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MODEL BYELAWS – SET 8

[Name of Council]

BYELAWS FOR GOOD RULE AND GOVERNMENT

ARRANGEMENT OF BYELAWS

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SCHEDULE [1]

SCHEDULE [2]

Byelaws made under section 2 of the Local Government Byelaws (Wales) Act 2012 by *insert name of Council* for the good rule and government of the [*Council name/council area*] and for the prevention and suppression of nuisances.

General interpretation

1. In these byelaws:

Select from the following list only terms to be used in the model byelaws which the Council proposes to adopt:

“carriageway” means a way constituting or comprised in a highway, being a way (other than a cycle track) over which the public have a right of way for the passage of vehicles;

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

“designated areas” means those areas designated in [*byelaw 3/byelaw 4(3)*] to these byelaws;

“footway” means a way comprised in a highway which also comprises a carriageway, being a way over which the public have a right of way on foot only;

“highway” means the whole or a part of a highway other than a ferry or waterway;

“road margin or verge” means land which is—

- (a) adjacent to the carriageway of a highway [or between two carriageways of a highway], other than the carriageway of a trunk road vested in the Welsh Ministers; and
- (b) laid or sown with grass or planted with trees, shrubs or plants, and mown or otherwise maintained in an ornamental condition by the Council;

“self-propelled vehicle” means a vehicle other than a cycle, wheelchair or pram which is propelled by the weight or force of one or more persons skating, sliding or riding on the vehicle or by one or more other persons pulling or pushing the vehicle;

“trunk road” means a highway, or a proposed highway, which is a trunk road by virtue of section 10(1) or section 19 of the Highways Act 1980 or by virtue of an order or direction under section 10 of that Act.

Application

Councils should adopt ONE of model byelaws 2, 3 and 4

2. These byelaws apply throughout the [*insert council name/council area*].

3. These byelaws apply to the areas of [*insert name of council area*] designated in [*the Schedule*] [*Schedule 1*] [*and delineated by black hatching on the plan attached to these byelaws*].
4.
 - (1) These byelaws apply throughout the [*insert council name/council area*] except as set out in byelaws [*4(2) to 4(4)*].
 - (2) Byelaws 5 and 6 apply to any road margin or verge which is indicated to be a road margin or verge to which these byelaws apply by means of a notice conspicuously displayed on or near the said road margin or verge.
 - (3) Byelaw 7 applies to the areas of [*insert name of council area*] designated in [*the Schedule*] [*Schedule 1*] [*and shown hatched in black on the plan attached to these byelaws*].
 - (4) Byelaw 16 applies to the bridges listed in Schedule [2].

Riding on road margins and verges

5. A person must not without lawful authority ride or lead any horse, or cause any horse to be ridden or led upon any road margin or verge to which this byelaw applies.

Vehicles on road margins and verges

6.
 - (1) A person must not without lawful authority drive, park or leave a vehicle or cause such a vehicle to be driven or placed upon any road margin or verge to which this byelaw applies.
 - (2) This byelaw does not apply to a heavy commercial vehicle as defined by section 20 of the Road Traffic Act 1988.

Skateboarding etc

To prohibit skateboarding in designated areas [with savings for rights of private landowners]

7. A person must not skate, slide or ride on rollers, skateboards or other self-propelled vehicles in the designated areas [except where authorised to do so by the owner of the land].

To prohibit dangerous or nuisance skateboarding on footways and carriageways [insert words in square brackets if also adopting model byelaw 7]

8. [Outside the designated areas,] a person must not skate, slide or ride on rollers, skateboards or other self-propelled vehicles on any footway or carriageway in such a manner as to cause danger or give reasonable grounds for annoyance to other persons using the footway or carriageway.

Fairground attractions causing obstruction to traffic

9.
 - (1) A person must not operate a fairground attraction—
 - (a) in any public place; or

(b) on any land adjoining a street or public place,
so as to cause obstruction or danger to the traffic in that street or public place.

(2) “Fairground attraction” means a shooting gallery, swing-board, roundabout, or other structure which is installed, erected or operated for the entertainment of the public.

Dangerous games near highways

10. A person must not play football or any other game on land adjacent to a highway in a manner likely:
- (a) to cause obstruction to traffic; or
 - (b) to cause danger or give reasonable grounds for annoyance to any person on the highway.

Playing games on highways to the annoyance of local residents

11. A person must not play football or any other game on a highway or on land adjacent to a highway in such a manner as to give reasonable grounds for annoyance to any person living nearby.

Touting

12. A person must not in any street or public place—
- (a) advertise or solicit custom for any service; or
 - (b) seek to gather information for use in the supply of goods or services,
- in such a manner as to cause obstruction or give reasonable grounds for annoyance to any person in that street or public place.

Urinating etc

13. A person must not urinate or defecate in any street or public place.

Interference with road warning equipment

14. A person must not without lawful authority move or tamper with any lamp, reflector or other equipment used for giving warning of, or lighting, any obstruction, excavation or other danger in any road.

Interference with life saving equipment

15. Except in case of emergency, a person must not remove, displace or otherwise interfere with any life saving equipment placed by the Council or any other competent authority in any street or public place.

Climbing upon and hanging from bridges

16. (1) A person must not without reasonable excuse—
- (a) climb upon or hang from any bridge to which this byelaw applies; or
 - (b) aid, abet, counsel or procure such an act by another.
- (2) “Bridge” includes any abutment, embankment, retaining wall or other work supporting or protecting the bridge.

Penalty

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

Revocation

18. The byelaws relating to *[state subject matter]* which were made by *[insert name]* on *[insert date]* and were confirmed by *[insert name of confirming authority]* on *[insert date of confirmation]* are revoked.

SCHEDULE [1]

The designated areas are:

SCHEDULE 2

The bridges referred to in byelaw 16 are as follows: