

Draft Longford County Council Parks, Playgrounds and Open Spaces Byelaws 2024

Title	Draft Longford County Council Parks, Playgrounds and Open Spaces Byelaws 2024
Prepared By	Community Development
Owner	Director of Services
Consultation Process	Management Team Placemaking SPC Public
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Review Period	2 years or earlier if required
Implementation Date	

Revision History

Revision No.	Date	Details of Revision
Rev 00	October 2023	Original

1 Parks, Playgrounds and Open Spaces Byelaws 2024

The following byelaws, as set out, are made under Part 19 of the 2001 Local Government Act (As Amended). The byelaws are intended to control, regulate, protect, and manage the operation and day to day use of Parks, Playgrounds, Sports Pitches, Open Spaces, Multi-Use Games Areas (MUGAs) and Recreational Playing Grounds which are owned, controlled by or in the charge of Longford County Council, whether open or enclosed.

These Byelaws are in force to ensure that parks, open spaces and all recreational playing grounds and their facilities are used to the maximum extent, in safety and comfort and for the protection of parks, open spaces and recreational playing grounds which are provided as a public amenity and for respect and consideration for park users to ensure as much enjoyment as is possible of these amenities.

The do not apply to Longford County Council employees or members of An Garda Síochána in the course of their duty.

2 Citation

These byelaws may be cited as the Longford County Council Parks, Playgrounds and Open Spaces Byelaws 2024. These byelaws shall apply to the parks, playgrounds, sports pitches, open areas, recreational playing grounds and MUGAs owned, controlled by or in the charge of Longford County Council.

3 Commencement and Duration

These byelaws shall come into force on XXXX. Unless otherwise stated, these byelaws apply at all times and year-round.

4 Interpretation

Throughout the byelaws, unless the context otherwise requires, the following words and expressions have the meaning hereafter respectively assigned to them.

- **Council** means the Council of the County of Longford.
- **Authorised Persons** shall include any person employed by and duly authorised by the Council to administer and enforce these byelaws and An Garda Síochána.
- **Park** shall include parks, open spaces, and recreational playing grounds, owned, controlled by or in the ownership of Longford County Council whether open or enclosed.
- **Parks** refers to all public parks including playgrounds, skate parks and multi-games areas (MUGA) provided by or under the control or management of Longford County Longford.
- **Open Spaces** means all land and water, including buildings, woodlands, or public open space whether controlled or in the charge of Longford County Council.

- **Public Realm** means all those public external areas that are accessible to the public under the control of Longford County Council and shall include those streets closed to vehicular traffic on or either a whole-time or part-time basis.
- **Waters** shall include rivers, estuaries, streams, lakes, ponds, both artificial and natural, reservoirs, canals, etc.
- **Person** means a member of the public.
- **Animals** means all animals except guide dogs for the visually impaired, assistance dogs and dogs and horses used by An Garda Síochána .
- **Commercial Activity** means activity for profit or gain and includes trading activity and advertising.
- **Motorised Vehicle** means any mechanically propelled vehicle, but not including a motorised wheelchair, a caravan or mobile home.
- **Controlled drug** means any substance, product or preparation specified in the schedule to the Misuse of Drugs Act, 1977 or any amending act or regulations.
- **Permission of the Council** means the permission in writing of an authorised person.
- **Licence** has the same meaning as “Permission of the Council”.

5 Opening and Closing Times

- The parks shall be open on such days and during such hours fixed by the Council from time to time.
- The opening and closing hours will be subject to variation by the Council as circumstances require.

6 Prohibited Acts Governed by these Byelaws

6.1 Unauthorised Entry to the Park

- No unauthorised person shall enter or remain in any park when it is closed without the approval of the Council.
- No person shall enter or exit any park otherwise than through the gateways or other openings provided for that purpose.

6.2 Prohibited Substances

- No person shall supply or offer for sale, consume, inject, inhale, or otherwise absorb or have in their possession, controlled drugs or solvents or other consciousness altering substances in the park.
- All parks provided by or under the control or management of the Council are designated as Smoke Free and it is prohibited to smoke or use tobacco-based products within the area. This prohibition included the use of electronic cigarettes.
- The possession, supply, or consumption of alcohol in the park in the ownership or charge of the Council is strictly prohibited, without the permission of the Council and in accordance with the terms and conditions of such permission. Failure to comply with such direction shall be an offence.

6.3 Litter

- No person shall bring, dump, deposit, throw or leave in the park any item of litter as defined in the Litter Pollution Acts 1997-2009 or any amending acts or regulations, except in receptacles provided for the purpose.

6.4 Graffiti

- No person shall write graffiti on, mark or in any way interfere with any seat, chair, bench, sculpture, CCTV security system, public light, boundary fence, street furniture, goal post, play equipment, sports equipment or fixtures, toilets, structure, notice or noticeboard or any property in the park.

