

CASUAL TRADING ACT 1995

BYE-LAWS IN RELATION TO CONTROL, REGULATION, SUPERVISION AND ADMINISTRATION OF CASUAL TRADING.

CASTLEBAR TOWN COUNCIL

THE TOWN COUNCIL OF CASTLEBAR in pursuance of the powers conferred on it by Section 6 of the Casual Trading Act, 1995, HEREBY MAKES the following Bye-Laws- in respect of the area comprising the THE TOWN OF CASTLEBAR.

1. These bye-Laws may be cited as the CASTLEBAR TOWN COUNCIL Casual Trading Bye-Laws, 2008.
2. These Bye-Laws shall come into operation on the 16th May 2008
3. In these Bye-Laws save where the context otherwise applies:

“The Act” means the Casual Trading Act, 1995.

“Casual Trading” has the meaning given to it in Section 2 of the Act.

“Casual Trading Area” means those areas designated for casual trading in Schedule No. 2 hereof.

“Casual Trading Licence” means a licence granted by the Council pursuant to Section 4 of the Act.

“The Council” means CASTLEBAR TOWN COUNCIL.

“Stall” shall, in addition to its ordinary meaning, include any wheeled or moveable stall or box, barrow, cart, caravan or other vehicle or booth or other stand or conveyance used for casual trading.

4. Casual Trading shall only be carried on at the locations designated for that purpose in the Schedule to these Bye-Laws or for a specified event or events at such other locations as may be approved by Castlebar Town Council in a licence issued pursuant to Section 4(1) (A) (iii) of the Casual Trading Act, 1995.
5. A person shall not engage in casual trading unless he/she holds a Licence from Castlebar Town Council that is for the time being in force and the trading is in accordance with the licence.
6. The type of stall used must be approved by the Council.

7. (A) A Licence holder shall engage in trading only at the specified times and days shown on the Licence. Trading shall only take place between the hours of 8.00 a.m. in the forenoon and 6.00 p.m. in the afternoon on the specified days.

(B) Notwithstanding the foregoing the Council may at its discretion permit casual trading in the casual trading area referred to at 4 above on additional days between the hours of 8.00am and 6.00 p.m. where such casual trading is restricted to the selling of agricultural/horticultural produce, fish, food and locally produced crafts.
8. Trading shall be confined to the allotted pitch at the designated casual area and no goods or articles shall overhang a stall or be deposited on the ground except in the allotted pitch.
9. Trading shall be restricted to the selling of agricultural/horticultural produce or fish or locally produced crafts on the Sunday, Monday, Tuesday, Wednesday and Thursday prior to Christmas Day.
10. A suitable receptacle for refuse must be provided by the licence holder and must be kept at all times of trading within the allotted pitch.
11. Litter must not be allowed to accumulate in the vicinity of the allotted pitch during casual trading hours and at the end of trading the allotted pitch must be cleaned up and all refuse removed and properly disposed of by the licence holder.
12. No goods other than those specified in the licence shall be sold.
13. Stalls and all other articles must be removed after the hours of trading specified in the licence.
14. The Council reserves the right to remove stalls found on the designated trading area after trading hours and/or goods or other articles left outside the allotted pitch at any time.
15. Any food stuffs whether or not prepared at the Casual Trading Area shall be handled, prepared, stored, displayed, kept and sold in a manner which is in compliance with the requirements of the Food Hygiene Regulations for the time being in force or any further Regulations that may be made in that regard.
16. A person engaged in casual trading in a designated casual trading area shall display the casual licence number relating to the trading in such a position as to be clearly visible and easily legible to members of the public.
17. An applicant for a licence must complete the required application form and pay the appropriate licence fee as set out in the Schedule No. 3 hereto. The licence shall indicate what goods may be sold and only such goods as shown on the licence and for which the appropriate licence fee has been paid may be sold by the licence holder.

18. The Farmer's Market which shall be restricted to the selling of agricultural/horticultural produce, fish, food and locally produced crafts shall be held on a Friday save where it falls on the 17th March, 25th December, 26th December or 1st January in any year.
19. The Casual Traders market shall be held on a Saturday save where it falls on the 17th March, 25th December, 26th December or 1st January in any year.
20. A person engaged in casual trading in a designated area shall not be permitted to use a loud speaker or public address system and shall refrain from causing any nuisance or disturbance.
21. A casual trading licence may be revoked at any time if any condition of the licence has been or is being contravened.
22. The Council shall appoint officers of the local authority or other persons to be authorised officers for the purpose of the act and licence holders will be required to co-operate in all respects with the authorised officers.
23. A person who contravenes any of the conditions of a licence shall be guilty of an offence in accordance with the Casual Trading Act 1995.

SCHEDULE

2. Casual Trading shall be carried out in the following location(s): - North Plaza of Market Square, Castlebar

Farmers Markets shall be carried out in the following location(s): - North and South Plaza of Market Square, Castlebar

3. Fees –

(A) Casual Trading - €952.00 per annum

(B) Farmers Market - €500.00 per annum – Where trading of agricultural/horticultural produce, fish, food and locally produced crafts takes place on more than one day, the licence shall be €500.00 plus €127.00 for each additional days trading

(C) Seasonal or special events - €30.00 per day

Made this _____ day of _____,

Signed and sealed in the presence of:-

Mayor/Nominated Member

Manager

Town Clerk