

**COMHAIRLE CHONTAE SHLIGIGH**

**SLIGO COUNTY COUNCIL**

- SLIGO COUNTY COUNCIL -
- BEACH BYE-LAWS 2007 –

**BYE-LAWS GOVERNING THE BEACH AT STRANDHILL, CO. SLIGO.**

These Bye-Laws were made by Sligo County Council at the Council meeting on 5<sup>th</sup> March, 2007 and are set out hereunder. They shall come into force on the 5<sup>th</sup> April, 2007.

## **WHEREAS:-**

1. Under and by virtue of Part 19 of the Local Government Act 2001 Sligo County Council ("The Council") may:-
  - a) make a bye-law for or in relation to the use, operation, protection, regulation or management of any land, services, or any other matter provided by or under the control or management of the local authority, whether within or without its functional area or in relation to any connected matter
  - b) where in its opinion it is desirable in the interests of the common good of the local community that any activity or other matter should be regulated or controlled by bye-law or that any nuisance should be controlled or suppressed, by bye-law may make a bye-law for that purpose.

and may by virtue of Section 199 Subsection (6) make bye laws in respect of the Foreshore and of coastal waters adjoining its functional area.

2. The Council, the Sanitary Authority for the County of Sligo, is empowered by Section 41 of the Local Government (Sanitary Services) Act 1948 (the Act of 1948) to make bye-laws for the regulation of public bathing and for the regulation, so far as is necessary for preventing danger or annoyance to bathers, of the navigation of pleasure craft within or in the neighborhood of any area allotted for public bathing during the hours allowed for public bathing within their sanitary district or in coastal waters adjoining their sanitary district.

3. The Council is empowered by Section 17 of the Control of Dogs Act 1986 to make bye-laws relating to the control of dogs.

### **4. Control of Horses**

(a) The Council is empowered by Section 46 of the Control of Horses Act 1996 to make bye-laws for the control and welfare of horses in the whole or part of its functional area.

(b) By Section 47 of the said Act it may where it considers that in any place or area within its functional area, horses are causing or may cause a nuisance or danger to persons or damage to property, make bye-laws to prohibit a person from having, keeping, riding or driving a horse in that place or area at any time or at any such times as may be specified in the bye-laws.

(c) Under and by virtue of Section 13(5) of the said Act the Council may in making bye-laws under this Act, extend the area of operation of such bye-laws to

the foreshore or to such part of the foreshore as may be specified in the bye-laws.

5. The Council is empowered by Section 6 of the Maritime Safety Act, 2005 to make bye-laws for the regulation or control of the operation of craft or craft of a specified class in waters in its functional area.

In exercise of the forgoing powers Sligo County Council has by resolution dated the 5th day of March 2007 made these bye laws to be known as the

**SLIGO COUNTY COUNCIL (STRANDHILL) BEACH BYE-LAWS 2007.**

**2. INTERPRETATION**

In these Bye-Laws the following expressions shall have the meanings set forth after same respectively: -

- a) **“The Beach”**: the land (whether or not covered by water) situated at Strandhill in the County of Sligo shown on the Map attached to these Bye-Laws.
- b) **“The Sea”**; the sea for a distance of 200 metres from the beach.
- c) **“Wet Suit”**: a thermal protection suit covering as a minimum the torso of the wearer.
- d) **“Adequate personal buoyancy”**; a lifejacket or buoyancy aid.
- e) **“The 2001 Act”**: The Local Government Act, 2001.
- f) **“Warden”**: a person authorised in writing by the Council for the purposes of Section 204 of the Local Government Act 2001.
- g) **“Council”**: means the Council of the County of Sligo.
- h) **“Authorised Person”** means a person authorised in writing by the Council for the purposes of Section 204 of the Local Government Act 2001 or under the Control of Horses Act 1996 and the Control of Dogs Act 1986.

- i) **“Consent of the Council”**: means the permission in writing of an authorised person.
- j) **“Swimming”** includes floating, paddling, fishing, or otherwise being in the sea for leisure purposes.
- k) **“Mechanically Propelled Vehicle”**: has the meaning set out in the Road Traffic Acts.
- l) **“Emergency Services”**: The Gardai, Ambulance, Fire Services and R.N.L.I.
- m) **“Personal Watercraft”** and **“Recreational Craft”** shall have the meanings set out in Section 5 of the Maritime Safety Act 2005
- n) **“Non-mechanical sports equipment/craft”** means craft which are not mechanically powered and includes surf boards, sailing boats, rowing boats, sail boards, kite boards and canoes.
- o) **“Horse”**: includes donkey, mule and hinny.

### 3. PROHIBITED ACTS

**Save as provided below, no person shall enter the Sea from the Beach for the purposes of swimming.**

- (a) A person may enter the sea from the Beach if, and only if, such person:-
  - (i) Is doing so for the purpose of any of the sports of canoeing, windsurfing, kite surfing and surfing, and;
  - (ii) Is wearing a wet suit, and;
  - (iii) is competent in the sport of canoeing, windsurfing, kite surfing, surfing.

**OR**

is under the tuition or guidance of a person competent in the sport of canoeing, windsurfing, kite surfing, surfing and is wearing adequate personal buoyancy.

