



Comhairle Contae
Ros Comáin
Roscommon
County Council

ROSCOMMON COUNTY COUNCIL

CASUAL TRADING BYE-LAWS 2022



Adopted 28th November 2022

BYE-LAWS IN RELATION TO CONTROL, REGULATION, SUPERVISION AND ADMINISTRATION OF CASUAL TRADING

ROSCOMMON COUNTY COUNCIL (hereinafter referred to as "The Council") in pursuance of the powers conferred on it by Section 6 of the Casual Trading Act, 1995 and all other enabling statutory powers **HEREBY MAKES** the following Bye-Laws for the Control, Designation, Regulation and Administration of Casual Trading in the administrative area of the County of Roscommon.

1. These Bye-Laws may be cited as the Roscommon County Council Casual Trading Bye-Laws 2022.
2. These revised Bye-laws were adopted on 28/11/2022 and came into effect on 01/01/2023.

REVOCATION - The Casual Trading Bye-laws 2019 are hereby revoked.

3. **DEFINITIONS** – The following definitions shall apply in these Bye-Laws save where the context implies otherwise:

"The Act" means the Casual Trading Act, 1995.

"Allotted Pitch" means the trading bay or space allocated in a Casual Trading Licence to an individual trader.

"Authorised Officer" means any person appointed by Roscommon County Council under Section 10 of the Act to be an Authorised Officer.

"Casual Trader" means any person or his Nominated agent, authorised to carry out Casual Trading pursuant to The Casual Trading Act, 1995 and these Bye-Laws.

"Casual Trading" has the meaning assigned to it in Section 2 of the Act.

"Casual Trading Area" means the land standing designated in these Bye-Laws made under Section 6 of The Act as an area where Casual Trading may be carried on. For the purpose of these Bye-Laws, the Casual Trading Area shall be defined by the extents of the maps provided in the First Schedule hereto.

"Casual Trading Licence" means a licence granted by the Council pursuant to Section 4 of the Act.

"The Council" means Roscommon County Council.

"Designated Area" means such locations as may be designated for Casual Trading in these Bye-Laws.

"Sell, Selling or Sale" includes agreeing to offer to sell or displaying for sale or inviting an offer to buy.

"Stall" shall, in addition to its ordinary meaning, include any wheeled or moveable stall or box, barrow, cart, caravan, trailer or other vehicle or booth or other stand or conveyance used for Casual Trading.

“Casual Trading Pitch” means the casual trading bay or space designated and specified in a Casual Trading Licence issued by Roscommon County Council for the purpose of trading.

“Vehicle” means and includes every means of conveyance, whether mechanically propelled or not, of persons, market produce or any goods or articles.

“Pitch Vehicle” means and includes a mechanically propelled vehicle from which a trader may sell or store their produce

4. **EXEMPTIONS** - Pursuant to Section 2(4) of the Act, casual trading does not include the following:
 - a) The sale of cabbage plants only for the period from 01 February to 01 July
 - b) The selling of printed matter or pious or religious objects at or in the immediate vicinity of a church or place of worship on days on which service or other religious ceremonies take place therein
 - c) Selling to a person at the place where s/he resides or carries on business
 - d) Selling during the period 01 May to 30 September in any year, by-
 - i. The grower within the meaning assigned to that expression by the Casual Trading Act 1995 (Section 2(3)) Regulations 2004 or
 - ii. Subject to the condition specified in relation to this paragraph by those Regulations being satisfied, a servant or agent of the grower, of one or more of the following fruits and vegetables, namely –
 - a) Strawberries, raspberries, blueberries, gooseberries, blackberries, loganberries, tayberries, currants
 - b) Potatoes having loose skins and which have been harvested prior to maturity
5. **ALTERNATIVE TRADING PLACES** - An existing licence for a trading place may be suspended by Executive Order to facilitate Public Realm Developments, construction/development/maintenance of a roadway, footpath or other infrastructure or adjoining sites or for other operational reasons. As appropriate, alternative trading places may be assigned by the Council to existing licence holders following consultation, subject to availability for the duration of the works.
6. **PUBLIC REALM DEVELOPMENTS** - The Council reserves the right to make alterations to designated Casual Trading areas that may be required as a result of new Public Realm developments in town centres, in consultation with existing traders.
7. **DESIGNATION OF CASUAL TRADING AREAS** - Casual Trading shall only be carried on in the locations designated for that purpose and described in First Schedule to these Bye-Laws OR at a specific event or events at such other locations as may be approved by Roscommon County Council in a licence as detailed in the Sixth Schedule to these Bye-Laws and issued pursuant to Section 4 (1) (a) (iii) of the Act.
8. **FREQUENCY OF TRADING** - A licence for Casual Trading will only be valid for a maximum of three days per week in the County of Roscommon and for a maximum of two days in any one town.

9. **TRADING DAYS** - The trading days in County Roscommon are designated as Thursday to Saturday inclusive. Mart days are also designated as trading days in respect of the town in which the mart is taking place.
10. **ADDITIONAL TRADING DAYS** - Trading will be permitted outside of the designated days in the following circumstances:
- a. Christmas Week
 - b. Easter Week
 - c. St. Patrick's Day
 - d. Traditional Fair Days (relevant to the particular town)

Applications for such variations must be requested at time of licence application or renewal and will be recorded on the license issued.

