

DATED 19th January 1994

OLLERTON TOWN COUNCIL

B Y E L A W S

made under the Public Health Act 1875
and the Open Spaces Act 1906
for the control of dogs

(1) For the purpose of these bylaws the holder of the dog shall be deemed to charge the dog, unless the dog has been placed in the charge of some other person at the time when an offence under these bylaws has been committed.

(2) In paragraph (1) above "the holder" shall include the owner of the dog or any person who usually has it in his possession.

CHARGES TO BE PAID TO THE COUNCIL

(1) No person shall be liable to pay a charge in respect of a dog which is not a dog which is prohibited or restricted.

(2) Any person who is liable to pay a charge in respect of a dog which is not a dog which is prohibited or restricted shall be liable to pay the charge.

LIABILITY OF OFFICIALS

(1) Every person other than a person who is liable to pay a charge in respect of a dog which is not a dog which is prohibited or restricted shall be liable to pay the charge if he is an official of the Council.

OLLERTON TOWN COUNCIL

Byelaws made by the Town Council of Ollerton under Section 164 of the Public Health Act 1875 and Sections 12 and 15 of the Open Spaces Act 1906 with regard to public walks, pleasure grounds and open spaces.

EXTENT

1. (1) Byelaw 3 applies to the public walks, pleasure grounds and open spaces or parts thereof described in Schedule 1, hereinafter referred to as the "dog prohibited areas".

(2) Byelaw 4 and 5 apply to the public walks, pleasure grounds and open spaces or parts thereof described in Schedule 2, hereinafter referred to as the "canine faeces removal areas".

(3) Notice of the effect of these byelaws shall be given by signs placed in conspicuous positions at the entrances to each of the dog prohibited areas and at the entrances or on the approaches to the canine faeces removal areas.

INTERPRETATION

2. (1) In these byelaws:-

"the Council" means Ollerton Town Council.

(2) For the purpose of these byelaws the keeper of the dog shall be deemed in charge thereof, unless the dog had been placed in or taken into the charge of some other person at the time when an offence under these byelaws had been committed.

(3) In paragraph (2) above "the keeper" shall include the owner of the dog or any person who habitually has it in his possession.

DOGS PROHIBITED FROM THE GROUNDS

3. (1) No person (other than a registered blind person) in charge of a dog shall without reasonable excuse, permit the dog to enter or remain in any of the dog prohibited areas.

(2) An officer of the Council or any constable may require a person in charge of a dog which has entered any of the dog prohibited areas to remove the dog therefrom.

REMOVAL OF CANINE FAECES

4. Every person (other than a registered blind person) in charge of a dog which is in any of the canine faeces removal areas who, without reasonable excuse, fails to remove forthwith from any such area any faeces deposited by the dog shall be guilty of an offence.

5. For the purpose of compliance with Byelaw 4 the following provisions shall apply:-

(a) it shall be a sufficient removal from the canine faeces removal areas if the faeces are deposited in a receptacle in any such area which has been provided for that purpose by the Council;

(b) without prejudice to the generality of the foregoing it shall not be a reasonable excuse that a person in charge of a dog did not have with him any means of removal of the faeces.

REMOVAL OF OFFENDERS

6. Any person offending against byelaw 3(1) or 4 may be removed from the grounds by a constable or by an officer of the Council.

PENALTY

7. Any person offending against any of these byelaws shall be liable on summary conviction to a fine not exceeding level 2 of the standard scale.

SCHEDULE 1

The dog prohibited areas referred to in byelaw 1(1) are:-

(i) Under Section 164 of the Public Health Act 1875

<u>Name of Ground</u>	<u>Location of Ground</u>
Yew Tree Road (enclosed Children's Play Area only)	Ollerton
Poplar Street (enclosed Children's Play Area only)	Ollerton

(ii) Under Sections 12 and 15 of the Open Spaces Act 1906

<u>Name of Ground</u>	<u>Location of Ground</u>
The War Memorial	Ollerton Village

SCHEDULE 2

The canine faeces removal areas referred to in byelaw 1(2) are:-

(i) Under Section 164 of the Public Health Act 1875

Name of Ground

Location of Ground

Yew Tree Road (Excluding enclosed Children's Play Area)	Ollerton
Poplar Street (Excluding enclosed Children's Play Area)	Ollerton
Wellow Road/Back Lane	Ollerton

Given under our hands and seals this Nineteenth day of January
One thousand nine hundred and ninety-four

M. Woods

B.L. D'Arcy

Members of the Ollerton Town Council

LEG-513

The foregoing byelaws are hereby confirmed by the Secretary of
State for the Environment and shall come into force on 1 June
1994

Signed by authority of
the Secretary of State
20th May 1994

J.H. Cleary
An Assistant Secretary in the
Department of the Environment