

Statutory Document No. 2017/0107



*Dog Control 1990*

## MAROWN DOG CONTROL BYELAWS 2017

<i>Approved by the Department:</i>	<i>30 May 2017</i>
<i>Laid before Tynwald:</i>	<i>20 June 2017</i>
<i>Coming into Operation:</i>	<i>1 June 2017</i>

Marown Parish Commissioners makes the following Byelaws under Section 24(1) and (4) of the Dogs Act 1990, with the consent of the owner of the open space that is not vested in, or under the management or control of, the Commissioners<sup>1</sup>.

### **1 Title**

These Byelaws are the Marown Dog Control Byelaws 2017.

### **2 Commencement**

If approved by the Department of Infrastructure<sup>2</sup>, after consulting the Department of Environment, Food and Agriculture<sup>3</sup>, these Byelaws come into operation on 1 June 2017 and will expire 10 years after the date the Byelaws are made, if not revoked earlier.

### **3 Interpretation**

In these Byelaws, “**the Act**” means the Dogs Act 1990.

### **4 Dogs prohibited to be at large in specified open spaces**

Subject to Section 24(2) of the Act, a keeper of a dog is guilty of an offence if the dog is found to be at large in an open space specified in Part 1 of the Schedule.

<sup>1</sup> Such consent is required by section 24(5) of the Act

<sup>2</sup> As required by section 24(10) of the Act

<sup>3</sup> As required by section 24(10A) of the Act

**5 Dogs prohibited from specified open spaces**

Subject to Section 24(2) of the Act, a keeper of a dog is guilty of an offence if the dog is permitted to have access to an open space specified in Part 2 of the Schedule.

**6 Removal of canine faeces**

- (1) The keeper of a dog is guilty of an offence if he or she fails without reasonable excuse to remove any faeces deposited by the dog on –
  - (a) any highway in the Local Government District of Marown which consist of or comprises a carriageway; or
  - (b) an open space specified in Part 3 of the Schedule.
- (2) For the purpose of paragraph (1) –
  - (a) faeces are “removed” if removed, as soon as reasonably practicable, to a public receptacle provided by Marown Parish Commissioners or another suitable place of disposal; and
  - (b) it is not a reasonable excuse that the keeper did not have any convenient means of removing the faeces.

**7 Exception**

The keeper of a dog is not guilty of an offence under these Byelaws if he or she is –

- (a) a registered blind person; or
- (b) a member of the Isle of Man Constabulary in charge of a dog in the course of his or her duty.

**THE COMMON SEAL of Marown Parish Commissioners was affixed on  
in the presence of –**

(L.S.)

**MADE 17 MAY 2017**

**A. TOOHEY**

*Chairman, Marown Parish Commissioners*

**I. J. MAULE**

*Clerk to Marown Parish Commissioners*



**SCHEDULE**  
**SPECIFIED OPEN SPACES**

**(Byelaws 4, 5 and 6)**

**PART 1**

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

The Heritage Trail (old railway line) from where it enters Marown at the parish boundary with Braddan to where it leaves Marown at the Parish Boundary with German.

**PART 2**

**OPEN SPACES WHERE DOGS ARE PROHIBITED**

1. Marown Bowling Club
2. The grounds and playing fields at Marown Primary School
3. The Memorial Playing Fields in Crosby
4. The children's play areas at –
  - (a) the Memorial Playing Fields
  - (b) Marown Primary School
  - (c) Ballawilleykilley Play Area
  - (d) the grassed area above the water retention pond in Ballagarey
  - (e) the grassed play area at Reayrt ny Chrink.

**PART 3**

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

1. The Heritage Trail (old railway line) from where it enters Marown at the parish boundary with Braddan to where it leaves Marown at the Parish Boundary with German.
2. Marown Bowling Club
3. The grounds and playing fields at Marown Primary School
4. The Memorial Playing Fields in Crosby
5. The children's play areas at –

- (a) the Memorial Playing Fields
- (b) Marown Primary School
- (c) Ballawilleykilley Play Area
- (d) the grassed area above the water retention pond in Ballagarey
- (e) the grassed play area at Reayrt ny Chrink

*EXPLANATORY NOTE*

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

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

The Byelaws come into operation on 1 June 2017 and will expire 10 years after the date the Byelaws are made if not revoked earlier.

Contravention is an offence by the keeper of the dog, punishable by a fixed penalty fine of £50<sup>4</sup> or, upon summary conviction, a fine of up to £1,000<sup>5</sup>

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<sup>4</sup> See section 27A of the Act

<sup>5</sup> See section 24(1) and (4) of the Act