11. **HOURS OF TRADING** - Casual Trading shall only take place at the times and days specified in the licence and shall be between the hours of 8:00 a.m. and 6:30 p.m.
12. **MART TRADING DAYS** - Where trading takes place in designated trading locations that are adjacent to marts, trading can continue to take place on mart days up to the end of mart sales and no later than midnight.
13. **LICENCING REQUIREMENTS & CONDITIONS** - A person shall not engage in Casual Trading unless s/he is, or is the servant or agent acting as such of, a person who holds a Casual Trading Licence that is for the time being in force and the Casual Trading is in accordance with the licence issued by the Council.

A person engaged in Casual Trading in the Casual Trading Area:

- a) Shall only engage in Casual Trading at the Casual Trading Pitch specified in the Casual Trading Licence granted by the Council.
- b) Shall only trade in the goods as specified in the Casual Trading Licence and the determination of the specified goods to be sold and the combination and diversity of goods to be sold in a Casual Trading Area will be made by the Chief Executive or his nominee at the time of the granting of the individual licences.
- c) Shall not deposit, cause or permit any goods, produce or articles to be deposited on any land except inside the Casual Trading Pitch specified in the Casual Trading Licence.
- d) Shall not obstruct or cause to be obstructed free passage through the Casual Trading Area or any of the immediate approaches thereto.
- e) Shall not obstruct or cause to be obstructed the entrance to the premises in the vicinity of the Casual Trading Area.
- f) Shall not obstruct or impede or assist a person to obstruct the Council or its servants or agents in the carrying out of any works of maintenance or improvement in any part of the Casual Trading Area even when such work is carried out during trading hours.

- g) Shall not sell counterfeit or illegal goods, products or substances and if convicted in court the licence shall be revoked.

14. DISPLAY OF NOTICE - A person carrying on Casual Trading at the Casual Trading Pitch specified in the Casual Trading Licence shall display by a notice in the prescribed form the number of the Casual Trading Licence.

- (a) The notice displayed pursuant to this Bye-Law shall be painted or inscribed or printed and affixed on a durable material.
- (b) The notice shall be so displayed in a conspicuous position at the place where the casual trading is carried on as to be clearly visible and easily legible to members of the public at such place.
- (c) Form No. 1 set out in the Third Schedule to these Bye-Laws shall be the prescribed form of the notice required to be displayed under this Bye-Law for Casual Trading not being Casual Trading at an event or events.
- (d) Form No. 2 set out in the Fourth Schedule to these Bye-Laws shall be the prescribed form of the notice required to be displayed under this Bye-Law for Casual Trading at an event.

15. AUTHORISATION TO TRADE - A Casual Trading Licence shall only be used by the person to whom the licence was issued or by such agent of such person as agreed in writing by the Council.

16. FOOD SAFETY LEGISLATION – Food, prepared or unprepared, shall not be made available for sale, displayed, stored or kept in any other manner except in accordance with the Food Safety Legislation for the time being in force or any further regulations that may be made in that regard.

17. PARKING RESTRICTIONS WITHIN CASUAL TRADING AREA

- (a) A person shall not park a vehicle in a Casual Trading Area during allocated trading hours.
- (b) A licensed trader shall not park a vehicle in the Casual Trading Area during trading hours unless such vehicle is being used for Casual Trading and is wholly parked within the area of the Casual Trading Pitch specified in the Casual Trading Licence.
- (c) A Licensed Trader shall remove such vehicle from the Casual Trading Pitch specified in the Casual Trading Licence and from the Casual Trading Area on each day upon which Casual Trading is permitted by the Casual Trading Licence not later than thirty minutes after the expiration of trading hours.
- (d) A Licensed Trader shall not park a vehicle earlier for a period exceeding thirty minutes from the commencement of parking in the Casual Trading Area for the purposes of unloading goods or produce onto the Casual Trading Pitch specified in the Casual Trading Licence.

CASUAL TRADING PITCH OPERATION & MAINTENANCE (INCLUDING HEALTH & SAFETY)

- 18.** The type of Stall used by a person engaged in Casual Trading must be approved by the Council and the dimensions of same shall not exceed the defined area of the Allotted Pitch.
- 19.** Stalls used must be of safe, anchored and robust construction and suitably equipped for the particular service which it proposes to provide. Materials covering stalls must be clean, safe and tightly secured to the frame. The stall shall be maintained in a safe condition at all times and barriers shall be erected around all potential hazards. The Casual Trader can only display goods within the boundary of his/her stall therefore goods shall not obstruct free passage through the market place.

The Casual Trader must provide a statement from a competent person that the structure is safe.

The Council shall not be responsible for any loss, damage or injury caused by the negligence of any Casual Trader, his/her agents, employees or customers.

