

WEXFORD COUNTY COUNCIL (ENNISCORTHY MUNICIPAL DISTRICT)

TRAFFIC AND CAR PARKING BYE-LAWS, 2018
ARRANGEMENT OF BYE-LAWS

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**Wexford County Council (Enniscorthy Municipal District) Traffic and Car
Parking Bye-Laws, 2018.**

Long Title: - Wexford County Council and the Chairman and Members of Enniscorthy Municipal District in exercise of the powers vested in them by Section 101 of the Road Traffic Act 1961, as amended by Section 6 of the Road Traffic Act 1968 and Section 36 of the Road Traffic Act 1994, and as a Municipal District Function as outlined in Schedule 3 Part 1 of the Local Government reform Act 2014 hereby make the following Bye-Laws.

**PART 1
Preliminary**

- Short Title: 1.** These Bye-Laws may be cited as the Wexford County Council (Enniscorthy Municipal District) Traffic and Car Parking Bye-Laws, 2018.
- Commencement: 2.** These Bye-Laws shall come into operation on 2nd of July 2018.
- Area of Application: 3.** These Bye-Laws apply to the administrative area of Enniscorthy Municipal District, in the County of Wexford.
- Revocations: 4.** Enniscorthy Town Council Bye Laws 2005 (amended 2010) and all previous Traffic and Parking Bye-Laws are hereby revoked.
- Interpretation: 5.** In these Bye-Laws:
- “the Regulations of 1997 - 2012” means the Road Traffic (Traffic and Parking) Regulations 1997 to 2012,
- “the Signs Regulations of 1997 - 2012” means the Road Traffic (Signs) Regulations, 1997 to 2012.
- “agent of Wexford County Council” means any person employed by Wexford County Council or any other person authorised by Wexford County Council to carry out functions under these bye-laws,
- “authorised person” has the meaning assigned to it by Section 103 (8) (inserted by the Road Traffic Act 1968) (No 25 of 1968) of the Road Traffic Act 1961,

“barrier” means a mechanically operated arm situated at the entrance to or the exit from a car park.

“bus parking bay” means a place designated by Wexford County Council for the parking of buses and coaches, with a seating capacity in excess of 8 passengers, for the purpose of the set down and pick up of passengers only and as specified in the schedules to these Bye Laws.

“business hours” means the period from 8.30 a.m. to 6.30 p.m. (8.30 to 18.30 hours) from Monday to Saturday inclusive, on a day which is not a holiday.

“car park” includes each of the car parks as listed in the attached schedules.

“car park supervisor” means any person employed by Wexford County Council or its Agents having duties relating to the operation, management and control of car parks.

“Clearway” means part of a roadway at a start of which traffic sign No. RUS 010 (clearway accompanied by an information plate is provided and at the end of which traffic sign No. RUS 010 (clearway accompanied by an information plate containing the words “End” is provided

“coin unit” means a machine capable of accepting coins to operate a barrier and to receive payment.

“disabled persons parking permit” means a Parking Permit for a person with a disability and issued by Disabled Drivers Association or the Irish Wheelchair Association.

“Electric Parking Bay” means a place which is designated as an area solely for the purpose of charging Electric Vehicles.

“goods vehicle” means a vehicle used exclusively for the carriage of goods or burden in the course of trade or business and taxed as a goods vehicle,

“holiday” means Good Friday or any day that is a public holiday for the purposes of the Holidays (Employees) Act 1973 (No. 25 of 1973),

“information plate” means a plate accompanying a traffic sign, which indicates the period during which the restrictions or prohibition indicated by such traffic sign applies,

“loading bay” means a place on a public road/car park, which is designated a loading bay and is marked whether by on-street markings or appropriate signage, as a loading bay. This can be used only by goods vehicles to load or unload goods.

“long stay parking area” means a place on a public road / car park which is designated a long stay parking area and is marked whether by on street markings or appropriate signage as a long stay parking area and where a single daily charge applies for parking as determined by Wexford County Council.

“pay by phone” means payment of parking charge by means of a phone call, SMS text, mobile phone app or via some other means

“pay by phone operator” means an operator authorised by Wexford County Council to take payment for a parking fee, by means of phone call, SMS text, mobile phone App or via some other means

“pay & display area” means an area on a public road /car park where traffic sign No. RUS 018 authorised by the Signs Regulations of 1997 – 2012 together with supplementary information plate P053 or P051 indicates that parking of vehicles is permitted subject to the exhibition of a parking ticket.

