



PARKS BYE-LAWS 2003

***MADE PURSUANT TO THE
LOCAL GOVERNMENT ACT,
1994***

DUN LAOGHAIRE-RATHDOWN COUNTY COUNCIL
PARKS BYE-LAWS UNDER THE LOCAL GOVERNMENT ACT, 1994

1. Definitions:

- a. In these Bye-Laws the word Park refers to Blackrock Park, Blackrock; Beach Gardens, Dun Laoghaire; Cabinteely Park; Deerpark, Mount Merrion; Kilbogget Park, Ballybrack; Moran Park, Dun Laoghaire; Marlay Park, Rathfarnham; Shankill Park; the Peoples Park, Dun Laoghaire; Ballawley Park, Dundrum; Crosthwaite Park, Dun Laoghaire; Dillon's Park, Dalkey; Hyde Park, Dalkey; Killiney Hill Park; Loreto Park, Rathfarnham; Shanganagh Park, Shankill; Sorrento Park, Dalkey; St. Patrick's Park, Dunedin; Park between Leopardstown Avenue and Torquay Wood; Royal Terrace Park, Dun Laoghaire; Leopardstown Park, off Brewery Road/Leopardstown Oaks/Grove.
- b. "Council" means the Council of the County of Dun Laoghaire-Rathdown.
- c. "Employee of the Council" shall include every Superintendent, Supervising Official, Servant, or other person employed by and duly authorised by the Council to administer and enforce these bye-laws.
- d. "Waters" shall include rivers, estuaries, streams, lakes, ponds, both artificial and natural, reservoirs, canals etc.
- e. "Controlled drug" means any substance, product or preparation which is specified in the schedule to the Misuse of Drugs Act, 1977 or any amending act or regulations.

2. Opening and Closing:

- a. The park shall be open on such days and during such hours as may be fixed by the Council from time to time.
- b. The opening and closing hours will be subject to variation by the Council as circumstances require.
- c. A person shall not enter or exit any park otherwise than through the gateways or other openings provided for that purpose.
- d. No unauthorised person shall enter or remain in any part of the park, when it is closed.

3. Traffic:

- a. No person shall bring into the park, save with the permission of the Council, any bicycle, skateboard, roller-skates, roller blades or other vehicle except an invalid chair, carriage or a perambulator.
- b. No person shall cycle or use any skateboard, roller skates, roller blades, or other vehicle in the parks except on such routes and in such places as may be designated by the Council for this purpose, from time to time.
- c. No person shall leave any vehicle, bicycle or tricycle unattended in the park except in such places as may be set aside as standing or parking places.
- d. No person other than authorised officials and employees of the Council shall drive or allow to be driven or be a passenger in any mechanically propelled vehicle in the park save with the permission in writing of the Council and then only in such areas as may be designated by the Council.
- e. The speed limit for vehicles in the park shall be ten miles per hour.

4. Animals:

- a. No person shall turn out to graze in the park, or allow or suffer to stray or remain in the park, any cattle, sheep, horse, or other animal without the consent in writing of the Council.
- b. No person shall lead, walk or ride a horse in the park without the written permission of the Council and only then on such routes as may be designated by the Council for this purpose, from time to time.
- c. No person shall take into or allow to remain in the park (other than Killiney Hill Park) any dog unless it is on a leash.
- d. Every person in charge of a dog in the park shall prevent it from causing annoyance to any person using the park or worrying, chasing, injuring or disturbing any animals, birds or other creatures in the park.
- e. Every person bringing a dog into the park shall be responsible for its conduct and shall be liable for any damage or injury which may be caused by it. Any person bringing a dog into the park must remove it from the park if so directed by an authorised employee of the Council.

- f. If a dog defecates in the park, the person in charge of the dog shall remove the faeces and deposit it in a litter bin or other receptacle which may be designated for this purpose. Guide dogs for the blind are exempt from this bye-law.
- g. A person shall not cause or allow any dangerous dog, as defined in the Control of Dogs (Restriction of certain dogs) Regulations, 1991 or any subsequent amending Regulations or Act, in their charge to enter or remain in the park unless such dog is kept muzzled and no person shall, in any portion of the park where a notice prohibiting the admission of dogs is exhibited, cause or allow any dog in their charge to enter or remain there.