- 20.** Trading shall be confined to the Allotted Pitch at the designated Casual Trading Area and no goods shall overhang a Stall or be deposited on the ground except in the Allotted Pitch and no Stall shall exceed 2.5 metres in height from ground level without prior agreement of the Council.
- 21.** If a Casual Traders Stall operates in the form of a roadworthy truck or van, the 2.5metre height restriction does not apply. The vehicle cannot exceed the allocated pitch area.
- 22.** The Council reserves the right to change and alter the internal layout of the Casual Trading Pitches within the Casual Trading Areas at any time.
- 23.** A person carrying on Casual Trading in the Casual Trading Area shall ensure that the Casual Trading Pitch, specified in the Casual Trading Licence, remains unaltered and undamaged as a consequence of their Casual Trading.
- 24.** No broadcasting or speech from a mechanical amplification system shall take place from any Stall or any Vehicle and no loud playing of radios or music reproduction appliances shall take place at any Stall.
- 25.** All generators, used in conjunction with Casual Trading Stalls, shall conform to acceptable noise levels (i.e. 65db(A)– where db(A) means decibel level) and a manufacturer's certificate may be required to confirm specification.
- 26.** A person carrying on Casual Trading in the Casual Trading Area shall keep the Casual Trading Pitch specified in the Casual Trading Licence in a clean and tidy condition and for that purpose shall comply with the following:
 - (a)** Cause the Stall to be properly cleansed immediately before and after the sale of goods for the day.
 - (b)** Cause the Casual Trading Area and a radius of at least 50 metres to be kept free of litter arising from the Casual Trading business as approved by licence.

- (c) Provide a suitable receptacle (agreed with the Council) for refuse and keep said receptacle within the trading place at all times of trading. Comply with any requirements of the Waste Management Acts and any Regulations or Bye-laws made therefrom.
 - (d) Litter must not be allowed to accumulate in the vicinity of the Casual Trading Pitch during casual trading hours and at the end of trading the trading place must be cleaned up and all refuse removed and shown to be properly disposed of by the licence holder. Each Casual Trader shall also clean their Casual Trading Pitch as often as is necessary or when directed by Roscommon County Council, its employees or agent, during the day on which the stall is in use for the sale of goods.
 - (e) Casual Traders must comply with the Litter Pollution Act, 1997 in general and in relation to the erection of signs in the vicinity of the trading site.
27. The Council shall not be held responsible for any property belonging to any person whatsoever deposited or left in any part of the Casual Trading Area, nor for any loss, damage or injury caused by the negligence of any trader, their agents, employees or customers.
28. The Council reserves the right to remove Stalls found on the designated Casual Trading Area after trading hours and/or goods or other articles left outside the Allotted Pitch at any time.

AUTHORISED OFFICER

29. The Council may appoint an Authorised Officer or Officers for the purposes of managing and controlling a Casual Trading Area.
30. A Casual Trader shall comply with the lawful requests and directions given by an Authorised Officer or by a member of An Garda Síochána.
31. An Authorised Officer appointed by the Council or a member of An Garda Síochána may:
- (a) Enter, inspect and examine any place where s/he has reasonable cause to believe that Casual Trading is being carried on
 - (b) Require any person whom s/he has reasonable cause to believe to be engaging in Casual Trading to;
 - (i) produce, if it is not being displayed, a Casual Trading Licence authorising such trading and to permit the officer or member of An Garda Síochána to examine the Licence, and
 - (ii) if s/he fails, neglects or refuses to produce such a licence or in a case in which it is not being displayed, to furnish to the officer or a member of An Garda Síochána his name and address and, if s/he is the servant of another person, the name and address of the other person
 - (c) Make such examination and inquiry as may be necessary to ascertain whether the provisions of The Act or of these Bye-Laws are being complied with
 - (d) Require any person whom s/he has reasonable cause to believe to be engaging in Casual Trading in contravention of the Act to give such information as is in his/her power to give as to the ownership of any goods being sold in the course of such trading

32. A person shall not obstruct or interfere with, or give false information to an Authorised Officer or member of An Garda Síochána in the performance of functions under these Bye-Laws.
33. **INSURANCES** - A person carrying on Casual Trading in the Casual Trading Area shall indemnify the Council against all actions, claims or demands whatsoever by any person claiming damages for personal injuries, loss or damage caused by any act, neglect or default of such Casual Trader, his servants, or employees in and about the carrying on of such Casual Trading in the Casual Trading Area and every such Casual Trader shall be required by the Council to have in force at all times an appropriate Public Liability Insurance with an Insurance Company to be approved by the Council insuring against the aforesaid risks in a minimum sum of €6,350,000 for any one incident. The interest of the Council is to be noted on the face of such policy of insurance and if at any time the said policy is allowed to lapse or is rendered void the Council shall be at liberty to revoke the Casual Trading Licence of such person forthwith.

