

**THE COUNTY COUNCIL OF THE CITY AND COUNTY OF CARDIFF
(DONALD STREET, PLASNEWYDD, CARDIFF) (LIMITED WAITING) ORDER 2014**

The County Council of the City and County of Cardiff in exercise of its powers under sections 1 and 2 of the Road Traffic Regulation Act 1984 ("the 1984 Act"), Part 6 of the Traffic Management Act 2004 ("the 2004 Act"), The Civil Enforcement of Road Traffic Contraventions (General Provisions) (Wales) Regulations 2013 ("the 2013 Regulations"), The Civil Enforcement of Parking Contraventions (City and County of Cardiff) Designation Order 2010, and of all other powers enabling it in that behalf and after consultation with the Chief Constable, South Wales Police, in accordance with Part III of Schedule 9 to the 1984 Act hereby makes the following Order:-

1. Definitions

In the following provisions of this Order the following terms shall have the meanings hereby respectively ascribed to them:-

"the 1984 Act"	means the Road Traffic Regulation Act 1984
"the 2004 Act"	means the Traffic Management Act 2004
"the 2013 Regulations"	means the The Civil Enforcement of Road Traffic Contraventions (General Provisions) (Wales) Regulations 2013
"the Council"	means the County Council of the City and County of Cardiff and/or its duly authorised agents
"Civil Enforcement Officer"	has the meaning given by section 76 of the 2004 Act and means a person authorised by or on behalf of the Council to supervise and enforce Road Traffic Conventions
"Owner"	has the same meaning as given in regulation 2(1) of the 2013 Regulations
"Parking Contravention"	means a parking contravention as described in paragraph 4, Part 1 of Schedule 7 to the 2004 Act
"Penalty Charge"	has the same meaning as in section 92 of the 2004 Act and means a penalty charge imposed under Part 6 of the 2004 Act and payable in accordance with the 2004 Act and the 2013 Regulations and the Penalty Charges in force shall be those as set in the County Council of the City and County of Cardiff (Penalty Charges Notice) (Civil Enforcement Area) 2010 or any subsequent notice setting or varying the Penalty Charges or any subsequent

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Regulation specifying the Penalty Charges payable

Penalty Charge Notice” means a notice issued or served by a Civil Enforcement Officer pursuant to the provisions of the 2004 Act and the 2013 Regulations and has the same meaning given by regulation 8(1) of the 2013 Regulations

“Road Traffic Contraventions” has the same meaning given by regulation 2(1) of the 2013 Regulations

“Schedule” without more means the Schedule to this Order

2. No person shall except upon the direction or with the permission of a police constable in uniform or a Civil Enforcement Officer cause or permit any vehicle to wait for more than one hour (between the hours of 8.00am and 6.30pm) on any day other than a Sunday, with return prohibited until a period of no less than one hour has elapsed since the termination of the last period of waiting (if any), in any of the lengths of road specified in the Schedule.
3. Article 2 of this Order shall not render it unlawful to cause or permit any vehicle to wait in any of the lengths of road so referred to if the vehicle is being used for the conveyance of a disabled person and is displaying a Disabled Persons Badge in accordance with the Disabled Persons (Badges for Motor Vehicles) (Wales) Regulations 2000, as amended.
4. Article 2 of this Order shall not render it unlawful to cause or permit a vehicle to wait in any of the said lengths of road for as long as may be necessary:-
 - (a) to enable persons to board or alight from a vehicle;
 - (b) to enable goods to be loaded onto or unloaded from a vehicle;
 - (c) to enable a vehicle to be used in any of the said lengths of road for as long as may be necessary to enable it to be used for any of the following purposes if it cannot conveniently be used for such purpose in any other road:-
 - (i) in connection with any building operation or demolition;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance improvement or reconstruction of any part or parts of the length of road so referred to; or
 - (iv) the laying erection alteration or repair in or near to any of the said lengths of road of any sewer or of any main pipe or apparatus for the supply of gas water or electricity or of any telecommunication apparatus pursuant to Schedule 9 of the Telecommunications Act 1984 (as amended) or the placing maintenance or removal of any traffic sign.
 - (d) as a part of a funeral cortege or otherwise in connection with a funeral provided the vehicle is owned by a funeral director or by an owner of funeral vehicles.
5. Save as provided by the provisions of this Order should any Vehicle be left in any of the lengths of road specified in the Schedule to this Order without complying with the provisions of this Order there shall be deemed to be a non-compliance and where such a non-compliance is a Parking Contravention a Civil Enforcement Officer may issue a Penalty Charge Notice pursuant to the powers available to the Council under the 2004 Act and the 2013 Regulations.
6. The restrictions imposed by this Order shall prevail insofar as they conflict with the provisions of The City and County of Cardiff (Cardiff North) (Parking Control) Order 2010.

7. In this Order, except when the context otherwise requires, the singular includes the plural and vice-versa.
8. If any provision of this Order is held invalid or unenforceable for any reason by a court of competent jurisdiction such provision shall be severed and the remainder of the provisions of the Order shall continue in full force and effect as if the Order had been executed with the invalid, illegal or unenforceable provision eliminated.
9. Reference to any statutory provision include a reference to any amendment, substitution or re-enactment of that statutory provision for the time being in force.
10. This Order shall come into operation on the 17 January, 2014 and may be cited as "The County Council of the City and County of Cardiff (Donald Street, Plasnewydd, Cardiff) (Limited Waiting) Order 2014".

SCHEDULE

Donald Street, Plasnewydd, Cardiff on its south west side from a point 10 metres north west of its closed end with Albany Road for a distance of 10 metres north west and; on its north east side from a point 10 metres north west of its closed end with Albany Road for a distance of 16.5 metres north west

THE COMMON SEAL OF THE COUNTY
COUNCIL OF THE CITY AND COUNTY OF
CARDIFF was hereunto affixed this
9th day of JANUARY 2014
in the presence of:-



Authorised Signatory



