



Statutory Document No. 105/07

## THE DOGS ACT 1990

### THE PORT ERIN DOG CONTROL BYELAWS 2007

*Approved by the Department:* 6<sup>th</sup> February 2007

*Coming into operation:* 1<sup>st</sup> April 2007

In exercise of the powers conferred on the Commissioners of Port Erin by section 24 of the Dogs Act 1990<sup>1</sup>, and of all other enabling powers, and (as respects byelaws 4,5 and 6) with the consent of the respective owners of the open spaces in question, the following Byelaws are hereby made:-

#### 1. Citation, commencement and termination

- (1) These Byelaws may be cited as the Port Erin Dog Control Byelaws 2007 and, subject to section 24 (10) of the Act, shall come into operation on 1<sup>st</sup> April 2007.
- (2) These Byelaws shall, if not revoked earlier, cease to have effect on 31<sup>st</sup> March 2017.

#### 2. Interpretation

- (1) In these Byelaws  
“the Act” means the Dogs Act 1990.  
“the Department” means the Department of Local Government and the Environment.”
- (2) Other words have the meanings ascribed to them by the Act.
- (3) References in these Byelaws to the keeper of a dog do not include:
  - (a) a registered blind person in charge of a dog; or
  - (b) a member of the Isle of Man Constabulary in charge of a dog in the course of his duty.

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<sup>1</sup> 1990 c.16, as amended by the Dogs (Amendment) Act 2006  
Price £1.20p Price Code A

### **3. Penalties**

Subject to Section 24(2) of the Act, any person guilty of an offence under these byelaws shall be liable upon summary conviction to a fine not exceeding £1,000.

### **4. Dogs prohibited from open spaces and beaches**

Where any dog during a specified period of time or throughout the year is permitted to have access to the open space described in Part A of Schedule 1, or the beach described in Part B of Schedule 1, the keeper of the dog shall be guilty of an offence.

### **5. Dogs at large in open spaces and beaches**

Where any dog during a specified period of time or throughout the year is found to be at large in the open space described in Part A of Schedule 2, or the beach described in Part B of Schedule 2, the keeper of the dog shall be guilty of an offence.

### **6. Removal of canine faeces**

(1) Where the keeper of a dog fails without reasonable excuse to remove any faeces deposited by the dog on –

- (a) any highway in its district which consists of or comprises a carriageway,
- (b) an open space described in Part A of Schedule 3, or
- (c) a beach described in Part B of Schedule 3,

the keeper of the dog shall be guilty of an offence.

(2) For the purpose of this Byelaw –

- (a) faeces shall be taken as removed if they are deposited in a receptacle provided for the purpose in the area or open space by a local or other public authority;
- (b) it shall not be a reasonable excuse that the keeper did not have with him any means of removal of the faeces.

### **7. Revocation**

The Port Erin Dog Control Byelaws<sup>2</sup> 1997 are hereby revoked.

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<sup>2</sup> SD 55/97

**Byelaw 4.**

**SCHEDULE 1**

**PART A**

**OPEN SPACES WHERE DOGS ARE PROHIBITED**

Throughout the year:

The children's play area at Athol Park Glen.

The children's play area at Marashen Crescent.

**PART B**

**BEACHES WHERE DOGS ARE PROHIBITED**

Between the 1<sup>st</sup> May and the 30<sup>th</sup> September in any year and between the hours of 9:00 and 18:00 dogs are prohibited from the area of Port Erin beach between the harbour and Mortuary Beach as edged with thick black lines on the plan annexed to this Order and marked 'Plan 'A' – Port Erin Dog Control Byelaws 2007.'

**Byelaw 5.**

**SCHEDULE 2**

**PART A**

**OPEN SPACES WHERE DOGS MAY NOT BE AT LARGE**

Throughout the year:

Athol Park Glen, from Droghadfayle Road to Ballafurt Road.

The broughs, abutting Spaldrick Promenade.

Bradda Glen and the footpaths from Bradda Glen to Bradda Head.

Breagle Glen, St. George's Crescent.

The grassed areas abutting Station Road and fronting numbers 1 – 16 Edremony and numbers 1, 2, 3, 5, 7, 9, 11, 13, 15, 17 Ballamaddrell.

The landscaped area in the Milner Park Estate abutting Castletown Road and fronting numbers 1, 9, 24 Milner Park and number 2 Milner Close.

Rowany Golf Course.

**PART B**

**BEACHES WHERE DOGS MAY NOT BE AT LARGE**

(During those times not specified in Schedule 1, Part B)

The area of Port Erin beach between the harbour and Mortuary Beach as edged with thick black lines on the plan annexed to this Order and marked 'Plan 'A' – Port Erin Dog Control Byelaws 2007.'

**Byelaw 6.**

**SCHEDULE 3**

**PART A**

**OPEN SPACES IN WHICH DOGS' FAECES MUST BE REMOVED**

Athol Park Glen, from Droghadfayle Road to Ballafurt Road.

The broughs, abutting Spaldrick Promenade.

Bradda Glen and the footpaths from Bradda Glen to Bradda Head.

Breagle Glen, St. George's Crescent.

The grassed areas abutting Station Road and fronting numbers 1 – 16 Edremony and numbers 1, 2, 3, 5, 7, 9, 11, 13, 15, 17 Ballamaddrell.

The landscaped area in the Milner Park Estate abutting Castletown Road and fronting numbers 1, 9, 24 Milner Park and number 2 Milner Close.

The landscaped areas in the Ponyfield Estate shown edged with thick black lines on the plan annexed to this Order and marked 'Plan 'B' – Port Erin Dog Control Byelaws 2007.'

Rowany Golf Course.

**PART B**

**BEACHES IN WHICH DOGS' FAECES MUST BE REMOVED**

(During those times not specified in Schedule 1, Part B)

The area of Port Erin beach between the harbour and Mortuary Beach as edged with thick black lines on the plan annexed to this Order and marked 'Plan 'A' – Port Erin Dog Control Byelaws 2007.'

MADE this day of

2007

Seal of Authority

Signed .....

Chairman of Authority

Signed .....

Clerk of Authority

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**EXPLANATORY NOTE**

*(This note is not part of the Byelaws)*

These Byelaws impose controls on dogs in certain parts of the Village District of Port Erin. Dogs are prohibited from the open spaces and beaches described in Schedule 1 and dogs may not be at large in the open spaces and beaches described in Schedule 2. Dog faeces must also be removed from any highway within its district which consists of or comprises a carriageway and from the open spaces and beaches described in Schedule 3.

Contravention is an offence by the keeper of the dog, punishable by a fine of up to £1,000 or a fixed penalty of £50.