APPLICATION PROCESS

34. A person applying to the Council for a Casual Trading Licence shall furnish to the Council the information requested in the form prescribed, together with such further information as the Council may request for the purposes of the exercise of its powers and functions under the Act, and if a person fails to comply with this article, the Council may refuse to grant the person the licence.
35. Applications for Casual Trading Licences shall be made in the appropriate form addressed to Senior Executive Officer, Environment Department, Roscommon County Council, Áras an Chontae, Roscommon or by email to casualtrading@roscommoncoco.ie
- (a) An individual application shall be made for each licence.
 - (b) A Tax Clearance Certificate from the Revenue Commissioners must be lodged with each completed application form.
 - (c) The Council reserves the right to grant or refuse a Casual Trading Licence.
 - (d) Individual trading Pitches shall be allocated by the Council by such methods that it may, at its discretion decide.
 - (i) Due recognition will be given to traditional traders in the allocation of Casual Trading Pitches and, in particular to persons who satisfactorily support their claim to be established traders.
 - (ii) The allocation process shall not exclude allocation by lot when deemed necessary.
 - (e) The allocation of a licence will primarily be based on a supply and demand selection process; however, the allocation process shall not exclude allocation by lot when deemed necessary.
 - (f) A Casual Trader who fails to trade, on one or more days, for eight consecutive weeks is liable to have his/her licence revoked. The Council may, at its discretion, serve notice on the licence holder that his/her licence has been revoked for the remainder of the licence period, and arrange to reallocate the Pitch in question. The holder will be given the opportunity to explain their absence prior to any decision regarding revocation of the licence.

- (g) Casual Trading Pitches shall not be exchanged or sublet.
 - (h) The Council or its servants or agents may from day to day, permit any Casual Trading Pitch which has already been allocated to be temporarily used by any other Casual Trader when not in actual use by the Casual Trader to whom it was allocated or where it has not been occupied by 10:00 a.m.
- 36.** The allocation of a Casual Trading Pitch by a licence shall not confer upon the Casual Trader any tenancy or right to occupy or transfer the said casual Trading Pitch.
- 37.** The Council may revoke a Casual Trading Licence if it is satisfied that a condition of the licence is being or has been contravened or if the person to whom it was granted is convicted of any offence in relation to the importation, possession or sale of goods committed while s/he was the holder of a Casual Trading Licence or an offence under the Act.
- 38.** The Council where possible reserves the right to prohibit Casual Trading on any trading day, or part thereof, in the event that exceptional circumstances arise which necessitate such prohibition. The Council where possible will notify any affected licence holders in advance of any such prohibition taking effect.
- 39.** Casual Trading Licences are issued annually and valid for a period of 12 months from 01 January to 31 December. Applicants must reapply for a licence on an annual basis no later than 01 November each year.
- 40. SERVICE OF NOTICES** - Where a notice in relation to any provision of these Bye-Laws is required to be served on or given to a person, it shall be addressed to him or her and shall be served on or given to him or her in one of the following ways:
- (a) Where it is addressed to him or her by name, by delivering it to him or her
 - (b) By leaving it at the address or sending it by post by registered letter at which he or she ordinarily resides or, to the address most recently received by The Council from the Casual Trader for correspondence purposes or, in a case in which an address for services has been furnished, at that address
 - (c) Where the address at which he or she ordinarily resides cannot be ascertained by reasonable inquiry and the notice or copy is so required or authorised to be given or served in respect of any Allotted Pitch by delivering it to some person over the ages of 16 years employed, or otherwise engaged in connection with the carrying out of the Casual Trading to which the notice related, on the allotted pitch or by affixing it in a conspicuous place on or near the Allotted Pitch

For the purposes of this Clause, a company registered under the Companies Acts, 1963 to 2006, shall be deemed to be ordinarily resident at its registered office, and every other body corporate and every incorporated body shall be deemed to be ordinarily resident at its principal office or place of business.

LICENCE FEES AND REFUNDS

41. The appropriate annual fee as set out in the Second Schedule of these Bye-Laws shall be payable to The Council in advance of the issue of a Casual Trading Licence for each Casual Trading Pitch to be allocated to a Casual Trader in a Casual Trading Area.
42. The fee as set out in the Second Schedule of these Bye-Laws shall be payable to The Council in advance with an application for the grant of a Casual Trading Licence in respect of Casual Trading at an event or events specified in a Casual Trading Licence to be issued pursuant to Section 4(l) (a) (iii) of the Act.
43. The fees and charges set out in these Bye-Laws shall be reviewed five years after these Bye-Laws first came into operation (i.e., review after 01 January, 2025) and thereafter any increase in fees shall not exceed the cost of administration of the Bye-Laws.

These fees shall be non-refundable in the event of revocation of a licence.

44. A licence holder may surrender his/her licence to the Council at any time prior to the expiry of the licence period. A person who surrenders a licence may obtain a refund of that portion of the licence fee equivalent to the unexpired term of licence, subject to a maximum refund of 50% of the total fee. Where a licence has been surrendered, the Council may issue a new licence for the unexpired term of the surrendered licence.
45. A licence fee will be refunded where it is shown that any profits from casual trading in one of the designated pitches, are used for charitable purposes. In such circumstances, a licence is to be applied and paid for. Refunds will be issued on submission of the charitable status certificate identifying the seller and Garda permit, where appropriate.

46. FIXED PAYMENT NOTICE

- a) A person who contravenes any provision of these Bye-Laws shall be liable pursuant to Section 206(1) of the Local Government Act 2001 to an on the spot fine of € 60.00 for a breach of these Bye-Laws and the said fixed payment must be paid within 21 days of the date of service of such Fixed Payment Notice for such person to avoid a prosecution.
- b) The fixed payment notice shall be in the general form annexed and referred to in the Seventh Schedule and shall be served by pre-paid registered post or be delivered by hand.
- c) Where a person commits any of the offences specified in the Seventh Schedule, said person shall be liable to such penalties as specified in the Fixed Payment Notice.