“pay parking place” means a place on a public road / car park where the parking of vehicles is subject to the exhibition of a prepaid parking ticket.

“pay parking zone” means the street or streets or car park indicated on a resident’s parking permit.

“parking fee” means a fee payable in accordance with these bye-laws for the parking of a vehicle,

“parking place” means a place on a public road or car park intended for the parking of vehicles and so indicated by ground or other markings or signs.

“Parking Permit” means a permit issued by Wexford County Council that negates the need for a vehicle to display of a valid parking ticket.

“public road” means a road over which a public right of way exists and the responsibility for the maintenance of which lies with a road authority.

“set down area” means a place which is designated as an area solely for the set down of passengers from a vehicle and as indicated by appropriate markings and information signage.

PART II

Pay & Display

Definitions:

6. In this Part:-

“parking ticket” means a ticket issued by Wexford County Council by means of a parking ticket issuing machine, which indicates the date of issue of the ticket and time at which it ceases to be valid.

a) “valid parking ticket” means a parking ticket, which has been issued by Wexford County Council by means of the parking ticket machine, which clearly indicates the minute of the hour of commencement of parking of the vehicle and the time at which the parking period expires in which the ticket is exhibited in accordance with these Bye-Laws.

b) A valid parking ticket indicates no other year, month, date or minute and, indicates that the vehicle is so parked for a period not exceeding the period for which it may be parked in a pay parking place in accordance with these Bye-Laws.

Obligation to display valid parking ticket:

7. a) (i) Where a vehicle is parked in a pay parking place on a day and during a period, which is indicated on information plate No. P053 of the Signs Regulations, 1997 - 2012:-

- ii) A valid parking ticket shall be so exhibited in the interior of the vehicle that a person outside the vehicle can ascertain by reference to the ticket when the parking period ceased to be valid, and
 - iii) the valid parking ticket shall be exhibited in accordance with paragraph (b) of this bye-law for so long as the vehicle is parked in that pay parking place.
- b) (i) Where a vehicle other than a motor cycle is parked in a pay parking place during business hours, a parking ticket issued in respect of the vehicle shall be so exhibited in the interior of the vehicle so that a person outside the vehicle may ascertain by reference to the parking ticket when the parking ticket ceased to be valid.
- (ii) This bye-law shall not apply to the parking of a vehicle in a pay parking place if there is a valid residents parking permit displayed.
- (iii) Where a vehicle being parked in a pay parking place, on a day and during a period which is indicated on an authorised information plate No. P053 of the Signs Regulations, 1997 – 2012, is a goods vehicle parked while goods are being actively loaded in or on to it or unloaded from it, Section (a) of this bye-law shall not apply until the expiration of 30 minutes after the commencement of parking.
- (iv) Where a vehicle which had been parked in a pay parking place in accordance with bye-law 7 of these bye-laws and is subsequently lawfully parked in another pay parking place on the same day, within the said maximum parking period, it shall not be necessary, subject to compliance with Section (a) of this Bye-Law to purchase another parking ticket.

**Period of
Parking in a**

Parking Place

8. (a) The period of parking in a Pay & Display parking place is as is indicated on an authorised information plate No. P053 or P051 of the Signs Regulations, 1997 – 2012

- (b) The period of parking in a pay and display long stay parking place is indicated on an authorised information plate No. P053 or P051 of the Signs Regulations, 1997 – 2012.

Interference with Parking Ticket.

9. Where a vehicle is parked in a pay parking place on a day and during a period which is indicated on an authorised information plate a person shall not interfere with a parking ticket exhibited on the vehicle.

Removal of vehicle from a pay parking place.

10. A vehicle parked in a pay parking place, at a time which is not on a day and during a period which is indicated on an authorised information plate, shall be removed from the pay parking place when the period indicated on the authorised information plate commences, unless at such commencement and during the remainder of the period of parking, a valid parking ticket is exhibited in the interior of the vehicle in accordance with Bye-Law 7 of these Bye-Laws and Bye-Law 7 of these bye-laws shall apply from such commencement in respect of such parking.

Prohibition on certain parking inside an hour of leaving pay parking place.

