

Laois County Council
Comhairle Chontae Laois



BYELAWS
MADE UNDER
THE CONTROL OF HORSES ACT 1996

25th June, 2012

CONTROL OF HORSES
BYE-LAWS 1998

Arrangement of Bye-Laws

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The County Council of the County of Laois in exercise of the powers conferred on it by Sections 13:39:40 and 47 of the Control of Horses Act 1`996 Hereby Makes the following Bye-Laws in respect of the Administrative County of Laois

PART 1

Preliminary

1. These Bye-Laws may be cited as Laois County Council (Control of Horses) Bye-Laws 1998 as amended in 2012.

2. This amendment shall come into operation with immediate effect.

3. In these Bye-Laws except where expressly stated to the contrary the following words have the meanings hereby respectively assigned to them, that is to say;

“the Act”	means the Control of Horses Act, 1996
“the Council”	means Laois County Council.
“Control Area”	means any place declared by the Council in these Bye-Laws to be a control area for the purposes of the Act.
“Authorised Person”	means a person appointed by the Council under Section 3 of the Act.
“Horse”	means a horse, donkey, mule or hinny.
“Public Place”	means any street, road, park, land, field or other place to which the public have access whether with or without vehicles and whether subject to or free of charge, and includes a market or fair.
“Superintendent”	means the Superintendent of the Garda Siochana for the area in which a horse is seized or detained under the provisions of the Act.

4. The entire administrative area of the County of Laois is and is hereby declared to be a Control Area for the purposes of the Act and these Bye-Laws.

PART II

5. a. The County Council considering that a horse/horses are causing or may cause a nuisance or danger to person or damage to property in the area specified in Part 1 of the first schedule hereto hereby prohibit a person/persons from having a horse/horses in that area at all times and declares it to be an exclusive area in respect of the following.
 - (i) The keeping of horse/horses tethered, or otherwise restrain in a public place or on industrial/institutional/religious land or on green areas/parks or passive areas or within the curtilage of local authority rented houses without the owners consent and thereby causing a nuisance or a danger to person/persons and/or property.
 - (ii) The letting loose or loosening of horse/horses into a public place or on industrial/institutional /religious land or on green areas without the owners consent and thereby causing a nuisance or danger.
 - (iii) The allowing of horse/horses to wander in a public place on industrial/institutional/religious land or on green areas/parks or passive areas without the owners consent and thereby causing a nuisance or a danger.
 - (iv) The letting loose of horse/horses onto land without the owners consent.
 - (v) Laois County Council Tenants shall not keep a horse/horses on the premises.
5. b. No person shall at any time have, keep, ride or drive a horse in a public place except in such portion thereof as may for the time being be set apart to be used as an equestrian ride or carriageway or market or fair area and is clearly identified as such.
5. c. Notwithstanding the provisions of 4 a person may have a horse on a public road provided the horse is licenced/has passport under the provisions of the Act, is fitted with a bridle and is adequately controlled by a person.
6. (i) As soon as possible after a horse has been detained under the Act, the Council shall display in a conspicuous position at the Pound a Notice and on the Notice Board in Laois County Council's Office building describing the horse and stating where it was found and how it can be reclaimed.
 - (ii) A Notice displayed pursuant to paragraph (i) of this Bye-Law shall be kept displayed until the horse referred to in it has either been released to its owner or keeper or disposed of.

8. a. The cost of collecting and transporting it on foot or by vehicle from the place where it was found to the place where it is detained the owner will be subject to pay the full cost incurred by Laois County Council.
 - b. The cost of providing it with care and sustenance during the period it is detained the owner will be subject to pay the full cost incurred by Laois County Council. The cost will be based on a full day and or part of costing.
 - c. Where it has been provided with veterinary attention the cost of such attention the owner will be subject to pay the full costs per visit by a registered Veterinary Surgeon.
 - d. Cover all cost incurred by Laois County Council in the process of the horse/s being impounded.
9. Where the owner or keeper of a horse detained under the Act is unknown or cannot be found, the Council or Superintendent may dispose of the horse on the expiration of five working days from the date on which a notice pursuant to Bye-Law No. 6 was first displayed at the Pound.
10. (i) Where the owner or keeper of a horse detained under the Act is known and can be readily found, the Council or the Superintendent shall notify him or her of its detention and that its release may be obtained on payment of the fees due and payable in respect of its detention and that in the event of such fees not being paid within three days of payment of them being requested, the Council or the Superintendent may dispose of the horse.
- (ii) Notwithstanding paragraph (i) of this Bye-Law, the Council or the Superintendent may refuse to release the horse where it or he or she, as the case may be
- (a) is not satisfied that adequate accommodation and sustenance or adequate veterinary attention will be provided for the horse. The owner must be able to demonstrate that he/she has land to maintain a horse.
 - (b) has reason to believe that the horse will be cruelly treated following such release.
 - (iii) The Law, Statutory Instruments S.I. No. 399 of 2994 and S.I. No. 530 of 2007 requires all horses, ponies and donkeys in the Republic of Ireland to have a passport.
 - (iv) Laois County Council shall dispose of a horse if it is detained twice in a 12 month period.

11. Where the owner or keeper of a horse detained under the Act fails to pay the fees due and payable in respect of such detention within five working days of payment of them being requested or having paid them fails to take possession of the horse or the Council or the Superintendent refuse to release the horse for the reasons set out in Bye-Laws No. 10 (ii) (a) and or (b), the Council or the Superintendent shall dispose of it in such manner as it or he or she, as the case maybe, considers appropriate.
12. All costs associated with seizure, maintenance (livery), microchipping, passporting and subsequent reclaiming of horse(s) to be borne by the owner of the horse(s) being reclaimed.