- 47. OFFENCE** - A person who contravenes any provision of these Bye-Laws shall be guilty of an offence.

PENALTIES - Any person who contravenes any provision of these Bye-Laws shall be liable to such penalties as specified in Section 14 of the Act.

EVENT TRADING

48. Roscommon County Council reserves the right to award trading licences to traders for special events, festivals and fairs.

49. Event trading includes the sale of natural Christmas trees, wreaths and garlands from 24 November to 24 December annually.
50. Applications for event licences shall be made not less than 15 working days in advance of the date on which trading is to take place.
51. The Council reserves the right to limit the number of licences awarded for each event.
52. The Council reserves the right to allow trading to take place outside the hours specified in Clause 11 of these Bye-Laws for certain events.
53. Only goods approved by the Council shall be sold by the licensee at these events.
54. Trading shall be carried out in accordance with specific conditions attached to the event licence and all conditions of such licence shall be strictly adhered to by the licensee.
55. All articles of these Bye-Laws shall apply to licensee's license for event trading.

GENERAL

56. The County Roscommon Car Park Bye-Laws 2011 are hereby partially revoked insofar as they apply to any of the car parks or parts thereof referred to in schedules to the said car parks with effect from the date on which these Casual Trading Bye-Laws came into effect.

Present when the Common Seal of Roscommon County Council was affixed thereto.



Chief Executive



Director of Services/Nominated Employee




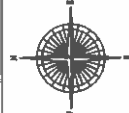
FIRST SCHEDULE

Designated Casual Trading Areas & Pitches


Maps

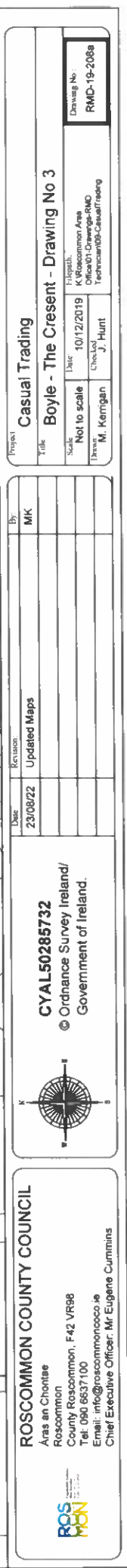
Roscommon Town - Town Centre	Drawing No. 1
Roscommon Town - Mart Area.....	Drawing No. 2
Boyle - The Crescent	Drawing No. 3
Ballaghaderreen - The Square	Drawing No. 4
Strokestown - Church Street.....	Drawing No. 5
Castlerea - Market Square	Drawing No. 6
Castlerea - Mart Area.....	Drawing No. 7