6.5 Traffic, Bicycles, Skateboards, etc

- No person other than authorised officials and employees of the Council and members of An Garda Síochána shall bring in, drive or allow to be driven or be a passenger in any motorised vehicle in the parks on unauthorised routes save with the permission in writing of the Council and then only in such areas as may be designated as car parking areas by the Council.
- The Council may designate areas of parks into which persons may bring such motorised vehicles as may be specified.
- No person should park in areas not designated as car parking or in areas specifically identified and designated as parking areas for buses.
- Cyclists and skate boarders must behave in a manner respectful of other parks users and the character of the area and must give way to pedestrians at all times. Cyclists and skate boarders must not use any route which has been designated as closed to cyclists and must obey any directions of Longford County Council whether given by signs or by a Council employee.
- No person shall ride on a bicycle or tricycle and, in particular, no person shall mount or ride a bicycle or tricycle on any footpath in the Park, provided, however, that this bye-law shall not apply to bicycles and tricycles ridden by children under the age of 10 years who are accompanied by and under the care of an adult.
- 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.
- Any person driving any vehicle in the park shall stop when called upon to do so by signal or otherwise by an authorised officer, or by a member of An Garda Síochána, and he refuses or wilfully fails to do so, shall be guilty of an offence under these byelaws.
- The maximum speed limit for all vehicles in a park or open space shall be 20 kilometres per hour. This byelaw shall not apply to areas specifically designated for cycle training and racing or other areas designated by the Council.
- These byelaws shall not apply to wheelchairs, perambulators or similar vehicles moved, drawn, or propelled by hand or mechanically which are used solely for the conveyance of children or disabled persons.
- No person shall in any park or open space engage in motorcycle scrambling except in an area designated by the Council for that purpose.

- Parking areas, located in parks, may only be used by patrons.

6.6 Dogs

- Dogs in parks shall be kept on a leash, other than in areas designated as off-leash areas, or at times specified by the County Council. Dogs must be kept under effectual control at all times.
- Dogs (other than guide dogs or assistance dogs) shall not be permitted in public playgrounds.
- A person shall not cause or allow any dangerous dog or Restricted Breed, as defined in the Control of Dogs Regulations 1998 (as amended) belonging to him/her, or in his/her charge to enter or remain in the park unless such dog is kept securely muzzled and led on a sufficiently strong leash or chain not exceeding two metres in length by a competent person over 16 years of age.
- Any person in charge of a dog in the park shall take reasonable care to 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.
- Any 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.
- If a dog defecates in the park, the person in charge of the dog shall remove the faeces from the park. Guide dogs for the blind are exempt from this bye-law.

6.7 Other Animals

- No person shall cause or allow any horse as defined in the Control of Horses Act 1996 or any other subsequent amending Regulations or Act, belonging to and licensed to him/her to enter or remain in the park.
- 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, donkey or other animals without the permission in writing of the Council and only then under certain conditions and in such areas or on such routes as may be designated by the Council.
- 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.
- Any person in charge of an animal in the park shall be liable for any damage or injury which may be caused by the animal, also any person in charge of an animal in the park shall remove it from the park if so directed by an authorised person.

6.8 Public Order / Nuisance / Vandalism

- No person shall damage, deface, injure, disfigure or in any way interfere with any seat, chair, bench, sculpture, CCTV security system, boundary fence, street furniture, goal post, public light, play equipment, sports equipment or fixtures, toilets, structure, notice or noticeboard or any property in the park.
- No person shall molest, menace, threaten, annoy, or otherwise interfere with any person using or enjoying the park.

- No person shall beg, gamble, use obscene or profane language, behave indecently, or importune or otherwise cause annoyance.
- No person shall play musical instruments, radio, stereos etc., at such noise level as to cause annoyance.
- No person shall cause damage to property in any park.
- No person shall throw any object or missile in the park to damage property or endanger any other person or wildlife within the park.
- No person shall threaten, annoy, or otherwise interfere with any person using or enjoying the park.
- No person shall defecate or urinate in the park.
- Save with the express permission of the Council, no person shall damage, 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.
- No person shall 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 or wildlife in the park.
- No person shall walk upon flower beds, shrubberies, enclosed plantations, or other enclosed lands in the park.
- No person shall climb any tree or shrub in the park or climb any fence, railing or wall in the park.
- No person shall take or remove any soil, sand, gravel, stone, timber, or other material from the park, without the written permission of the Council.
- No person shall interfere with or use any lifesaving equipment on such space, except in an emergency.