11. A vehicle which had been parked in a pay parking place for the maximum parking period for that parking place as indicated by means of an authorised information plate shall not be parked again in a pay parking place in the public road in which that pay parking place is situated until at least one hour has elapsed since the expiry of its earlier pay parking period.

Conditions for parking in pay parking places.

12. A vehicle which is parked, in a pay parking place on a day and during a period which is indicated on an authorised information plate shall, where parking bays are provided at that parking place, be parked within the area comprising a pay parking bay.

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| Issue of parking tickets | 13. In the case of the Pay & Display System pertaining to areas as listed in attached schedules, parking tickets shall be issued by the parking ticket machine provided. A long stay parking ticket cannot be used in a short stay parking area. |
| Fee for parking ticket | 14. (a) The fee for parking ticket in a pay and display parking place shall be fixed by resolution of Enniscorthy Municipal District and outlined in the Wexford County Council Schedule of Charges.
(b) The fee for parking ticket in a long stay parking area shall be fixed by resolution of Enniscorthy Municipal District and outlined in the Wexford County Council Schedule of Charges. |

PART III

Parking Permit for Residents

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| Definitions for Part III. | 15. In this part:-

“owner” means a resident to whom a vehicle is registered and by whom the vehicle is habitually kept and used;

“resident” means a person who satisfies Wexford County Council that his/her normal dwelling place is at premises situated in a street containing a pay parking place;

“resident’s parking permit” means a document issued by Wexford County Council or its agents for the purposes of bye-laws 17 to 25 and containing the particulars specified in bye-law 17;

“valid resident’s parking permit” means a residents parking permit which relates to a particular pay parking zone or residents only zone and to a period which has not expired and which is issued by Wexford County Council or its agents. |
| Non-application of bye-laws 7 to 12 of these Bye Laws | 16. Bye-Laws 7 to 12 (other than Bye-Law 11) of these bye-laws shall not apply to the parking of a vehicle in a pay parking place if there is displayed, in accordance with Bye-Law 19 of these Bye-Laws, in the vehicle when it is so parked, a valid residents parking permit which relates to the street in which that parking place is situated. |

Particulars of Residents Parking Permit.	17.	A residents parking permit shall contain the following particulars:- a) the name of the local authority by whom it was issued ie. Wexford County Council. b) the registration number of the vehicle in respect of which it is issued, c) the date of issue, d) the pay parking zone(s)/residents only parking zone(s) to which it relates, e) the date to which it is valid f) The signature of an Employee of Wexford County Council.
Permission to park vehicle displaying Residents Parking Permit.	18.	The display, in accordance with Bye-Law 19, of a valid residents parking permit on the vehicle in respect of which the permit was issued, shall permit the owner of the vehicle (or any person using it with his/her consent) to park it without limitation as to time in a parking place in a street in the pay parking zone to which the permit relates.
Display of Residents Parking Permit.	19.	A valid residents parking permit shall be so displayed in the interior of the vehicle in respect of which it is issued that it can be read from outside the vehicle.
Interference with Residents Parking Permit.	20.	Where a vehicle displaying a resident's parking permit is parked in a parking place, a person shall not interfere with the permit.
Issue of Residents Parking Permit.	21.	1) A residents parking permit may be issued by Wexford County Council or its agents in respect of the parking of a vehicle in a pay parking place. 2) A residents parking permit may be issued by Wexford County Council or its agents in respect of the vehicle of which the resident is the registered owner and shall be valid for a period of one year commencing on the 1st of January in the year of Issue in respect of that vehicle and for the pay parking zone(s) to which the permit relates.

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| Issue of replacement Residents Parking Permit. | 22. | Where Wexford County Council are satisfied that a valid residents parking permit has been lost, destroyed or stolen, it or its agents shall issue a replacement to the owner on payment of a fee of €10.00 and such replacement permit shall be substituted for the original permit and the original permit shall be void. |
| Return of Residents Parking Permit. | 23. | Where, during the period to which a residents parking permit relates, the holder ceases to reside at the address notified at the time of issue of the permit or ceases to be an owner by disposing of the vehicle to which the permit relates, he/she shall return the resident's parking permit to the County Council or its agents. |
| Transfer of Residents Parking Permit. | 24. | If the holder of a residents parking permit for a vehicle replaces that vehicle with another, he/she shall be entitled, following the surrender of the original permit, to receive a residents parking permit in respect of the new vehicle which shall be valid for the period specified on the original permit. The fee for such replacement permit shall be €10.00. |
| Display of a void Resident's Parking Permit. | 25. | It shall be an offence to display a void resident parking permit. |

PART IV

Pay Parking - Non Pay & Display Areas.