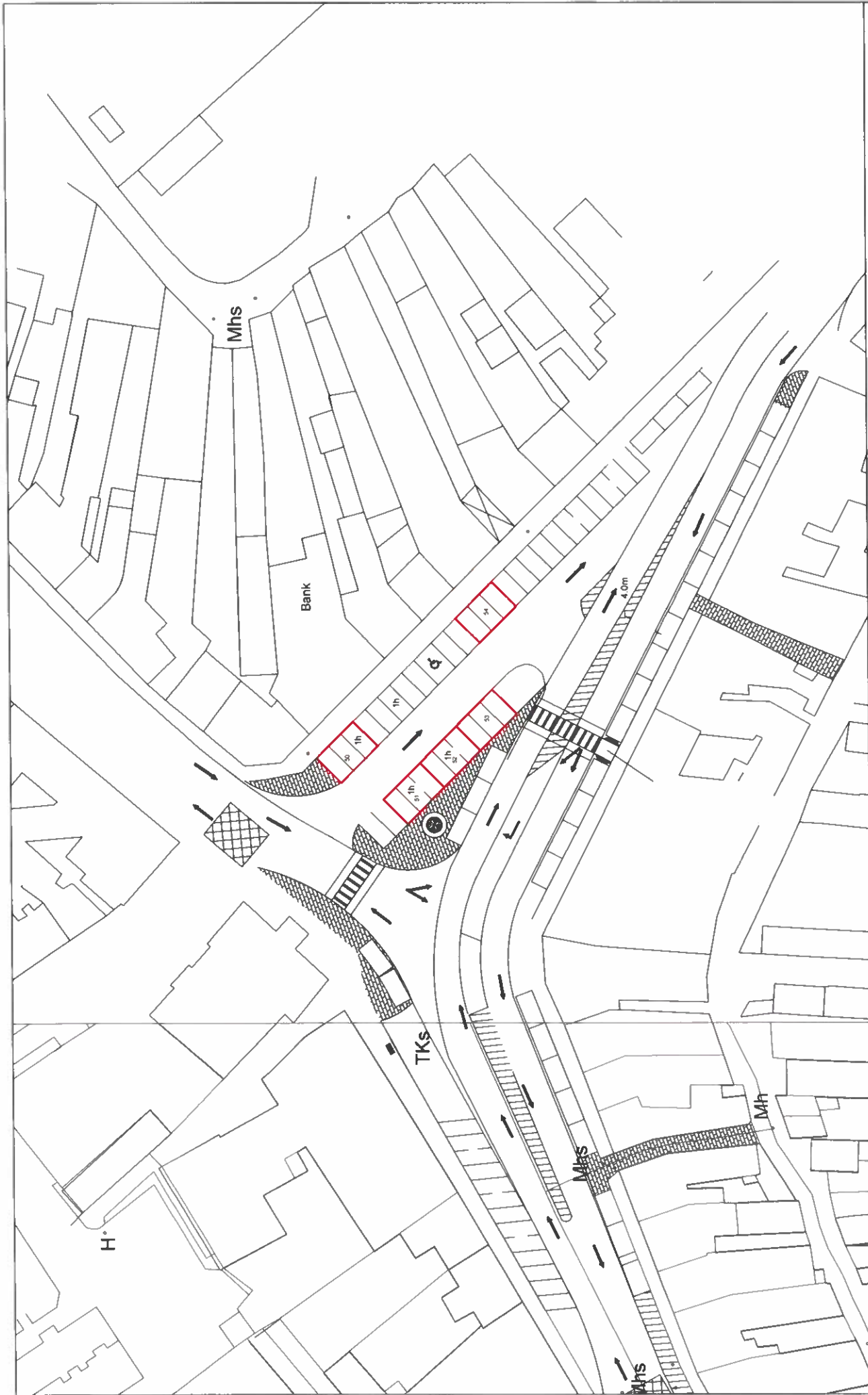


 ROSCOMMON COUNTY COUNCIL Áras an Chontae Roscommon County Roscommon, F42 VR98 Tel: 090 6637100 Email: info@roscommoncoco.ie Chief Executive Officer: Mr Eugene Cummins		 CYAL50285732 © Ordnance Survey Ireland/ Government of Ireland.		Date: 23/08/22 Revision: Updated Maps By: MK	Project: Casual Trading Title: Roscommon Town - Town Centre - Drawing No 1 Scale: Not to scale Drawn: M. Kerrigan Checked: J. Hunt Date: 10/12/2019 Prepared: K. Roscommon Area Office/01-Drawing-RMD Technician: 09-Casual Trading Drawing No: RMD-19-2038
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 ROSCOMMON COUNTY COUNCIL Aras an Chonlaie Roscommon County Roscommon, F42 VR88 Tel: 090 6637100 Email: info@roscommoncoco.ie Chief Executive Officer: Mr Eugene Cummins		CYAL50285732 © Ordnance Survey Ireland/ Government of Ireland.		Date: 23/08/22 Revision: Updated Maps By: MK	
Casual Trading Roscommon Town - Mart Area - Drawing No 2		Title: _____ Scale: Not to scale Drawn: M. Kerrigan Checked: J. Hunt Date: 10/12/2019 Project: K/Roscommon Area Office: 01-Drawings-RMD Technician: 06-Casual Trading		Drawing No: RMD-15-204a	





ROSCOMMON COUNTY COUNCIL
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 Chief Executive Officer: Mr Eugene Cummins

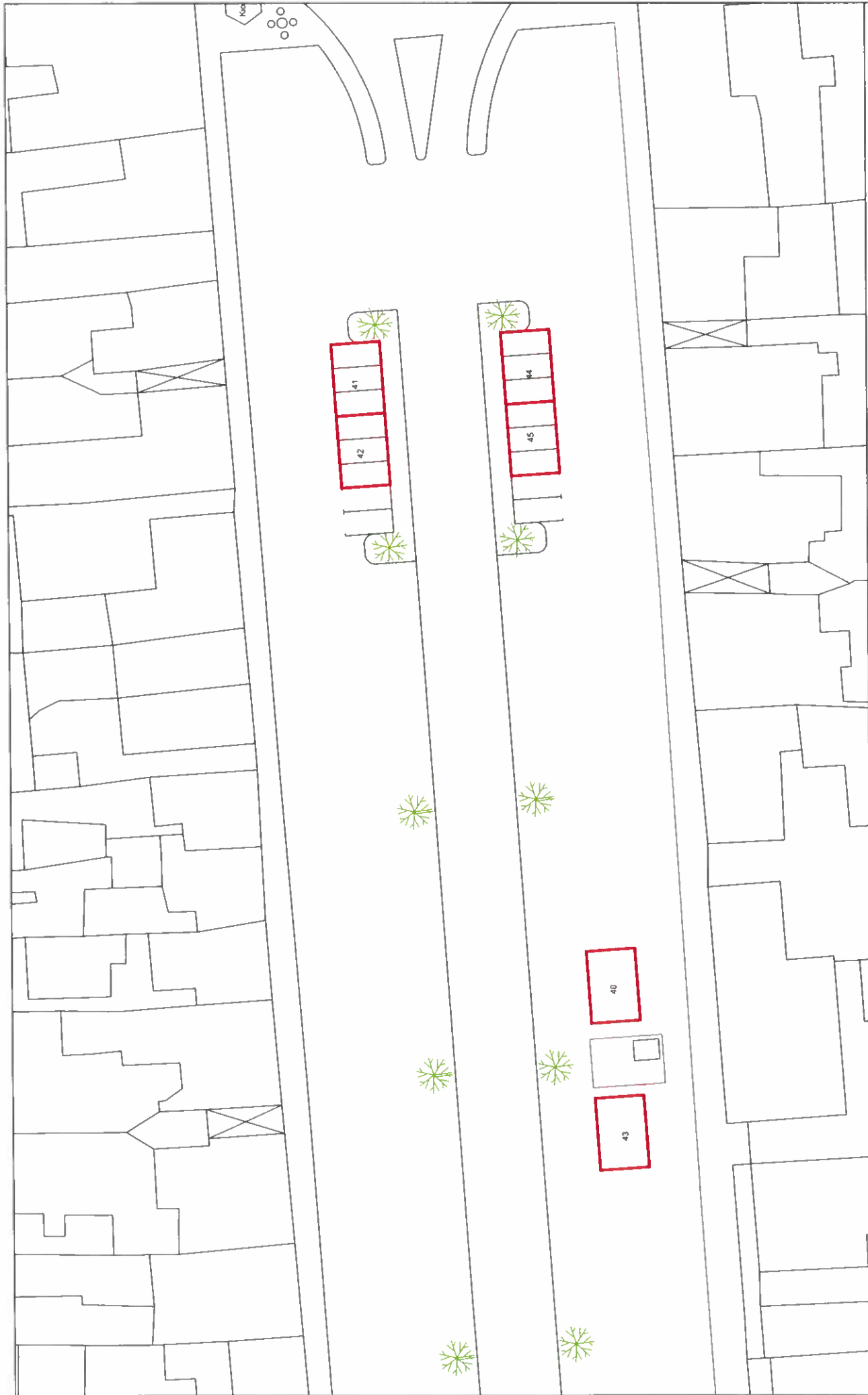
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Casual Trading
 Ballaghaderreen - The Square - Drawing No 4