5. General in Relation to Persons Using the Park:

No person shall:-

- a. Walk upon any flower bed or through any shrubbery, enclosed plantation or other enclosed land in the park.
- b. Destroy or injure any tree, shrub or plant growing in the park or pluck, cut or remove any flower or any blossom or any fruit on any tree, shrub or plant growing therein.
- c. Climb any tree or shrub in the park or climb any fence, railing or wall in the park.
- d. Injure, disfigure, write graffiti on or mark any seat, chair, sculpture or structure, in the park.
- e. Injure, deface, write graffiti on or disfigure or in any way interfere with any notice or notice-board in the park.
- f. Take from the park or destroy or injure or otherwise interfere with any bird, bird's nest or bird's eggs in the park or ill-treat, worry or disturb any animal in the park.

- g.** Throw any missile in the park to damage property or endanger any other person or wildlife within the park.
- h.** Molest, menace, threaten, annoy or otherwise interfere with any person using or enjoying the park.
- i.** Take or remove any soil, sand, gravel, stone or timber from the park, save with the permission in writing of the Council.
- j.** Fish in any part of the park, save with the permission in writing of the Council.
- k.** Dump or dispose of any bottle, glass, china, tin, container, litter or other refuse in the park except in receptacles provided for the purpose.
- l.** Bring into the park any firearm, airgun, catapult or any other weapon, save with the permission in writing of the Council for an approved competition or for practice for an approved competition and subject to the terms and conditions of such permission.
- m.** Make any bonfire, fire or barbecue or light any firework in the park, save with the prior permission of the Council.
- n.** Beg, gamble, use obscene or profane language, behave indecently or importune or otherwise cause annoyance.
- o.** Hold or address a public meeting or religious service except with the permission in writing of the Council.
- p.** Resist, obstruct or interfere with any employee of the Council or other person in the exercise of his duty or disobey his lawful directions.
- q.** Bathe in any of the waters in the park except in those areas which may be set aside for that purpose by the Council.
- r.** Skate on the frozen water of any lake, pond or watercourse in the park nor foul or pollute any such watercourse.
- s.** Use a boat, raft or similar craft on any watercourse in the park save with the prior permission of the Council.

- t. Consume, inject, inhale or otherwise absorb controlled drugs or solvents in the park.
- u. Operate in the park any model aircraft, model sailing vessel or any model mechanically propelled vehicle save with the permission in writing of the Council and subject to the terms and conditions of such permission.

6. Trading etc. in the Park:

- a. Save with the permission in writing of the Council and subject to the terms and conditions of permission, no person shall sell, offer, or expose for sale in the park any commodity of any kind whatsoever or exhibit any sign, poster, handbill, or other notice in the park or engage therein in the business of taking photographs for payment.
- b. Save with the permission in writing of the Council and subject to the terms and conditions of such permission, no person, organisation, club etc. shall levy any charge for the participation in or viewing of any game, sport or exhibition.
- c. No person shall place any chair or seat in the park for hire, save with the permission in writing of the Council and subject to the terms and conditions of such permission.
- d. No person shall erect any tent or camp in any part of the park save with the permission in writing of the Council and subject to the terms and conditions of such permission.
- e. No person shall place or keep any caravan or dormobile in any part of the park save with the permission in writing of the Council and subject to the terms and conditions of such permission.

7. Musical performances and dances:

No person shall, save with the permission in writing of the Council and subject to such conditions as the Council may prescribe, conduct or take part in any musical performance (whether vocal or instrumental), dance, concert or other like entertainment in any part of the park, or operate any radio, television, video, compact disc player, or tape player in the park.