Definitions:

- 26.** In this Part:-
- “a non pay and display parking area” is a car park (not being part of a public road) provided by Wexford County Council and in which entry and exit is controlled by means of a barrier system as specified in the Schedules to these Bye Laws.
- “coin unit” means a machine capable of accepting coins to operate a barrier and to receive payment.

Payment for Parking:

- 27.** Where a vehicle is parked in a non pay and display parking area, the appropriate fee for parking shall be paid on exit at the coin unit or payment machine at such location.

- Period of Parking in a Non Pay & Display Parking Area:** 28. The period for parking in a non pay and display parking area shall operate for 24 hours over 7 days/week or as prescribed at any particular area as indicated on the Information Signage at that location.
- Fee for Parking:** 29. The fee for parking in a non pay and display car parking area shall be as fixed by resolution of Enniscorthy Municipal District and outlined in the Wexford County Council Schedule of Charges.

PART V

Conditions relating to the parking of vehicles and use of car parks

- Use of Car Parks** 30. No person shall use the car park for any purpose other than for the parking of a mechanically propelled vehicle without the prior agreement of Wexford County Council.
- Danger/Obstructions in Car Parks:** 31. No person shall park or cause to be parked in a car park a vehicle in such a position or in such condition or in such circumstances that it would be likely to cause danger to other persons using the car park or to obstruct the entrance to or exit from the car park or to obstruct the free flow of traffic within the car park.
- Damage in Car Parks:** 32. A person shall not damage, deface or otherwise interfere with a barrier, coin unit or pay parking machine within a car park.
- Limit of Parking Area:** 33. A person shall not park or cause to be parked in a car park a vehicle in such a position that it or any portion of it extends from one parking bay to another.
- Repairs to Vehicles:** 34. A person shall not overhaul or carry out repairs to a vehicle while it is parked in a car park save where it is necessary in order to enable the vehicle to be removed from the car park.
- Sale of Goods:** 35. A vehicle while parked in a car park shall not be used for the sale of goods in or from the vehicle or as an office, nor shall any such vehicle be offered or displayed for sale or for hire or as a prize.

- Noise Limits:** 36. A person shall not make any unnecessary noise by means of or in relation to a vehicle while it is parked in a car park or by means of any equipment, fitting or instruments fitted to or carried on the vehicle or any loudspeaker or radio in or on or in any way connected to the vehicle.
- Deposition of Materials:** 37. A person shall not throw, place, or leave any bottle or any broken glass, nail, litter or other substance on or in a car park.
- Prohibition on Recreational activities:** 38. No person shall at any time without the consent in writing of Wexford County Council play ball or any game in a car park.
- Directions of Car Park Supervisor/ Garda Siochana:** 39. a) Every person using a car park shall comply with the lawful directions given by a Car Parks Supervisor or Member of the Garda Siochana in relation to parking of a vehicle in or its removal from a car park or in relation to any of these Bye-Laws.
- b) A person shall give on demand to a Car Park Supervisor or a member of the Garda Siochana his name and address and a person shall not in any car park resist, obstruct or aid or incite any person to resist or obstruct any Car Parks Supervisor or other person in the execution of his duty or lawful exercise of his authority.
- c) Any person may be requested by a Car Parks Supervisor or a member of the Garda Siochana to quit or leave a car park and shall forthwith comply with such request.
- Interference with Car Park Supervisor:** 40. A person shall not in any car park wilfully obstruct, disturb interrupt or annoy a Car Parks Supervisor in the execution of his/her duty including the execution of any work in connection with laying out or maintenance of any part of a car park by Wexford County Council staff and agents.
- Identity of Car Park Supervisor:** 41. A Car Parks Supervisor shall produce, if required to do so, evidence of his/her identity and employment by Wexford County Council to any person alleged by him/her to be in breach of these Bye-Laws.