Scale: Not to scale
 Date: 10/12/2019
 Drawn: M. Kemgan
 Checked: J. Hunt


Project Title: Ballaghaderreen - The Square - Drawing No 4
 Drawing No: RMD-19-209a
 Client: K. Roscommon Area
 Office: 01-Drawings-RMD
 Technician: 005-Casual Trading

Date	Revisions	By	Th
23/09/22	Updated Maps		MK





ROSCOMMON COUNTY COUNCIL
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Email: info@roscommoncoco.ie
Chief Executive Officer: Mr Eugene Cummins



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Date	Revision	Th
23/09/22	Updated Maps	MK

Casual Trading
Stroketown - Church Street - Drawing No 5


Project	
Title	Stroketown - Church Street - Drawing No 5
Scale	Not to scale
Drawn	M. Kerrigan
Checkd	J. Hunt
Date	10/12/2019
Author	K. Roscommon Area Office
Technician	OS-Casual Trading

Drawing No: **RMD-19-207a**





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Date	Revision	By
23/09/22	Updated Maps	MK

Project: Casual Trading


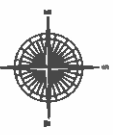
Title: Castlereagh - Market Square - Drawing No 6

Scale	Date	Checked	Drawn
Not to scale	10/12/2019		

Project Manager: M. Kerrigan
Client: J. Hunt
Project Location: K. Roscommon Area
Project Description: Office 01 Drawings - RMD
Project Status: Technical/MS-Casual Trading

Drawing No: RMD-19-205a



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SECOND SCHEDULE

Fees

The fees for a Casual Trading Licence shall be as follows:

1. In locations designated as Casual Trading Areas and described in the first Schedule to these Bye-Laws a fee per annum shall be payable for each Casual Trading Pitch allocated as follows:

Countywide	<p>€300 annual fee for each Pitch equivalent to no more than 35 m² (approx. equivalent to three car parking spaces) and inclusive of space for pitch vehicle.</p> <p>This fee allows a licence holder to trade up to a maximum of three days per week in a designated casual trading area as defined in the licence issued.</p> <p>A licence holder can only operate a Pitch in one town on any given trading day.</p> <p>A licence holder will not be permitted to trade for more than two days per week in any one town.</p>	€200 annual fee for each extra pitch space required of no more than 11.5 m ² (equivalent to one car parking space)
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2. Events Licence = **€ 25 per day** (or part thereof).
3. The sale of natural Christmas trees, wreaths and garlands from 24 November to 24 December annually are subject to a licence and fee of **€25 for the period**.
4. The annual fees are fixed for a period of five years from date of adoption of the first casual Trading Bye-Laws and subject to review by the Members. Date of adoption of the first casual Trading Bye-Laws shall be taken as 01 January, 2020; therefore, **fees shall not be reviewed before 01 January, 2025**.

THIRD SCHEDULE

FORM No. 1

Display Notice for Casual Trading in a Casual Trading Area

**Form of Notice required to be displayed at a
Casual Trading Pitch in the Casual Trading Area**

ROSCOMMON COUNTY COUNCIL

THE CASUAL TRADING ACT, 1995

Casual Trading Bye-Laws 2022

Traders Name: _____

Roscommon County Council has granted a Casual Trading Licence under Section 4 of The Casual Trading Act, 1995 authorising Casual Trading at this Casual Trading Pitch.

