



## NAAS TOWN COUNCIL

### CASUAL TRADING BYELAWS 2011

(Bye-Laws in relation to control, regulation,  
supervision and administration of Casual Trading)

Proposed under the CASUAL TRADING ACT 1995

Naas Town Council in the exercise of its powers under Section 6 of the Casual Trading Act, 1995, hereby makes the following Bye-Laws for the control, regulation, supervision and administration of Casual trading in its functional area.

1. These Bye-Laws may be cited as the Naas Town Council Casual Trading Bye-Laws 2011.
2. In these Bye-Laws the following terms shall have the following meanings assigned to them, save where the context otherwise applies:
  - a. "The Act" means the Casual Trading Act, 1995.
  - b. "The Council" means Naas Town Council.
  - c. "Functional Area" means the administrative area of Naas town
  - d. "Casual Trading" has the meaning given to it in Section 2 of the Act.
  - e. "Casual Trading Area" means those areas designated for casual trading in Bye-Law No. 3 hereof.
  - f. "Casual Trading Licence" means a licence granted by Naas Town Council pursuant to Section 4 of the Act.
  - g. "Stall" shall, in addition to its ordinary meaning, include any standing booth or space of any wheeled or moveable stall or box, barrow, cart, caravan or other vehicle or booth or other stand or conveyance used for casual trading.
  - h. "Goods" shall include all provisions or marketable commodities /services.
  - i. "Selling" shall include agreeing or offering to sell or displaying for sale or inviting an offer to buy.
  - j. The expression "trader" shall mean any person or his agent authorised to carry on trading pursuant to these Bye-Laws.
  - k. "Special Event" shall mean any event to which the public are admitted, whether subject to or free of charge, taking place in the administrative area of the Council including festivals and fairs and declared to be a Special Event by Naas Town Council.
  - l. "Special Event Licence" shall mean a Casual Trading Licence granted by the Council to carry out casual trading at a Special

Event or Events specified in the Special Event Licence pursuant to Section 4(1)(a)(iii) of the Act.

- m. "Special Event Licencee" shall mean any person who is granted a Special Event Licence and is licensed to carry out casual trading at an event specified in the Special Event Licence pursuant to the Act and these bye-laws and shall include the person's employees, servants or agents, if authorised in writing in accordance with these bye-laws.

### 3. DESIGNATION OF CASUAL TRADING AREAS

There are no designated Casual Trading Areas in Naas Town Council's functional area. However, from time to time, special events may take place which will require or envisage casual trading. In this regard, a person shall not engage in Casual Trading in the Council's functional area with the exception of on the occasion of a Special Event and by licence.

### 4. SPECIAL EVENT TRADING LICENCE

- (a) Naas Town Council reserves the right to award trading licences to traders for Special Events, festivals and fairs.
- (b) Applications for Special Event Licences shall be made not less than thirty days in advance of the date on which trading is to take place.
- (c) Naas Town Council reserves the right to limit the number of licences awarded for each Special Event.
- (d) Only goods approved by Naas Town Council shall be sold by the licensee at these Special Events.
- (e) Trading shall be carried out in accordance with specific conditions attached to the Special Event Licence which will include the casual trading area and hours of trading and all conditions of such licence shall be strictly adhered to by the licensee.

(f) The fee for a Special Event Casual Trading Licence shall be €50 per day.

(g) Applications for special event licences must be accompanied by evidence of a current valid policy of insurance with a recognised insurance company and covering all activities associated with the purposes for which the Special Event Licence is to issue including all risks and perils to a minimum of €6,350,000 for any one incident, extending to provide an indemnity to the Council in respect of claims arising from the negligence of the Trader. Notice of termination of a policy shall render the said Special Event Licence null, void and of no effect and in which event the application including servants and agents of the applicant shall forthwith cease to trade and render the area vacant and returned to the control of Naas Town Council.

#### 5. AUTHORISED OFFICERS

The Council may appoint an authorised officer or officers, for the purpose of the Act and licence holders shall co-operate in all respects with the authorised officer(s) or a member of an Garda Síochána.

6. A person who contravenes any of these bye-laws shall be guilty of an offence and shall be liable to the penalties in accordance with Section 14 of the Act, or such penalties as may be fixed by statute from time to time.

7. These Bye-Laws shall come into operation on the 14<sup>th</sup> day of February, 2012.

**MADE AND ADOPTED UNDER THE COMMON SEAL OF THE TOWN COUNCIL OF NAAS.**

**This 17th day of January, 2012.**



**Town Manager**



**Mayor / Nominated Member**