8. Games and athletics:

- a.** No person, club or organisation shall organise or take part in the game of football or any other game or athletics save in such places in the park as the Council so set apart for that purpose and then only subject to and in accordance with such conditions as may be set out by the Council from time to time or as directed by an authorised employee of the Council.
- b.** No person, club or organisation shall organise or take part in the game of football or any other game or athletics when an authorised employee of the Council considers the ground to be unfit for such use and a notice prohibiting play has been communicated through newspapers/radio to all interested parties and/or is posted at or near the place.
- c.** No person shall play the game of golf or practise any aspect of the game in any part of the park, save in those areas specifically designated for those purposes.
- d.** Any person, club or organisation contravening any of the provisions of paragraphs (a) or (b) of this section may be liable to have playing facilities withdrawn.
- e.** No person shall act or behave in such a manner so as to prevent or disrupt playing of the game of football or any other game or athletics in areas of the park designated by the Council for that purpose.
- f.** No person above the age of 12 years shall use any of the equipment or playing appliances in any children's playground in the park.

9. Licences:

Every licence granted to any person, club or organisation for the specific occupation by such person, club or organisation of any portion of the park shall be in accordance with such conditions as shall be laid down by the Council from time to time provided always that the Council shall be entitled to add conditions to existing licences.

10. Offences:

- a.** It shall be lawful for any employee of the Council or for any member of the Garda Siochana to enforce these bye-laws and to exclude or remove from any park any person committing any breach of the above bye-laws and to take any other such action as may be deemed necessary in the enforcing of these bye-laws.
- b.** Any person offending against any of the above bye-laws may be removed from the park and shall on summary conviction be liable to a penalty not exceeding €1,269.73.
- c.** A person who contravenes a provision of these bye-laws shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding €1,269.73.
- d.** 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 €126.97 per day.
- e.** An authorised person may request any person who appears to be contravening or to have contravened a provision of these bye-laws to leave the park or to refrain from any activity and may remove any person failing to comply with such request.

- f.** A person who obstructs or impedes or refuses to comply with a request of an authorised person acting in the exercise of the functions conferred on an authorised person by these bye-laws shall be guilty of an offence.
 - g.** Where an authorised person is of the opinion that a person is committing or has committed an offence to which the bye-laws relate, the authorised person may demand the name and address of such person and if this demand is refused or the person gives a name or address which is false or misleading, the person shall be guilty of an offence.
 - h.** 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 may arrest the person without warrant.
 - i.** An offence under these bye-laws may be prosecuted by the local authority which made the relevant bye-law, by any other local authority acting on its behalf or by a member of the Garda Síochána.
 - j.** A person may be served with a notice specifying a fixed payment, not exceeding €1.74, in respect of a contravention of a bye-law as an alternative to a prosecution for the contravention. Notice of the fixed payment shall be in the general form of the notice set out in the First Schedule to these bye-laws.
- 11.** These Bye-Laws shall come into effect on the 12th day of June 2003.

DUN LAOGHAIRE-RATHDOWN COUNTY COUNCIL

Parks Bye-Laws

First Schedule

**FIXED PAYMENT NOTICE FOR THE PURPOSES OF SECTION 41 OF THE
LOCAL GOVERNMENT ACT, 1994 (BYE-LAW NUMBER 10j)**

NAME OF LOCAL AUTHORITY _____

To: **Name** _____
 Address _____

It is alleged that you have contravened the provisions of bye-laws made under Part VII of the Local Government Act, 1994 entitled
by.....
..... (in general terms specify nature of contravention) at
..... on
During the period of 21 days beginning on the date of this notice you may pay the sum of euro, accompanied by this notice, at the offices of the local authority named in this notice located at

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

Signed Date
(Authorised Person)

Important: Payment will be accepted at the offices of the local authority specified above and must be accompanied by this notice. Payment may be made by post. Cheques etc. should be made payable to
(name of local authority). A receipt will be given.

You are entitled to disregard this notice and defend the prosecution of the alleged contravention in court.

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PRESENT when the Common Seal of THE DUN LAOGHAIRE-RATHDOWN COUNTY COUNCIL was affixed hereto:

**Cathaoirleach na Chomhairle
Chontae Dhun Laoghaire-Rath an Duin**

SEAL

Approved Officer

**County Council Official,
County Hall,
Dun Laoghaire**

Date: