

CASUAL TRADING (CONTROL AND DESIGNATION) BYE LAWS

made under

THE CASUAL TRADING ACT, 1995

Bye Laws made by Dublin City Council on the 22nd July 2003

PART 1

Definitions:

1. In these Bye Laws except where expressly stated to the contrary the following words have the meanings hereby respectively assigned to them, that is to say:

“the Act”	means the Casual Trading Act, 1995.
“Dublin City Council”	means the administrative body for Dublin City as set out in Sections 10 & 11 and schedule 5 of the Local Government Act 2001.
“Designated Area”	means an area marked in red on the attached maps and listed in Part III hereto and designated as a casual trading area.
“Licence”	Means a casual trading licence issued under the Casual Trading Act, 1995.
“Casual Trading”	Means selling goods at a place (including a public road) to which the public have access as of right or any other place that is a casual trading area as defined by the Act but shall not include the following class of selling: the sale of newspapers and magazines at established/traditional locations. This exclusion does not relieve the seller of the responsibility of complying with all requirements necessary under other codes of legislation including inter alia, traffic and parking regulations, Section 71 of the Roads Act, 1993 and Section 254 of the Planning and Development Act, 2000.
“Event Trading”	Means licensed casual trading at an event or events specified in the licence or at or in the immediate vicinity of the place where and on the day or days on which the event takes place.
“Trading Place”	Means a space in a designated area delineated by paint marking or different colour brick at pitch boundary. A trading place shall not exceed an area of 4 sq. metres.
“Licence Holder”	means a person to whom a licence has been issued or the licence holders servant or agent acting on the licence holders behalf.
“Authorised Officer”	means an employee of Dublin City Council or other person appointed by Dublin City Council for the purposes of the Act.

PART II

- CASUAL TRADING AREA
1. Each of the lands described in Part III hereto and as set out in the attached Schedule of maps is hereby designated as a casual trading area for the purposes of the Act.
- LICENCE
2. An applicant for a licence must pay the appropriate fee for the type of goods to be sold in the particular designated trading area. The licence shall indicate what goods may be sold and only such goods as are shown on the licence, and for which the appropriate licence fees have been paid may be sold by the licence holder. The Schedule of fees for designated trading areas are set out in Fees Bye-Laws made under the Casual Trading Act 1995.
- An applicant for a licence for event trading must pay the appropriate fee for the type of goods to be sold under the appropriate heading as set out in the Fees Bye-Laws made under the Casual Trading Act 1995.
- A Casual Trading Licence may not be rented or sold by the holder.
- TRADING PLACE
3. A licence holder shall engage in casual trading only within the space allocated to the licence holder in a designated area which space shall be identified by means of a description in the licence holders licence and delineated by paint marking or different colour brick at pitch boundary.
- TIMES OF TRADING
4. A licence holder shall engage in casual trading only at the specified times and days shown on the licence. In the case of Merrion Square East, licences will be issued for either Saturday or Sunday.
- DISPLAY OF LICENCE NO.
5. A licence holder shall prominently display the number of the licence at the licence holders trading place in such a position as to be clearly visible and easily legible to members of the public at all times during trading hours. If so requested the licence holder shall produce the licence on demand to any person.
- LITTER
6. A licence holder shall provide and use, at the licence holders own expense, a suitable receptacle that meets the requirements of an Authorised Officer of Dublin City Council for the disposal of litter/waste and shall keep the trading place and surrounding area clean and tidy at all times. All litter and waste must be removed at the end of each days trading. All goods and stock shall be removed from the trading place at the end of each day's trading.

STALL	7. A licence holder shall only use a stall or other like receptacle for carrying/displaying goods which is approved by an Authorised Officer of Dublin City Council and shall remove same at the end of each day's trading. Dublin City Council may remove any stall or like receptacle found in a trading place outside of trading hours. Stalls shall not exceed 2m. in height.
OBLIGATION TO OBEY DIRECTIONS	8. While occupying a trading place a licence holder must obey all lawful requests of an authorised officer or a member of the Garda Siochana.
OFFENCES	9. A person who contravenes a Bye Law shall be guilty of an offence.
PENALTY	10. Every person who shall offend against any of the foregoing Bye Laws shall be liable for every such offence on summary conviction to a fine not exceeding €1,269.74. Licences can be revoked for failure to stay within a casual trading pitch and/or failure to remove litter.
REPEAL OF BYE LAWS	11. From and after the date of confirmation of these Bye laws, the Bye laws relating to the Casual Trading Act 1995 which were made on the 02 nd December 2002 shall be repealed.
MISCELLANEOUS PROVISIONS	12. The issue of licences for a trading place may be temporarily suspended by executive order to facilitate construction/development/maintenance of a roadway, footpath or other infrastructure or on adjoining sites or for other operational reasons.
ALTERNATIVE TRADING PLACES	13. An existing licence for a trading place may be temporarily suspended by executive order to facilitate construction/development/maintenance of a roadway, footpath or other infrastructure or on adjoining sites or for other operational reasons. As appropriate, alternative trading places within designated areas may be assigned by the local authority to existing licence holders, subject to availability.

MAP REF. NO.		
Darndale (This designation ceases once the development is completed or on 31 July 2004 whichever comes first).		Monday – Sunday 11 a.m. - midnight
Hot Food & Soft Drinks	11543/32	
Duke Street.	11543/7	Mon – Sat. 10 a.m. – 6.30 p.m.
Flowers, Jewellery, Fashion Accessories, Souvenirs and Crafts		
Erne Street junction with Pearse Street:		Mon – Sat. 9a.m. - 6.30p.m.
Fruit & Veg.	11543/10	
Fade Street:	11543/11	Mon – Sat. 9a.m. - 6.30p.m.
Flowers		
Finglas Road:	11543/6 & 11543/18	Mon-Sun 9a.m. - 6.30p.m.
Flowers		
Halston Street	11543/21	Sat and Sun and 1 st – 24 th December 10.30a.m -6.30.p.m.
Arts and Crafts (licence holders own original work) Paintings and Drawings (licence holders own original work)		
Harolds Cross Road	11543/15	Mon – Sun 9a.m. - 6.30p.m.
(Mount Jerome Cemetery) Flowers		
Harry Street:	11543/8	Mon – Sat 10a.m. - 6.30p.m.
Flowers		
Henry Place	11543	Mon-Sat 1 st January – 30 th Nov. and 27 th Dec – 31 Dec. 10.00 a.m. – 6.30 p.m.
Jewellery, Fashion Accessories, Souvenirs and Crafts, Clothing Poster		
Henry Street/Mary St.	11543/25	Mon-Sun 1-24 Dec 10a.m.– 6.30 p.m
Christmas Goods		
Lemon Street:	11543/7	Mon-Sat 10a.m. - 6.30p.m.
Jewellery, Fashion Accessories, Souvenirs and Crafts.		
Liffey Street Lower	11543/16	Mon – Sat 9a.m. - 6.30p.m.
Jewellery, Fashion Accessories, Souvenirs and Crafts Flowers		

DESIGNATED AREAS AS OUTLINED IN RED ON ATTACHED MAPS. MAP REF. NO.	TIMES OF TRADING
<i>Marlborough Street</i> 11543/4 Fruit & Veg. Flowers	Mon – Sat. 9a.m. - 6.30p.m.
Merrion Square. 11543/35 Paintings and Drawings (licence holders own original work)	Sat, Sun and 1-24 Dec. 10.30 a.m. – 6.30 p.m.
<i>Moore Street.</i> 11543/2 Fruit & Veg. Flowers Confectionery Jewellery and Fashion Accessories, Souvenirs and Crafts Clothing	Mon – Sat. 9a.m. - 6.30p.m.
Night-time Trading: Sale of hot/cold food and non-alcoholic drinks O'Connell Bridge 11949 Grafton Street 11949-1 Lower Camden Street 11949-2 College Green 11949-3 Hatch Street Lower 11949-4 Cuffe Street 11949-5	Thurs – Sunday 11.00p.m. – 4.00 a.m.
<i>O'Connell Bridge:</i> 11543/1 Flowers Jewellery, Fashion Accessories, Souvenirs and Crafts	Mon – Sat. 9a.m. - 6.30p.m.
O'Connell Street: 11543 Flowers	Mon-Sat 9a.m. – 6.30 p.m
<i>Parnell Square North</i> 11543/17 Paintings and Drawings (licence holders own original work)	Sat, Sun and 1st –24 th Dec 10.30a.m- 6.30p.m.
St. Patrick's Park (Railings) 10952/27 Paintings and Drawings (licence holders own original work)	Sat, Sun and 1 st –24 th Dec 10.30 a.m. – 6.30 p.m.

These Bye-Laws shall come into effect on the 23rd July 2003.

TO WHOM IT MAY CONCERN

PRESENT when the seal
Of Dublin City Council was affixed
Hereto:

City Manager.

23/7/2003