

COMHAIRLE CHONTAE MHAIGH EO

MAYO COUNTY COUNCIL

**PART 19 LOCAL GOVERNMENT ACT 2001
LOCAL GOVERNMENT ACT 2001 (BYE-LAWS)
REGULATIONS 2006**

**BYE-LAWS FOR MANAGEMENT OF CAR PARK AT
MURRISK, WESTPORT, CO. MAYO**

Notice is hereby given that Mayo County Council have made Bye-Laws in relation to the management of the Car Park provided by the Council at Murrisk, Westport, Co. Mayo.

The Bye-Laws shall come into force on 1st July, 2007.

A copy of the Bye-Laws are available for public inspection free of charge during normal Office hours at the Westport Civic Offices, Altamont Street, Westport, Co. Mayo.

A copy of the Bye-Laws will be given to any person applying for same on payment of the sum of €1.00.

**Martin Keating
Senior Executive Officer
Westport Civic Offices
Altamont Street
WESTPORT**

20TH JUNE, 2007.

COMHAIRLE CHONTAE MHAIGH EO

MAYO COUNTY COUNCIL

**BYE-LAWS FOR MANAGEMENT OF THE CAR PARK AT
MURRISK, WESTPORT IN THE ADMINISTRATIVE AREA OF
MAYO COUNTY COUNCIL**

The Council of the County of Mayo in pursuance of the powers conferred on it under the Local Government Act, 2001, Part 19 of the Local Government Act 2001 (Bye-Laws) Regulations 2006 and in the interests of the common good hereby makes the following Bye-Laws for the management of the Car Park at Murrisk, Westport in the County of Mayo:-

1. Title

These Bye-Laws shall be cited as the Mayo County Council Management of the Car Park at Murrisk, Westport, Co. Mayo Bye-Laws 2006.

2. These Bye-Laws shall apply to the Car Park located at Murrisk, Westport, Co. Mayo as outlined in map attached to these Bye-Laws.

3. Commencement

These Bye-Laws shall come into operation on the 1st day of July 2007.

4. Interpretation

Throughout the Bye-Laws, unless the context otherwise requires, the following words and expressions have the meaning hereafter respectively assigned to them, that is to say:

- a) "Authorised Person" means any employee of the Council or any person designated by the Council for the purposes of these Bye-Laws.
 - b) "Car Park" means the area of ground outlined in red on the Map attached to these Bye-Laws.
 - c) "Consent of the Council" means the permission in writing of an Authorised Person.
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- d) "Council" means the Council of the County of Mayo .
 - e) "Nuisance" means unreasonable interference with or disturbance or annoyance to a person in the exercise of his/her rights.
 - f) "Permit" has the same meaning as "Consent of the Council" at (c) above.
5. A person shall comply with any and all directions given to him/her by an Authorised Person.

6. Prohibited Acts

A person shall not in the Car Park:

- a) Cause a nuisance or engage in behaviour or activity likely to cause a nuisance;
- b) Obstruct, hinder or interfere with an Authorised Person in implementing the provisions of these Bye-Laws;
- c) Interfere with, disturb or damage any Vegetation or any Equipment, Structure, Facility, Information Plate, Board, Sign, or anything provided there by the Council or any Authorised Person or Body;
- d) Wilfully or carelessly manage, place or leave any Vehicle (mechanically propelled or otherwise) so as to cause obstruction, injury, danger, annoyance or inconvenience to any person or damage to any property.
- e) Save with the prior consent in writing of the Council or any other Statutory Body authorised to permit such activities :-
 - i. Sell, hire, expose, offer for sale any Vehicle, Boat Conveyance, Chair, Article, Animal, Commodity or Thing whatsoever;
 - ii. Exhibit any Advertising Board, Placard, Wares, Merchandise, or for gain, play a Musical Instrument or sing;
 - iii. Organise, stage or hold any Public, Sporting or Commercial Event.

7. Damage

A person shall not in the Car Park:

- a) light an open fire (other than in a contained unit, such as a Barbecue) or do anything which may cause damage by fire
- b) paint, write, cut, carve or in any manner inscribe letters, figures or marks upon any Rock, Wall or Structure
- c) deposit any rubbish or any item of Litter as defined in the Litter Pollution Act, 1997 as amended
- d) interfere with or damage any Hut, Cabin, Litter Receptacle, Sign or Flagpole, Flag or Information Board, Wall, Railing or Fence or any other thing placed in the Car Park by Mayo County Council

8. Caravans, Camps, temporary or Mobile Structures

No person shall place or keep any Caravan, Dormobile, Tent or other temporary Dwelling on any part of the Car Park without the consent of the Council and subject to the terms and conditions of such permission.

9. Filming and Photography

No person shall make any Movie or Film or carry out Photographic Shoots on a commercial basis in the Car Park, except with the consent of the Council and subject to the terms and conditions of such consent

10 Refusal of Permission

The Council may refuse to grant permission for any of the purposes mentioned in these Bye-Laws if, having regard to the character of the Applicant, the number of persons already holding Permits of the class applied for, and the general comfort and convenience of visitors to the Car Park, they consider that a Permit should not be granted.

