 to provide skips for hire and/or
for use on public roads within the County Borough of Dublin and I hereby declare
that I shall comply with the provision of the Bye-Laws and any other conditions
specified by Dublin City Council.

Signed _____
Applicant

Date _____

NB The licence will be granted only to the operator named at 1 above. The operator or his authorised representative may sign the above. In all cases, however, it shall be the responsibility of the operator named at 1 above to ensure that the conditions of the licence are observed.