6.9 Children's Playgrounds and Play Equipment

- Children aged 12 years and under must be accompanied by a parent or guardian.
- No person above the age of 12 years shall use any of the equipment or playing appliances in any children's playground or areas designated for play areas for children under 12 years in the park.
- All children's playgrounds, skate parks, and multi-use games areas (MUGA) provided by or under the control or management of the Council are designated as Smoke Free and it is prohibited to smoke or use tobacco-based products within the area of any such playground. This prohibition included the use of electronic cigarettes.
- The use of all play equipment must be in accordance with any instruction given.
- The use of any skateboard park must be in accordance with any instruction given.
- No person shall, unless they are a parent or guardian, operate or use a camera, camera phone, video, or any other video media device in a playground without the authorisation of the Council.

6.10 Watercourses

- No person shall bathe in any of the waters in the park except in any area designated for that purpose by the Council.
- No person shall skate on the frozen water of any lake, pond, or watercourse in the park nor foul or pollute any such watercourse.
- No person shall use a boat, raft, or similar craft on any watercourse in the park save with the prior permission of the Council. This byelaw shall not apply to vessels which are kept by An Garda Síochána and wholly used by An Garda Síochána in the course of duty.
- No person shall fish in any part of the park, save with the permission in writing from the Council.

6.11 Caravans, Motor Homes, Tents, etc.

- 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.
- No person shall bring, place, or keep any caravan, mobile home, motor home or dormobile in any part of the park without the written permission of the Council and subject to the terms and conditions of such permission.
- No person shall erect or place any notices or structures, including temporary structures in the park without the written permission of the Council.
- An authorised person may remove and confiscate any structure, notice, object, or material erected or placed in the park in contravention of these byelaws.

6.12 Activity

- No person shall carry out commercial activity or advertising in parks unless permitted by the Council, in writing.
- The Council may, from time to time, designate areas of the park in which commercial activities may be permitted, subject to terms and conditions as may be specified by the Council, and subject to the provisions of statute law.
- Save with the permission in writing of the Council and subject to the terms and conditions of permission, no person shall sell, offer, expose for sale in the park any commodity or service 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.
- 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, fitness activity, performance, or exhibition. Subject to such terms and conditions as may be specified by such permission, the Council may impose a charge on any event organiser.
- 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.

- No person shall erect or display any advertisement or erect, exhibit, affix, chalk, bill, placard, banner, tract or notice in the park or on any wall, fence or hedge enclosing the park without the written permission of the Council and in accordance with the terms and conditions of such permission.

6.13 Events and Performances

- No person shall organise, conduct or participate in any concert, parade or large scale performance in the park or public realm without the written permission of the Council and in accordance with the terms and conditions of such permission.
- The Council may designate areas of the park as suitable for musical, vocal, artistic, or other performances and may restrict such performances to such designated areas.
- No person shall use the park or public realm area for the purpose of making a film or television programme without the written permission of the Council and in accordance with the terms and conditions of such permission.
- No person shall broadcast any vocal or instrumental performance (including speeches, preaching and like performances) using amplified sound in any public realm area without the written permission of the Council and in accordance with the terms and conditions of such permission.
- No excursion or other party shall picnic in any part of the park without the permission of the Council and then only subject to the conditions applicable thereto.
- All events must have the prior permission of Longford County Council and must provide evidence of insurance, indemnifying the Council.
- All events in parks shall be organised in line with the Event Management Guidelines and Protocols as adopted by Longford County Council.

6.14 Pavilions, Shelters, etc.:

- Pavilions, shelters, and other buildings in the park shall not, except with the permission of the Council, be used otherwise than for the purposes for which they are provided.
- No person shall throw water about the rooms, spit upon or litter the floor or deface any part of any pavilion, shelter or building in the park, or otherwise behave in such a manner as to interfere with or cause discomfort to any visitors therein.

6.15 Games, Athletics, etc.

- No person shall act or behave in such a manner as to prevent or disrupt playing of football or any sport or athletic pursuit in areas designated by the Council for such purpose, and in accordance with the terms and conditions of such designation.
- No 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.
- 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.

- Any club or organisation and person, club or organisation respectively contravening any of the above provisions of this section may be liable to have playing facilities withdrawn.
- No person shall play the game of golf or cricket or practise any aspect of the game in any part of the park, save in those areas specifically designated for those purposes.

6.16 Firearms

- No person shall bring into the park any firearm, airgun, catapult, knife, or any other weapon, save with the permission in writing of the Council for an approved competition or for the practice for an approved competition and subject to terms and conditions of such permission.

6.17 Bonfires, Barbeques, etc

- No person shall make any bonfire, fire or barbecue or light any fireworks in the park, save with the prior permission of the Council or in locations designated for such purposes.

6.18 Public Meetings

- No person shall hold or address a public meeting or religious service except with the permission in writing of the Council.

