

Statutory Document No. 2017/0232



Dogs Act 1990

PORT ST MARY DOG CONTROL BYELAWS 2017

Approved by the Department of Infrastructure:

Laid before Tynwald:

Coming into Operation: 1 September 2017

Port St. Mary Commissioners make the following Byelaws under section 24(1) and (4) of the Dogs Act 1990. In accordance with section 24(10) of that Act the Commissioners have obtained the approval of the Department of Infrastructure (following consultation with the Department of Environment, Food and Agriculture under section 24(10A) of the Act) and in accordance with section 24(5) of that Act the Commissioners have obtained the consent of the owner of any open space or car park to which the byelaws apply which is not vested in, or under their management or control.

1 Title

These Byelaws are the Port St Mary Dog Control Byelaws 2017.

2 Commencement

These Byelaws come into operation on 1 September 2017 and 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;

“the Commissioners” means the Port St. Mary Commissioners.

4 Dogs prohibited from being present, or being at large in open spaces and beaches

- (1) A keeper of a dog is guilty of an offence if the dog is permitted to have access to an open space or a beach as specified in Part 1 of Schedule 1 at any time throughout the year, or the beach described in Part 2 of

Schedule 1, between the 1st May and the 30th September in any year and between the hours of 0900 and 1800.

- (2) A keeper of a dog is guilty of an offence if the dog is found at large in an open space as specified in Part 2 of Schedule 1.
- (3) A keeper of a dog is guilty of an offence if the dog is found at large on the beach described in Part 2 of Schedule 1 during those days and times not specified in paragraph (1).
- (4) For the sake of clarity, this byelaw is subject to section 24(2) of the Act (which provides a defence for a person who proves he or she took all reasonable steps to avoid the commission of an offence).

5 Removal of canine faeces

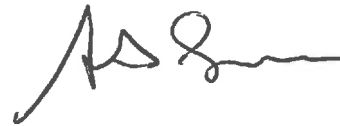
- (1) The keeper of a dog is guilty of an offence if he or she fails without reasonable excuse to remove any faeces deposited by the dog on –
 - (a) any highway in its district which consists of or comprises a carriageway;
 - (b) an open space described in Part 2 of Schedule 1 at all times throughout the year;
 - (c) the beach described in Part 2 of Schedule 1, during those days and times not specified in Byelaw 4; or
 - (d) the beach described in Part 3 of Schedule 1, throughout the year.
- (2) For the purpose of paragraph (1)—
 - (a) faeces shall be taken as removed if they are deposited in any public bin provided for the purpose in the area or open space by a local or other public authority; and
 - (b) it shall not be a reasonable excuse that the keeper did not have with him or her any means of removal of the faeces.



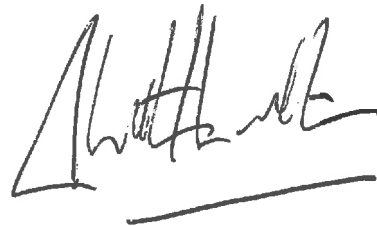
THE COMMON SEAL¹ of Port St. Mary Commissioners was affixed on 16th August 2017 in the presence of

(L.S)

MADE



Chairman, Port St. Mary Commissioners



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Clerk to Port St. Mary Commissioners

¹ As required by section 30(2) of the Local Government Act 1985

SCHEDULE 1**SPECIFIED OPEN SPACES****PART 1**

(Byelaw 4)

OPEN SPACES AND BEACHES WHERE DOGS ARE PROHIBITED

The open spaces and beaches referred to in Byelaws 4 and 5 are -

- (a) The tennis courts, Kallow Point Road;
- (b) The Children's playground, Clifton Road North;
- (c) Those areas of Port St. Mary Golf Links as delineated by a thick black line on the plan shown in Schedule 2 entitled: "**Map – Port St. Mary Dog Control Byelaws 2017**"; (but excluding the un-adopted track across golf course between Clifton Road North and Clifton Road South and the public rights of ways within the boundaries of the golf course referred to below in Part 2(f);
- (d) Dogs are prohibited from the whole of Chapel Beach (including the foreshore) (as delineated by a thick black line on the plan shown in Schedule 2 entitled "**Map – Port St. Mary Dog Control Byelaws 2017**").

PART 2

(Byelaws 4 and 5)

OPEN SPACES AND BEACHES WHERE DOGS MAY NOT BE AT LARGE AND FROM WHICH DOGS' FAECES MUST BE REMOVED

The open spaces and beaches referred to in Byelaws 4 and 5 are—

- (a) the grassed area known as Queens Place (Mount Tabor), Queens Road;
- (b) the grassed area known as The Point Triangle, Queens Road/ Clifton Road;
- (c) the grassed area known as Corner Plot, Loch Road;
- (d) the Public right of way through Perwick Rise to Glen Chass Road;
- (e) the Public coastal footpath from Strathallan, Kallow Point Road to Perwick Road along Traie Coon;

- (f) the un-adopted track across golf course between Clifton Road North and Clifton Road South, also the Public rights of ways within the boundaries of the golf course as delineated by a dashed black line on the plan shown in Schedule 2 entitled "Map – Port St. Mary Dog Control Byelaws 2017";
- (g) the grassed area and footpaths at Kallow Point, Clifton Road as delineated by a dashed black line on the plan shown in Schedule 2 entitled "Map – Port St. Mary Dog Control Byelaws 2017";
- (h) the coastal footpath from Willow Terrace to Chapel Beach known as the Catwalk;
- (i) the grassed verge to seaward on The Promenade;
- (j) the Lower Promenade walkway around Chapel beach to Gansey Point;
- (k) the grassed area and footpaths at Gansey Point as delineated by a dashed black line on the plan shown in Schedule 2 entitled "Map – Port St. Mary Dog Control Byelaws 2017";
- (l) the Public coastal footpath from Gansey Point to the Smelt, Beach Road;
- (m) the Pound Lane (between Castletown Road and Beach Road);
- (n) the grassed area at fronting numbers 1-8 and 13-18, Barna Beg Bank, Barna Beg known as the Brews;
- (o) the grassed area abutting 1, The Paddocks; Queens Road;
- (p) the grassed areas at Four Roads plots, Castletown Road / Four Roads;
- (q) the grassed area at Ballacreggan Corner Plot, junction of Station Road / Beach Road;
- (r) The whole of Chapel Beach (including the foreshore) (as delineated by a thick black line on the shown in Schedule 2 entitled "Map – Port St. Mary Dog Control Byelaws 2017").

PART 3

BEACHES FROM WHICH DOGS' FAECES MUST BE REMOVED

The foreshore at Willow Terrace, Shore Road.

SCHEDULE 2