PART VI
Parking Permit for Carers

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| Non-Application of certain parts of these Bye-Laws to Carers Permit. | 42. | Bye-Laws 7 to 12 of these Bye-Laws (other than Bye-Law 11) shall not apply to the parking of a vehicle in a pay parking place if there is displayed, in the vehicle, in accordance with Bye-Law 44 of these Bye-Laws, when it is so parked, a valid Carers Parking permit which relates to the street in which that pay parking place is situated. |
| Qualifying criteria for a Carers | 43. | <p>(1) A Carers parking permit may be issued by Wexford County Council for use by a Carer of a resident whose normal is in the pay parking place and who is living alone and requires on-going daily care for a chronic illness.</p> <p>(2) A Carers parking permit shall be issued annually to a qualified resident, subject to the submission of proof of residency and written confirmation from the resident's doctor that the resident requires ongoing daily care for a chronic illness.</p> |
| Particulars of a Carers Parking Permit. | 44. | <p>A Carers Parking Permit shall contain the following particulars:</p> <p>(1) The name of the Local Authority by whom it is issued, ie, Wexford County Council, and</p> <p>(2) The street or streets to which it relates, and</p> <p>(3) The date of expiry, and</p> <p>(4) Signature of Authorised Officer.</p> |
| Permission to park a vehicle displaying a Carers Parking Permit. | 45. | The display in accordance with Bye-Law 46 of these Bye-Laws of a valid Carers Parking Permit in a vehicle being parked in a pay parking place, during the course of the provision of care to a resident to whom the Carers Parking Permit was granted, shall permit a Carer to park his or her vehicle for a period not exceeding three hours at a time in a pay parking place on a street to which the permit relates. |

- Display of a valid Carers Parking Permit.** 46. A valid Carers Parking Permit shall be displayed in the interior of the vehicle in respect of which it is issued, in such a manner that the particulars specified thereon can be easily read from outside the vehicle.
- Issue of a Carers Parking Permit.** 47. (1) A Carers Parking Permit shall be issued by Wexford County Council in respect of the parking of a vehicle in a pay parking place in the functional area of said body.
- (2) A Carers Parking Permit shall be issued by Wexford County Council to a resident who requires care in accordance with Bye-Law 43 and who resides at a premises situated within a pay parking place. The Carers Parking Permit shall be issued in respect of the street in which the normal place of residence of the person requiring care is situated and one other adjacent street, as the case may be. A Carers Parking Permit shall be valid for a period of one year commencing on the 1st January in the year of issue
- (3) A Carers Parking Permit shall be issued by Wexford County Council in respect of a privately taxed motor car
- Interference with a Carers Parking Permit.** 48. Where a vehicle is parked in a pay parking place, a person shall not interfere with a Carers Parking Permit exhibited in the vehicle.
- Return and transfer of a Carers Parking Permit.** 49. Where during the period to which a Carers Parking Permit relates, the resident to whom it is issued ceases to reside at the address specified, he or she shall forthwith return the disc to Wexford County Council
- Offences** 50. (1) It shall be an offence for a resident :-
- (a) To sell a Carers Parking Permit to any person or,
- (b) To sell or otherwise dispose of a Carers Parking Permit to a person other than a Carer.
- (2) It shall be an offence to display an invalid Carers Parking Permit.

PART VII
Miscellaneous

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| Non-application
Bye-Laws 7 to 12
of these Bye Laws
to certain vehicles. | 51. | Bye-Laws 7 to 12 of these bye-laws shall not apply to: <ul style="list-style-type: none">a) a vehicle being used in connection with the removal of an obstruction to traffic, the maintenance, improvement or reconstruction of a public road, the apparatus for the supply of gas, oil, water or electricity or of a telegraph or telephone line or the provision of a traffic sign.b) a fire brigade vehicle, an ambulance or a vehicle being used by a member of the Garda Síochána, Wexford County Council or the Defence Forces in the performance of their duties.c) a vehicle in which a valid disabled persons parking permit is displayed and which is parked for the convenience of the person to whom that permit was granted if the permit is prominently displayed on the vehicle when the vehicle is parked in a pay parking place on a day and during a period which is indicated on an authorised information plate. |
| Disabled Persons | 52. | A vehicle shall not be stopped or parked in a bay designated as a disabled persons parking bay except a vehicle in which is displayed a valid disabled persons parking permit and which is parked for the convenience of the person to whom the permit was issued. |
| Loading Bays | 53. | A vehicle, other than a goods vehicle, must not be parked in a loading bay, and <ul style="list-style-type: none">(a) A goods vehicle shall not be parked in a loading bay except for the purpose of being actively involved in loading or unloading goods, and(a) A goods vehicle shall not be parked in a loading bay for a period exceeding 30 minutes. |
| Clearways | 54. | A vehicle may not be stopped or parked in a clearway during the period indicated on the information plate. |

Bus Parking Bays 55. (a) A “bus parking bay” means a place designated by Wexford County Council for the parking of buses or coaches, with a seating capacity in excess of 8 passengers, for the purpose of set down and pick up only and as specified in the Schedules to these Bye Laws.

(b) A vehicle other than a vehicle described in (a) above shall not be parked in a bus parking bay.

Set Down Areas 56. It shall be an offence for any vehicle to park in a place designated as an area for the set down of passengers and as indicated by appropriate markings and accompanying Information Sign.

Parking Permit 57. Wexford County Council may issue a permit known as a Parking Permit to facilitate the parking of vehicles in pay and display areas.

(a) The display on a vehicle of a Parking Permit shall obviate the requirement for that vehicle to have displayed thereon a valid Parking Permit.

(b) The Issue of a parking Permit shall be subject to such conditions (including fees) as may be fixed by Resolution of Enniscorthy Municipal District and outlined in the Wexford County Council schedule of Charges.

**Electric Vehicle
Charge bays**

58. A vehicle, other than an Electric vehicle, must not be parked in an Electric Vehicle Charge bay at any time, and

(a) An Electric vehicle shall not be parked in a Electric Vehicle Charge bay except for the purposes of charging the vehicle, and

(b) An Electric vehicle shall not be parked in an Electric Charging bay for a period exceeding 3 hours.

(c) A plug in Hybrid vehicle shall not be parked in an electric Charging Bay for a period exceeding 1 Hour.

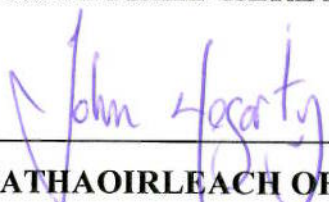
**Pay by Phone
Parking**

- 59.** Where a Vehicle is parked in a pay parking place during operational hours and a valid pay by phone ticket has been purchased for that vehicle for that location, Bye Laws 7, 9 & 13 shall not apply.
- a) A Pay by Phone ticket shall be purchased from a pay by phone operator.
 - b) The fee for the pay by phone ticket shall be payable by following the relevant instructions of the pay by phone operator.
 - c) The valid pay by phone parking ticket shall be purchased immediately on parking provided that, where a vehicle is parked at a time not during operational hours, the valid pay by phone parking ticket shall be purchased at the commencement of operational hours.
 - d) A person may, by purchasing an additional pay by phone ticket, park for an additional period, in the same pay parking place, provided the period for the additional pay by phone ticket so purchased, in addition to the period for the original pay by phone ticket purchased for the same pay parking place, does not exceed the maximum period permitted as indicated on the appropriate pay and display ticket parking machine or on the information plate.
 - e) The fee for a pay by phone parking ticket shall be fixed by resolution of Enniscorthy Municipal District and outlined in the Wexford County Council Schedule of Charges

**ADOPTED BY THE ELECTED MEMBERS OF ENNISCORTHY MUNICIPAL
DISTRICT COUNCIL ON THE 21ST MAY 2018.**

**MADE UNDER THE COMMON SEAL OF WEXFORD COUNTY COUNCIL
THIS 11th DAY OF JUNE 2018.**

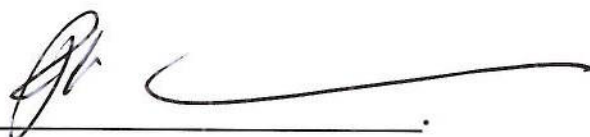
**PRESENT WHEN THE SEAL OF WEXFORD COUNTY COUNCIL
WAS AFFIXED HERETO: -**



CATHAOIRLEACH OF WEXFORD COUNTY COUNCIL.



CHIEF EXECUTIVE



COUNTY SECRETARY