- (b) No person shall offer tuition in canoeing, windsurfing, kite surfing or surfing for reward from the beach or in the sea unless done in accordance with the standards issued from time to time by the Irish Surfing Association, or other body recognised to issue such standards by Sligo County Council.
- (c) Any person offering instruction shall produce the policy of insurance held by him and evidence of the qualification held by him within twenty four hours of a demand to that effect having been made on him by a Warden.
- (d) No person shall offer for hire any personal watercraft, recreational craft, non-mechanical sports equipment or craft for use at the beach except as part of a qualified lesson in that sport.
- (e) Any person proposing to organise or run or host any canoeing, windsurfing, kite surfing or surfing event on the Beach shall: -
  - (i) prepare a programme of events (with timetable and an emergency contingency plan);
  - (ii) forward copies of same at least fourteen days in advance to Sligo County Council and to the Irish Marine Emergency Service and Department of the Marine and Natural Resources;
  - (iii) comply with any instructions or directions which may from time to time be issued by a Warden, including an instruction or direction to leave the Beach or the Sea, whether or not such person would be in the category of persons referred to in Article 3 of the Bye-Laws.
- (f) No person shall: -
  - (i) remove, cause damage to, or otherwise interfere with any safety equipment or any sign providing advice or warnings to the public provided on or at the beach or at the car park;
  - (ii) park or place any vehicle or other object so as to obstruct access to the slipway or steps giving access to the beach.

#### **4. PERSONAL WATERCRAFT, RECREATIONAL CRAFT.**

- (i) No person shall operate any Personal Watercraft or Recreational Craft within 200 metres of the low water mark save for the purposes of rendering assistance in the event of an emergency.
- (ii) Recreational Craft or Personal Watercraft shall not be launched into the sea from the beach.
- (iii) Any person in charge of Personal Watercraft or Recreational Craft shall act in such a manner as not to cause injury, annoyance or danger to any person using a beach or canoeing, windsurfing, kite surfing or surfing in the sea or to disturb naturally occurring flora and fauna. Electrical suppression shall be included for all motors of such jet skis and fast power boats.
- (iv) Any person bringing a Personal Watercraft or Recreational Craft onto the beach area who contravenes these Bye-laws must remove it from the beach if so directed by an authorised person.
- (v) Operators of Personal Watercraft or Recreational Craft shall travel at such reduced speed as necessary in the vicinity of other water users so as not to cause them fear or anxiety.

Provided however that the temporary landing from the sea, in a manner which does not cause a conflict with other users of the beach, of any Recreational Craft, Personal Watercraft or Non-mechanical sports equipment/craft arising from an emergency or by reason of the failure of its power system or for the purposes only of making an adjustment thereto shall not constitute a breach of these bye laws.

**These bye-laws shall not apply to vessels kept by An Garda Siochana and wholly used by a member of An Garda Siochana in the execution of his/her duty.**

## 5. GENERAL

A person shall not:-

- a) Light any fire on the Beach or do anything which may cause damage by fire.
- b) Drive, propel or park or have any mechanical propelled vehicle on the Beach otherwise than in a manner designated by an Authorised Person or a member of the Gardai, provided however that this restriction does not apply to Emergency Services Personnel acting in the course of the functions of such service .
- c) Play or practice the game of golf.
- d) Remove or interfere with any safety equipment provided at the Beach or use it otherwise than for the purpose for which it is intended.
- e) Play music from any instrument or electronic equipment at such a level as to cause annoyance to others.
- f) Behave indecently or use obscene or profane language.
- g) Injure, disfigure, write graffiti on, mark or remove any structure, seat, chair, sculpture, sign, notice or notice board.
- h) Park or place any Mechanically Propelled Vehicle or other object so as to obstruct access to the beaches.
- i) Consume alcoholic beverages on the beaches between the hours 8.00 p.m. to 10.00 a.m.
- j) Place or keep any caravan, mobile-home or tent on any part of the beach otherwise than with the permission in writing an Authorised Person and subject to the terms and conditions of such permission.
- k) Make any movie or film on a commercial basis on any of the beaches except with the consent in writing of an Authorised Person and subject to the terms and conditions of such consent.

## **6. PUBLIC EVENTS**

No person shall organise or hold an event likely to attract substantial numbers of persons on the beach otherwise than with the consent in writing of an Authorised Person and subject to any conditions of such consent.

## **7. CONTROL OF DOGS**

A person in charge of a dog on the Beach shall keep such dog on a leash of fixed length of less than 2 metres and otherwise under adequate control from 10am each day, throughout the year. Before 10am dogs must be kept under effective control.

## **8. CONTROL OF HORSES**

The Council, in exercise of its powers under the Control of Horses 1996 and considering that horses are causing or may cause a nuisance or danger to persons or damage to property hereby extends the area of operation of these bye-laws to such part of the beach, as is foreshore and hereby provides as follows in respect of the beach;-

- (a) Persons in charge of a horse on a beach, shall ensure the following;-
- It is at all times under control,
  - It is not causing, danger or nuisance to any person using the beach.
  - It faeces are removed and deposited in a litter bin or a receptacle which may be designated for this purpose
  - It is not allowed on any part of this beach which comprises of sand dunes
  - Horse riding takes place below mean high water mark except for the purposes of obtaining access to or egress from the beach, provided always that such access to or egress from the beach does not involve a horse being in an area of the beach that comprises of sand dunes.

**This bye-law does not apply to horses used by the Emergency Services.**



## **9. ENFORCEMENT**

- a) By virtue of Section 205 of the Local Government Act 2001 a person who contravenes a provision of a bye-law shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding €1,904.60.
- b) A person alleged to have contravened any of these bye-laws may be served with a Notice pursuant to Section 206 of the Local Government Act 2001 specifying a fixed payment of €75.00 to be paid within 21 days of such service in respect of such contravention as an alternative to a prosecution for such contravention.

**MADE AND ADOPTED UNDER THE COMMON SEAL OF THE COUNTY  
COUNCIL OF SLIGO**

**THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2007**

\_\_\_\_\_  
**Cathaoirleach/Nominated Employee**

**SEAL**

\_\_\_\_\_  
**A/Director of Services**