**ABERDEEN CITY COUNCIL**

**ROAD TRAFFIC REGULATION ACT, 1984**

**THE ABERDEEN CITY COUNCIL (STANLEY STREET, ABERDEEN) (ON-STREET**

**ELECTRIC VEHICLE PARKING PLACE) ORDER 202(X)**

Aberdeen City Council, in exercise of its powers under the Road Traffic Regulation Act 1984

(hereinafter referred to as "the 1984 Act"), and of all other enabling powers, and after

consultation with the Chief Constable of Police Scotland in accordance with Part Ill of

Schedule 9 to the 1984 Act, and having complied with the requirements of The Local

Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999, hereby makes the

following order:-

**Citation**

1. This order may be cited as "The Aberdeen City Council (Stanley Street,

Aberdeen) (On-Street Electric Vehicle Parking Place) Order 202(X)" and shall come

into operation on xxxxxxxx.

2. **Definitions in relation to subsequent Articles**

In the following Articles hereto, except where the context otherwise requires, the

following expressions shall have the meanings hereby assigned to them:-

"charging post" means an installation adjacent to an electric vehicle parking bay for

the purposes of recharging the battery of an electric vehicle by way of a connecting

lead;

"electric vehicle" means a vehicle designed and constructed to be propelled by

electricity (either all or part of the time) supplied by a battery or other form of

electrical cell or reservoir contained within the said vehicle;

"electric vehicle parking place" means a length of road specified in the schedule to

this order and made available for the parking and charging of an electric vehicle, the

limits of which are indicated by means of appropriate traffic signs or road markings in

accordance to the Traffic Signs Regulations and General Directions 2016;

"penalty charge" means the charge set by the Council under the provisions of the

Road Traffic Act 1991, which is to be paid to the Council following the issue of a

penalty charge notice;

**On-Street Electric Vehicle Parking Place**

3. The length of road in Aberdeen specified in the schedule to this order shall operate

as an electric vehicle parking place, to be used for parking at any time only subject to

the provisions of this order.

4. Save as provided by Article 12 of this order, no person shall cause or permit a

vehicle to wait in the electric vehicle parking place specified in the schedule hereto

unless it is of a class specified in Article 3 of this order.

5. Insofar as an electric vehicle is parked in the electric vehicle parking place specified

in the schedule hereto, that vehicle must be left within the limits of its marking.

6. At all times whilst an electric vehicle is waiting in an electric vehicle parking place, the driver shall cause the vehicle to be connected via a recharging lead to the charging post.

**Removal of a vehicle from an On-Street Electric Vehicle Parking Place**

7. When a vehicle is left in any electric vehicle parking place in contravention of any of the provisions of this order, a person authorised in that behalf, by or on behalf of the Council, may remove, or arrange to have removed, the said vehicle from the electric vehicle parking place. When a vehicle is left in an electric vehicle parking place, in a position other than a position in which it may wait in accordance with this order, a person authorised in that behalf, by or on behalf of the Council, may later, or cause to be altered, the position of the vehicle. The Council may, by written notice, require the owner of such vehicle to remove the vehicle from an electric vehicle parking place, or from any place to which it has been removed for safe custody.

8. Where necessary and reasonable, a police constable in uniform, or any person duly authorised by the Council, may move (or cause to be moved) any vehicle left in an electric vehicle parking place.

9. Any person removing, or altering the position of, any vehicle by virtue of Articles 7 or 8 may do so by towing or driving or moving it in such other manner as he may think necessary to enable him to remove it or alter its position, as the case may be, provided that in the event of any vehicle being removed from any parking place, such person shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.

10. Where a vehicle has been removed in accordance with Article 7, the Council shall be entitled to recover from any person responsible for that vehicle such charges in respect of the removal and any subsequent storage and disposal of the vehicle.

**Penalty Charge**

11. If a vehicle is left in an electric vehicle parking place otherwise than in accordance with the provisions of this order a penalty charge shall be payable.

**Exemptions for Vehicles waiting in an On-Street Electric Vehicle Parking Place**

12. Notwithstanding the restriction imposed by Article 4 of this Order, any person may cause a vehicle to wait at any time anywhere in an Electric Vehicle Parking Place if: -

(a) the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his/her control or such waiting being necessary in order to avoid an accident;

(b) the vehicle is a vehicle used for fire brigade purposes or an ambulance or a vehicle in the service of the local authority or a vehicle in the service of a police force provided that the vehicle is being used in pursuance of statutory powers or duties;

(c) the vehicle is waiting only for so long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic;

(d) the vehicle is waiting only for so long as may be reasonably necessary to enable

it to be used: -

(i) for the purpose of facilitating the movement of traffic or promoting its safety;

(ii) for the purpose of any road works, building operations, demolition or excavation for the construction, maintenance, repair or removal of any sewer or of any main, pipe, cable or apparatus for the supply of gas, water or electricity or for any telecommunication apparatus, traffic sign within or adjacent to the electric vehicle parking place.

Given by Aberdeen City Council on this xxxxxxxxx

……………………………………………..

 Roads Infrastructure Manager

……………………………………………..
Witness

**Schedule**

Stanley Street

North side, from a point 19.5 metres west of its junction with Albyn Grove, westwards for a distance of 6 metres or thereby.

……………………………………………..

 Roads Infrastructure Manager

……………………………………………..
Witness