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MODEL BYELAWS – SET 10

[Name of Council]

BYELAWS FOR MARKETS

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Byelaws made under section 60 of the Food Act 1984 by *[insert name of council]* with respect to *[name, location and description of markets to which the byelaws are to apply]*.

Interpretation

1. In these byelaws:

“the Council” means *[insert name of Council]*;

“goods” means anything brought into the market place for the purpose of sale;

“market” means the market maintained by the Council and known as *[insert name/ any market]* maintained by the Council and listed in the Schedule to these byelaws;

“market hours” means the hours on a market day appointed by the Council for the holding of a market;

“market day” means a day appointed by the Council for the holding of a market;

“market officer” means the person or persons appointed by the Council to exercise general management, supervision and control of a market;

“sell” and “sale” include exposing and exposure for sale;

“stall” includes any place or space used or intended to be used for the sale of goods;

“vehicle” means a mechanically propelled vehicle *[whether or not]* intended or adapted for use on roads but does not include an invalid carriage.

Application

2. These byelaws apply to *[name, location and description of markets to which the byelaws are to apply]*.

Market days and hours

3. A person must not sell in a market place any goods other than during market hours.

Prevention of obstruction

4. A person must not bring a vehicle *[insert if required]* or a cycle into the market place during market hours without reasonable excuse.
5. A person in charge of a vehicle must not, during market hours allow it to be halted in the market place, or in its immediate approaches, for longer than is reasonably necessary for the loading or unloading of goods.

6. A person must not bring any goods into the market place more than one hour before the market hours begin or allow them to remain there more than one hour after the market hours end.

Authority to use space

7. A person must not occupy any stall or deposit any goods on any stall without the permission of the market officer.
8. A person must not set up or attempt to set up a stall in the market place without the permission of the market officer.
9. Where the council:
 - a) designates any part of the market place for the sale of particular goods or any class of goods, or for sales by auction, and
 - b) displays in a conspicuous place a public notice to that effect,

a person must not sell goods, or hold sales by auction, except in accordance with the terms of that designation.

For maintaining cleanliness

10. Every tenant or occupier of a stall must:
 - a) ensure that the stall is properly cleansed before and after market hours and as often as may be necessary during those hours;
 - b) ensure that all refuse accumulated in connection with the stall is placed in a receptacle provided or approved by the council for that purpose;
 - c) as often as is necessary, ensure that the contents of the receptacle are removed to an area designated by the Council for that purpose.

For prevention of spread of fire

11. A person must not smoke in [*describe enclosed area*]
12. A person must not light a fire in any part of the market place.
13. A person must not keep or sell any explosive or highly flammable substance in the market place.

For preservation of order

14. A person must not ring any bell or blow any horn or use any other noisy instrument to attract the attention or custom of any person.

15. A person must not post or display any bill, placard or poster, other than a description of goods advertised for sale, in any part of the market place except with the permission of the market officer.
16. Except with the permission of the market officer, no person may, except by way of sale, distribute or attempt to distribute to the public any printed matter in the market place or in its immediate approaches. .

Use of water taps

17. Any person who uses a water tap in the market place must ensure that it is turned off immediately after use.

Animals

18. A person must not bring into or allow to remain in the market any animal belonging to him or in his charge unless it is attached to a lead, or otherwise kept sufficiently secured, and kept at all times under his control.
19. A tenant or occupier of a stall must not keep any animal at his stall.
20. Nothing in paragraph 18 prevents a blind, partially sighted or deaf person from keeping with him any guide dog or hearing dog belonging to him or in his charge.

Livestock markets

21. Any person who brings into the market place and of the animals listed in the first column below and places them in a pen must ensure that the pen which gives each animal a space measuring not less than the product of the corresponding measurements in the second column below:

A horse, ox or cow	2.5 metres by 1 metre
A calf, mule, or ass	1.5 metres by 60 centimetres
A ram, ewe, wether lamb, goat, kid or pig	1.2 metres by 40 centimetres

22. A person must not enter or remain in any sale ring during the time that it is being used for the sale of any animal otherwise than for the purpose of controlling the animal.
23. Every person who brings any animal into any pen in the market place must ensure that the pen is properly cleansed no more than one hour after the end of the market hours.
24. A person must not without lawful excuse slaughter any animal in the market place or in its immediate approaches.

Penalty

25. Any person offending against any of these byelaws is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

Revocation

26. The byelaws for markets made by *[insert name of Council that made previous byelaws]* on *[insert day, month and year]* and confirmed on *[insert day, month and year]* by *[insert name of confirming authority]* are revoked.