6.19 Operation of Model Aircraft, etc.

- No person shall operate any Unmanned Aircraft System (UAS) “drone”, remotely piloted aircraft, model aircraft, model sailing vessel or any model mechanically propelled vehicle in a public park or open space except in locations or at times designated by the Council for such activities and subject to the requirements of the Irish Aviation Authority (IAA) or other relevant statutory bodies and subject also to the Council’s requirements in relation to privacy, data protection, health and safety and insurance being met.

6.20 Obstruction

- No person shall resist, obstruct, or interfere with any employee of the Council or other person in the exercise of his/her duty or disobey his/her lawful directions.
- Nothing in these byelaws shall interfere with or affect or prevent the carrying out of any work or duty in connection with any park or open space by employees or agents of the Council or by a contractor instructed by the Council or by an employee of any such contractor.

7 Licences

- Any permission granted to any person, club, or organisation for the exclusive and/or specific occupation by such person, club, or organisation of any portion of

the park shall be in accordance with such conditions as the Council consider appropriate having regard to the circumstances in any particular case.

- Applications for such licences will be considered for approval by the relevant Municipal District.

8 Refusal of Permission

- The Council may refuse permission for any of the purposes mentioned in these byelaws if, having regard to the character of the applicant, the number of persons already holding licences of the class applied for, and the general comfort and convenience of visitors to the park, they consider that a licence should not be granted.

9 Enforcement

- An Garda Síochána shall have access to the park and public realm at all times whether during or outside of the official opening times, in the normal exercise of their duties, and shall not require the prior consent of the Council to gain such access.
- A breach of these byelaws is an offence and may be prosecuted under the Criminal Justice (Public order) Act 1994, as amended.
- A person who repeatedly contravenes the byelaws may be barred from the park by the Council.

10 Offences

- It shall be lawful for any authorised person or member of An Garda Síochána to enforce these byelaws and to exclude or remove from any part of the park any person committing any breach of the above byelaws and to take such other steps as authorised by law.
- A person who contravenes a provision of any of these byelaws shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding €1,500.
- If the contravention of a provision of any of these byelaws 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 €100 per day.
- A person who obstructs or impedes or refuses to comply with a request of a member of An Garda Síochána or of an authorised person acting in the exercise of the functions conferred on an authorised person by these byelaws shall be guilty of an offence.
- Where an authorised person or a member of An Garda Síochána is of the opinion that a person is committing or has committed an offence to which the byelaws relate, the authorised person or An Garda Síochána, as the case may be, 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. A person convicted is liable on summary conviction of a fine up to €1,904.

- Where a member of An Garda Síochána is of the opinion that a person is committing or has committed an offence to which these byelaws relate, that member may arrest the person without warrant.
- An offence under these bye laws may be prosecuted by Longford County Council or by a member of An Garda Síochána.

11 Fixed Payment Notice

- If an authorised person and/or a member of An Garda Síochána has reasonable grounds for believing that a person is committing a contravention or has committed a contravention of provision of these bye-laws, the authorised person and/or a member of An Garda Síochána may serve on the person a notice specifying a fixed payment, not exceeding €100 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 schedules to these byelaws.
- Where a notice is served as above, a person to whom the notice applies may, during the period specified in the notice, make to the Council the payment specified in the notice, accompanied by the notice.
- The Council shall receive the payment and issue a receipt for it and may retain the money so paid and no payment so received shall in any circumstance be recoverable by the person who made it, and a prosecution in respect of the alleged contravention will not be instituted during the period specified in the notice and, if the payment, specified in the notice is made during that period, no prosecution in respect of the alleged contravention will be instituted.
- A fixed payment notice shall be served in one of the following ways:
 - By delivering it to the person.
 - By leaving it at the address at which the person ordinarily resides.
 - By sending it by post in a prepaid registered letter addressed to the person at the address at which the person ordinarily resides.

GIVEN under the Common Seal of Longford County Council _____ day of _____ 2024

Cathaoirleach

Chief Executive

Appendix 1 – Fixed Payment Notice

LONGFORD COUNTY COUNCIL PARKS, PLAYGROUNDS AND OPEN SPACES BYELAWS 2024

First Schedule

FIXED PAYMENT NOTICE FOR THE PURPOSES OF PART 19 OF THE 2001 LOCAL GOVERNMENT ACT (AS AMENDED)

NAME OF LOCAL AUTHORITY: Longford County Council

Name: _____

Address: _____

It is alleged that you have contravened the provisions of byelaws made under Part 19 of the Local Government Act 2001 (as amended) entitled Parks, Playgrounds and Open Spaces Byelaws 2024, by

.....

(in general terms specify nature of contravention) at

on

During this 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 the Cash Office, Longford County Council, Camlin Court, Great Water Street, Longford, .

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 - Longford County Council. A receipt will be given.

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