

Statutory Document No. 923/07

THE DOGS ACT 1990

THE MALEW DOG CONTROL BYELAWS 2007

Approved by the Department 5th December 2007

Coming into operation 1st January 2008

In exercise of the powers conferred on the Commissioners of the Malew Parish District by section 24 of the Dogs Act 1990¹, 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 Malew Dog Control Byelaws 2007 and, subject to section 24(10) of the Act, shall come into operation on 1st January 2008.

(2) These Byelaws shall, if not revoked earlier, cease to have effect on 31st December 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.

3. Penalties

Subject to Section 24(2) of the Act, any person guilty of an offence under these byelaws may be liable to a fixed penalty fine of £50 or, upon summary conviction, shall be liable to a fine not exceeding £1,000.

¹ 1990 c.16, as amended by the Dogs (Amendment) Act 2006
Price 85p Price Code: A

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 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 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 footway, pavement, back lane, verge, other public right of way, or
- (b) an open space described in Part A 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 Malew Dog Control Byelaws 2004² are hereby revoked.

² SD 923/07

Byelaw 4.

SCHEDULE 1

OPEN SPACES WHERE DOGS ARE PROHIBITED

- The Children's play area to the rear of 75 –79 Clagh Vane, Clagh Vane Estate, Ballasalla as delineated by thick black line on the attached map,
- Feigh Keign Field and play area, Crossag Road, Ballasalla as delineated by thick black line on the attached map,
- St Marks Green, St Marks,
- Ballasalla Primary School grounds and playing fields as delineated by thick black line on the attached map,
- Malew football Club playing field as delineated by thick black line on the attached map.

Byelaw 5.

SCHEDULE 2

OPEN SPACES WHERE DOGS MAY NOT BE AT LARGE

- The car park to the rear of Rushen Abbey as delineated by dashed black line on the attached map.
- The Commissioners' offices car park, Main Road Ballasalla as delineated by dashed black line on the attached map.

Byelaw 6

SCHEDULE 3


OPEN SPACES IN WHICH DOGS' FAECES MUST BE REMOVED

- The car park to the rear of Rushen Abbey as delineated by dashed black line on the attached map.
- The Commissioners' offices car park, Main Road Ballasalla as delineated by dashed black line on the attached map.

MADE 20TH DECEMBER 2007


Seal of Authority

Signed


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Chairman
of Authority

Signed


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Clerk
of Authority

EXPLANATORY NOTE


(This note is not part of the Byelaws)


These Byelaws impose controls on dogs in certain parts of Malew Parish. Dogs are prohibited from the open spaces described in Schedule 1 and dogs may not be at large in the open spaces 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 described in Schedule 3.

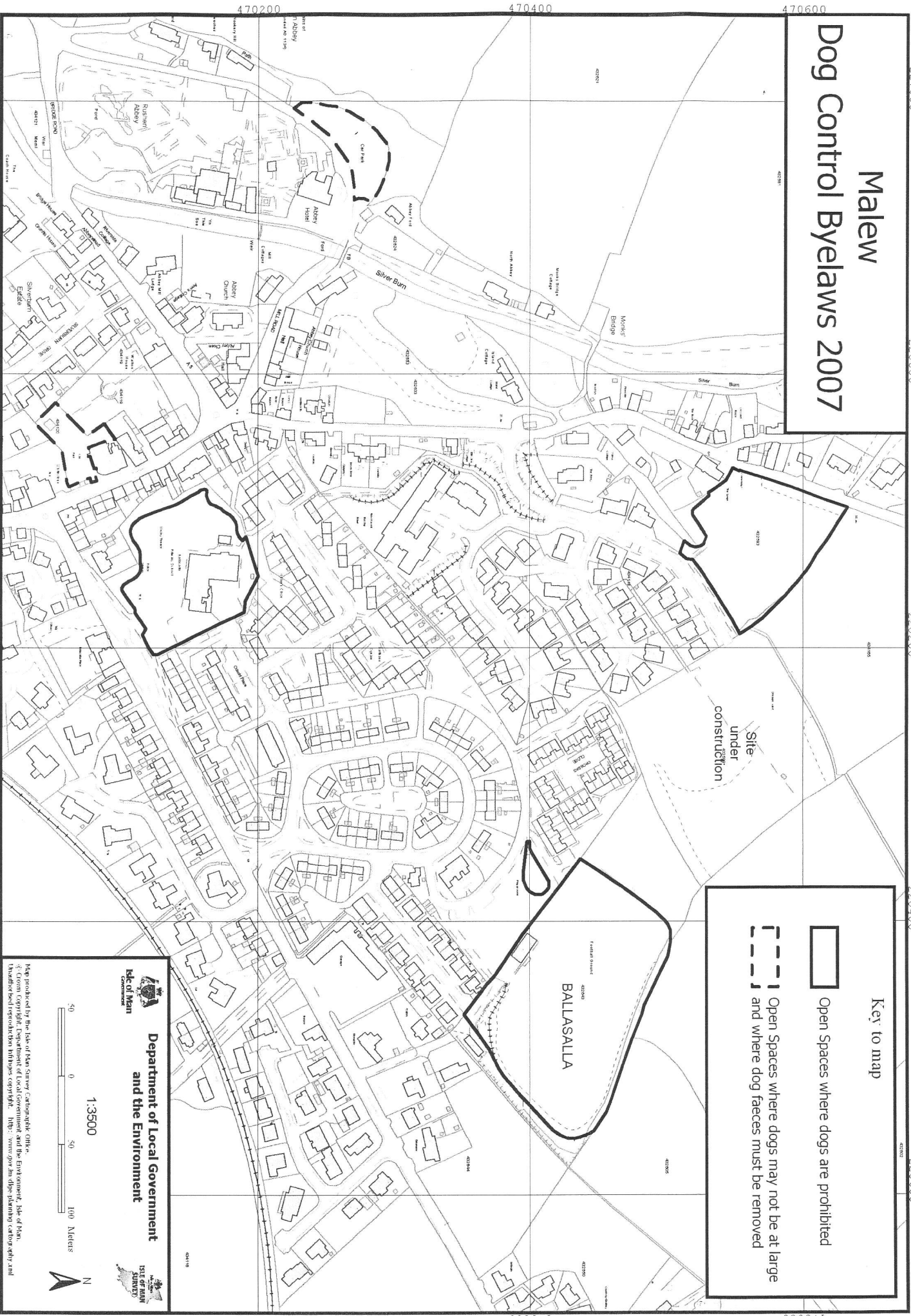
Contravention is an offence and renders the keeper of the dog liable to a fixed penalty of £50 or, on summary conviction, a fine of up to £1,000.

Malew Dog Control Byelaws 2007

Key to map

 Open Spaces where dogs are prohibited

 Open Spaces where dogs may not be at large and where dog faeces must be removed



**Isle of Man
Department of Local Government
and the Environment**

**Isle of Man
Council**

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