

**COMHAIRLE CHONTAE
SHLIGIGH**

SLIGO COUNTY COUNCIL

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

**BYE-LAWS GOVERNING THE BEACHES AT ENNISCROME,
MULLAGHMORE, STREEDAGH, ROSSES POINT, DUNMORAN AND
AUGHRIS, CO. SLIGO**

These Bye-Laws were made by Sligo County Council at the Council meeting on 5th March, 2007 and are set out hereunder. They shall come into force on the 5th 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 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 (ENNISCRONE, MULLAGHMORE, STREEDAGH, ROSSES POINT, DUNMORAN & AUGRIS) BEACH BYE-LAWS 2007.

2. INTERPRETATION

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

- a) **“The Beaches”**: the land (whether or not covered by water) situated at ENNISCRONE, MULLAGHMORE, STREEDAGH, ROSSES POINT, AUGHRIS AND DUNMORAN in the County of Sligo shown on the Maps attached to these Bye-Laws.
- b) **“The Restricted Areas”**: the part of the Beaches contained within the blue lines shown on the maps attached to these bye laws as designated bathing areas. Restricted areas are in operation from May to September inclusive.
- c) **“Mechanically Propelled Vehicle”**: has the meaning set out in the Road Traffic Acts.
- d) **“Emergency Services”**: the Gardaí, Ambulance, Fire Services and R.N.L.I.
- e) **“Personal Watercraft” and “Recreational Craft”** shall have the meanings set out in Section 5 of the Maritime Safety Act 2005.
- f) **“Non-mechanical sports equipment/craft”** means craft which are not mechanically powered and includes sailing boats, rowing boats, sail boards, kite boards and canoes.
- g) **“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 or the Control of Dogs Act 1986.

3. PERSONAL WATERCRAFT, RECREATIONAL CRAFT AND SAIL CRAFT.

- (a)** For the purposes of Article 11 of the Third Schedule to the Act of 1948 the Beaches are hereby allotted for public bathing during all hours of daylight for the purposes of these bye-Laws.
 - (i)** In the case of the beaches at Streedagh, Aughris and Dunmorán Recreational Craft and Personal Watercraft are prohibited.
 - (ii)** In the case of the beaches at Mullaghmore, Rosses Point and Enniscrone no person shall place, keep, maintain or operate any Recreational Craft or Personal Watercraft on or over the Beaches or between the Beaches and markers laid in the sea adjacent thereto by the Council indicating a distance of approximately 200 metres from the low water mark, or, where no markers are in place, within 200 metres of the Beaches.
 - (iii)** Recreational Craft or Personal Watercraft shall not be launched into the sea from the Beaches.
 - (iv)** No person shall place keep, maintain or operate any Non-mechanical sports equipment/craft within the Restricted Areas from May to September inclusive.

Provided however that the temporary landing from the sea, in a manner which does not cause a conflict with swimmers and 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.

- (b)** No person shall offer tuition in 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.

4. 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 Beaches 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 noticeboard.
- h) Park or place any Mechanical 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 beaches otherwise than with the permission in writing of 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.

5. FISHING

No person shall fish within a Restricted Area.

6. PUBLIC EVENTS

No person shall organise or hold an event likely to attract substantial numbers of persons on any of the beaches 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 any of the Beaches 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 Act 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 beaches as are foreshore and hereby provides as follows in respect of the beaches:-

(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 annoyance, danger or nuisance to any person using the beach.
- Its 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 the 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.

(b) No person shall have, keep, or ride a horse or drive a horse-drawn carriage of any description within any part of a Restricted Area at any time during the months of May, June, July, August and September.

(c) Subject to the forgoing, Horses are permitted on a beach only during the months, days and times stipulated below: -

MONTHS: JANUARY – APRIL; OCTOBER - DECEMBER

- **Days:** Monday – Friday (inclusive)
- **Times:** Any time of the day.

- **Days:** Saturday, Sundays and Bank Holidays.
- **Times:** 9.00 p.m. to 10.00 a.m. (**i.e. after 9.00 p.m. in the evening and before 10.00 a.m. in the morning.**)

MONTHS: MAY - SEPTEMBER

- **Days:** Monday – Sunday (inclusive)
- **Times:** - 10.00 p.m. to 10.00 a.m. (i.e. after 10.00 p.m. in the evening and before 10.00 a.m. in the morning).

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