The Number of the Casual Trading Licence is _____
(insert the number of the Licence)

This licence is for trading at _____ only

The Casual Trading Licence expires on **31 December** _____
(insert the date upon which the casual Trading Licence expires)

Signed: _____

Date: _____

Roscommon County Council

FOURTH SCHEDULE

FORM No. 2

Display Notice for Casual Trading in a Casual Trading at an Event

Form of Notice required to be displayed at an event or events specified in a Casual Trading Licence to which the public are admitted, whether subject to or free of charge, or at or in the immediate vicinity of the place where and on the day on which the event takes place.

ROSCOMMON COUNTY COUNCIL

THE CASUAL TRADING ACT 1995

Casual Trading Bye-Laws 2022

Roscommon County Council has granted a Casual Trading Licence under Section 4 of The Casual Trading Act, 1995 authorising Casual Trading at the event/events as set out below:

Event(s):

(set out the event(s) and the location of such event(s))

Date of Event(s):

(set out the date(s) upon which Casual Trading is authorised under the Casual Trading Licence)

Trading Location:

(set out area where Casual Trading is authorised under the Casual Trading Licence)

The Number of Casual Trading Licence is _____
(insert the number of the Licence)

Signed: _____

Date: _____

Roscommon County Council

FIFTH SCHEDULE

FORM No. 3

Licence to Trade in a Casual Trading Area

ROSCOMMON COUNTY COUNCIL

THE CASUAL TRADING ACT, 1995

Casual Trading Bye-Laws 2022

CASUAL TRADING LICENCE NO. _____

Roscommon County Council hereby grants to:

a licence to engage in Casual Trading for the purpose of selling the following goods:

in Trading Pitch Number _____ in the Casual Trading Area in _____

(ref: Map _____) on _____

subject to full compliance with the Roscommon County Council Casual Trading Bye-Laws 2022 (as amended) and the following Special Conditions:

Date this licence comes into force: _____

And unless otherwise withdrawn,
date this licence will expire: _____

Signed: _____

Date: _____

Administrative Officer

SIXTH SCHEDULE

FORM No. 4

Licence to Trade at a Specified Event(s)

ROSCOMMON COUNTY COUNCIL

THE CASUAL TRADING ACT, 1995

Casual Trading Bye-Laws 2022

CASUAL TRADING LICENCE NO. _____

Roscommon County Council hereby grants to:

a licence to engage in Casual Trading for the purpose of selling the following goods:

at _____
Specified Event(s)

on _____
Specified Date(s)

at _____
Location

subject to full compliance with the Roscommon County Council Casual Trading Bye-Laws 2022 (as amended)
and the following Special Conditions:

Signed: _____

Date: _____

Administrative Officer

SEVENTH SCHEDULE

Penalties & Fixed Payment Notice

Where a person commits any of the following offences, said person shall be liable to such penalties as specified in the Fixed Payment Notice:

1. Trading without a licence
2. Failure to display the relevant trading licence in accordance with these Bye-Laws
3. Failure to trade within the confines of the allotted pitch
4. Trading outside of designated trading days
5. Trading outside of designated trading hours
6. Failure to provide a litter/waste receptacle for litter/waste generated as a resulting of trading activity
7. Failure to maintain the trading area free from litter waste
8. Generation of noise in breach of Clause 24 and 25 of Roscommon County Council Casual Trading Bye-Laws 2022

Where repeat offences occur, a Fixed Payment Notice will be issued for each individual offence. Where a licenced trader commits more than three offences in a single calendar year, all licences held by said trader may be revoked with immediate effect and without refund.

Where a licenced trader has had his/her licenced revoked, the trader in question, his/her agents and employees may be suspended thereafter from the casual trading licence application process for a period of up to three years.

The Council reserves the right to prosecute under Section 14 of the Act for any offence.



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Roscommon
County Council

FIXED PAYMENT NOTICE



FIXED PAYMENT NOTICE FOR THE PURPOSES OF SECTION 6 OF THE CASUAL TRADING ACT, 1995

Reference No.: _____

Name: _____

Address: _____

It is alleged that you have contravened the provisions of a Bye-Law made under Section 6 of the Casual Trading Act, 1995 entitled Roscommon County Council Casual Trading Bye-Laws 2022 Details of the alleged contravention are as follows:

On _____ at _____ within
the administrative area of Roscommon County Council.

1. In respect of the offence alleged in this notice you may, during the period of 28 days beginning on the date of this notice pay a fixed payment of € 60.
2. This notice must accompany such payment.
3. You will not be prosecuted;
 - a) during the period of 28 days from the date of this notice or
 - b) at all if the correct payment, accompanied by this notice, is received by Roscommon County Council during that period.
4. You are entitled to disregard this notice and defend a prosecution of the contravention alleged in court.

Signed: _____

Date: _____

Authorised Person

The Fixed Payment can be by one of the following methods:

In person/By post: Environment Unit Roscommon County Council, Áras an Chontae, Roscommon,
County Roscommon F42 VR98

By Telephone: (090) 66 37260