11. Permits

- (11.1) The Council may at its sole discretion grant a Permit, subject to such conditions as the Council shall deem appropriate, for the use of part or parts of the Car Park for:

- i. the purpose for placing thereon for sale or hire any object including any Booth, Stand, Stall, Vehicle, Boat, Animal or equipment;
- ii. the organising, staging or holding of a Public, Sporting or Commercial Event;

(11.2) The Council may, by notice in writing, revoke, alter, amend or limit the terms and conditions of such a Permit.

(11.3) A Permit granted by the Council shall not relieve from personal responsibility or liability any person(s) to whom such permission was granted in respect of any criminal, unlawful, illegal or negligent act or omission for which such person(s) may at any time be sued or charged.

(11.4) A Permit granted by the Council shall in no way be deemed to implicate or involve the Council, its Officers or Employees in any liability or responsibility in respect of any criminal, unlawful, illegal, wrongful or negligent act or omission done by any person(s) to whom such permission was granted or by their Servants or Agents.

(11.5) A person who applies to the Council for a Permit shall furnish to the Council the information requested in the Application Form together with such other information as the Council may request for the purpose of the exercise of its powers and functions under these Bye-Laws.

(11.6) On the granting of a Permit the applicant shall pay a Permit Fee of €1,500 per annum for an area not exceeding twelve square metres.

(11.7) The Council reserves the right to refuse any Application.

(11.8) The Council may, at its absolute discretion, grant a permit for periods shorter than one year and may accept a reduced Permit fee for the use of the Car Park by a Voluntary or Community Organisation.

12. Authorised Persons/Offences

It shall be lawful for any Authorised Person or member of the Garda Siochána to enforce these Bye-Laws and to take any other such action as may be deemed necessary in the enforcement of these Bye-Laws.

- (12.1) An authorised person may request any person who appears to be contravening a provision of these Bye-Laws to refrain from such activity.
- (12.2) Where a member of the Garda Síochána is of the opinion that a person is committing or has committed an offence to which these Bye-Laws relate, that member of the Garda Síochána may arrest the person without warrant.
- (12.3) A person who obstructs or impedes or refuses to comply with the request of an Authorised Person or member of the Garda Síochána acting in the exercise of his/her functions under these Bye-Laws shall be guilty of an offence.
- (12.4) Where an authorised person is of the opinion that a person is committing or has committed an offence to which these Bye-Laws relate, the authorised person may demand the name and address of such person, and if that demand is refused or the person gives a name or address which is faulty or misleading, that person shall be guilty of an offence. If requested to do so, an Authorised Person under these Bye-Laws shall produce photo ID evidence of his/her appointment as an Authorised Person for the purpose of the Bye-Laws.
- (12.5) An Authorised Person may issue on-the-spot-fines of €75.00 for breach of the Bye-Laws or for breach of any condition(s) of a Permit issued under these bye-laws.
- (12.6) An offence under these Bye-Laws may be prosecuted by the Council or by An Garda Síochána
- (12.7) Any person who contravenes a provision of these Bye-Laws or of any Permit or condition or conditions of any Permit granted under these Bye-Laws shall be guilty of an offence and shall be liable to an on-the-spot fine of €75.00 for a simple breach of the Bye-Laws, or to a fine not exceeding euro €1,500.00 on summary conviction.
- (12.8) If the contravention of a provision of these Bye-Laws is continued after conviction, the person causing the contravention shall be guilty of a further offence and shall be liable on summary conviction to a fine not exceeding €75.00 per day.

FIRST SCHEDULE

Local Government Act 2001

Part 19 of the Local Government Act 2001 (Bye-Laws) Regulations 2006.

Fixed Payment Notice for the purposes of Section 206 of the Local Government Act 2001 as amended

Name of Local Authority: **Mayo County Council**

Name: _____

Address: _____

It is alleged that you contravened the provisions of bye-law number: _____

_____ Of the above Bye-Laws made under the Local Government Act, 2001 and Part 19 of the Local Government Act 2001 (Bye-Laws) Regulations 2006, entitled Bye-Laws for the Management of the Car Park at Murrisk, Westport, Co. Mayo _____

At _____

On the _____ day of _____, 20__.

During the period of twenty-one days beginning on the date of this Notice you may pay the sum of €75.00 accompanied by this Notice at the Offices of Mayo County Council located at Aras an Chontae, The Mall, Castlebar, County Mayo.

A prosecution in respect of the alleged contravention will not be instituted during the said period and if the sum of €75.00 is paid during that period no prosecution will be instituted at any time.

Signed: _____ Date: _____

IMPORTANT: Payment will be accepted at the Offices of Mayo County Council, Aras an Chontae, The Mall, Castlebar, County Mayo and must be accompanied by this Notice. Payment may be made by post. Cheques etc. and should be made payable to Mayo County Council. A receipt will be given

You are entitled to disregard this Notice and defend the prosecution of the alleged contravention in Court.