

COMHAIRLE BHUIRG
SHLIGIGH
SLIGO BOROUGH COUNCIL



CASUAL TRADING ACT 1995
BYE-LAWS – 2008

PART 1

Sligo Borough Council in exercise of its powers under Section 6 of the Casual Trading Act, 1995, hereby makes the following Bye-Laws for the control, regulation, supervision and administration of Casual Trading in its functional area.

1. These Bye-Laws may be cited as the Sligo Borough Council Casual Trading Act 1995 - Bye-Laws 2008
2. In these Bye-Laws the following terms shall have the following meanings assigned to them, save where the context otherwise applies;
 - (a) “The Act” means the Casual Trading Act, 1995.
 - (b) “Casual Trading” has the meaning given to it in Section 2 of the Act.
 - (c) “Casual Trading Area” means those areas designated for casual trading in Bye-Law No. 3 hereof.
 - (d) “Casual Trading Licence” means a licence granted by Sligo Borough Council pursuant to Section 4 of the Act.
 - (e) “Stall” shall, in addition to its ordinary meaning, include any standing booth or space or any wheeled or moveable stall or box, barrow, cart, caravan or other vehicle or booth or other stand or conveyance used for casual trading.
 - (f) ‘Goods’ shall include all provisions or marketable commodities.
 - (g) ‘Selling’ shall include agreeing or offering to sell or displaying for sale or inviting an offer to buy.
 - (h) The expression ‘trader’ shall mean any person or his agent authorised to carry on trading pursuant to these Bye-Laws.
 - (i) The expression ‘Trading Bay’ or ‘Space’ shall mean an area outlined by Sligo Borough Council on which a stall may be placed within the Casual Trading Area.

PART 2

PLACE AND HOURS OF TRADING

3. Casual Trading shall only be carried on at the locations designated in these Bye-Laws. Sligo Borough Council hereby designates the following Casual Trading Areas for the purposes of the Act;

- (1) Part of the area known as the Market Place as shown on the map annexed hereto surrounded by a red verge line and the area known as the Fairgreen as shown on the map annexed hereto surrounded by a red verge line.

- (2) Areas specified in Casual Trading Licences authorising persons to engage in Casual Trading on specified days in respect of specified goods during specified hours at an event or events specified in the Licence as provided for under Section 4 (1)(a)(iii) of the Casual Trading Act 1995.

4. A market shall only be held in the areas mentioned in 3(1) above between the hours of 8.00 a.m. in the morning and 7.00 p.m. in the evening on Friday and Saturday of every week.

CASUAL TRADING LICENCES

5. A person shall not engage in casual trading unless he/she is, or is the servant of an agent acting as such of, a person who holds a casual trading licence that is for the time being in force and the casual trading is in accordance with the licence.
6. A condition precedent to the issue of a Casual Trading Licence shall be the production by the applicant of a current valid policy of insurance with an Insurer recognised by the Insurance Federation of Ireland, covering all activities associated with the purposes for which the Casual Trading Licence is to issue including all risks and perils to a minimum of €6,350,000 for any one incident, extending to provide an indemnity to Sligo Borough Council in respect of Claims arising from the negligence of the Trader. Notice of termination of which policy shall render the said Casual Trading Licence null, void and of no effect and in which event the applicant including servants and agents of the applicant shall

forthwith cease to trade and render the area vacant and returned to the control of Sligo Borough Council.

7. An application in writing for a Casual Trading Licence must be lodged with the Town Clerk at least thirty days prior to the intended commencement date of trading.
8. An applicant for a Casual Trading Licence to carry on casual trading in the casual trading areas mentioned at 3 (1) shall pay a fee. Fees for trading are set out in attached Schedule.
9. An applicant for a Casual Trading Licence to carry on Casual Trading at an event or events mentioned at 3(2) shall pay a fee of €50 per day.
10. A person carrying on casual trading at any place shall;
 - (a) display the number of the Casual Trading Licence on the stall in such a position as to be clearly visible and easily legible to members of the public
and
 - (b) if so requested produce the licence on demand to any person.
11. A Casual Trading Licence may be revoked at any time by Sligo Borough Council at its discretion, as provided for in the Casual Trading Act, 1995.
12. A register of Casual Trading Licences shall be maintained by Sligo Borough Council.

CONDITIONS FOR TRADING

13. No person shall bring or convey to or from the Casual Trading Areas or stand in the Casual Trading Area any goods belonging to him or of which he/she is in charge in such a manner as to obstruct free passage through the Marketplace or Fairgreen or any of the immediate approaches thereto for any longer time than is reasonably necessary for the loading and unloading of goods.
14. No person shall use the 'Casual Trading Area' for the purpose of sale of any goods half an hour before the time of the commencement of the market or allow any goods belonging to him/her or in his/her charge to be in the Casual Trading Area more than half an hour after the time fixed for the closing of the market. Any goods so left may be removed by Sligo Borough Council or its agent and the person leaving such goods shall be liable to pay such

charge as Sligo Borough Council may determine from time to time, notice of such charges being posted in a conspicuous place.

15. A trader shall not use or cause to be used for the purpose of stall trading any stall, the dimension of which exceeds the defined space of the trading bay.
16. A trader in charge of a stall shall not cause or suffer;
 - (a) Any fish to be trimmed, gutted or cleaned at or about his/her stall.
 - (b) Any fowl, or feathered game to be plucked at or about his/her stall.
17. The trader shall not permit any person other than his/her employees and assistants to use the said stall and the stall holder shall not employ any person who because of his/her age is prohibited from working.
18. The Trader shall not display goods beyond the boundaries of his/her stall either on the ground or hanging over the sides of the stall, or deposit or cause to be deposited any goods or articles outside the trading bay.
19. Every tenant or occupier of a stall in the Casual Trading Area shall:
 - (a) cause the stall to be properly cleansed immediately before and after the sale of goods for the day and
 - (b) as often as is necessary and when directed by Sligo Borough Council or its agent during any day on which the stall is used for the sale of goods cause all refuse from his/her stand or business to be placed in any receptacle provided by Sligo Borough Council for the purpose, or in a suitable or sufficient receptacle to be provided by him/her in close connection with such stall;
20. The trader shall trade only within the trading bay or bays allotted to him/her for the period specified in the Casual Trading Licence.
21. Each trader shall obey all reasonable orders given to him/her by Sligo Borough Council or its agent in accordance with the Casual Trading Act 1995 and shall conduct himself/herself in an orderly and proper manner.

22. During the days and hours prescribed by Article 4, no vehicle or objects shall be parked in the area by the trader unless said vehicle or objects are for the specific purpose of carrying on casual trading and are contained within the trading bay allocated.
23. Sligo Borough Council shall not be responsible for any property belonging to any person whatever deposited or left in any part of the trading area. Sligo Borough Council shall not be responsible for any loss, damage or injury caused by the negligence of any trader, his/her agents, employees or customers.
24. No person shall obstruct or hinder any other person in the proper use of the trading area or any article provided by Sligo Borough Council for use therein.
25. Trading vehicles and goods shall only be parked in the trading area during the hours as specified in Article 4. There shall be no overnight parking of trading vehicles.
26. If any trader fails to comply with the reasonable orders of Sligo Borough Council or its agent, the stall and goods may be immediately removed and stored by Sligo Borough Council or its agent and the trader shall be liable for the costs incurred by Sligo Borough Council.
27. Each trader shall ensure that no obstruction is caused or allowed to be caused to the owners of premises and their invitees in the area where casual trading may be carried on.
28. Every person conveying goods to or from the Casual Trading area shall, as often as necessary and without creating a nuisance or obstruction remove or cause to be removed from every avenue or passage in the Casual Trading Area and from the footway or roadway of the immediate approaches thereto all refuse arising from the loading or unloading or the conveyance of the goods by him/her upon or through the avenue, passage, footway or roadway.
29. No person shall place or park any vehicle whatsoever in the Casual Trading Area on a market day so as to obstruct or hinder the market and any vehicles so placed shall be removed on the request of Sligo Borough Council.

PART 3

30. Every person who shall offend against any of the foregoing Bye-Laws shall be liable on conviction, to fines specified in Section 14 of the Casual Trading Act 1995 or such increased amounts as may be fixed by statutes from time to time.
31. 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.
32. Sligo Borough Council may 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.
33. The Sligo Borough Council Casual Trading Act 1995 Bye Laws 2005 are hereby rescinded.
34. These Bye-Laws shall come into operation on the 31st day of March 2008.

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

This 18th day of February 2008.

SCHEDULE OF FEES

Trading Bay NO's: 3A, 7,8

Annual Fee for 12 Month Period €400

Minimum Fee for 6 Month Period €230

Trading Bay No's : 3, 4 , 5, 6, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18,

Annual Fee for 12 month Period €540

Minimum Fee for 6 Month Period €300