COUNCILS SHOULD DOWNLOAD THIS MODEL BYELAW SET AND ADAPT IT AS REQUIRED

The guidance notes for Model Byelaws Set 10 should be consulted when using these Model Byelaws.

M O D E L B Y E L A W S – S E T 1 0

Kirkby Stephen Town Council

BYELAWS FOR MARKETS

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Byelaws for markets made by *Kirkby Stephen Town Council* under section 60 of the Food Act 1984 with respect to The Kirkby Stephen Market held in the Market Square on Thursdays throughout the year between the hours of 8.30am and 4.30pm for the sale of fresh food, cooked food, and other goods but excluding any livestock; and on other designated days including, but not limited to the Easter Rally, The Westmorland Dales Festival and other sales organised by or on behalf of Kirkby Stephen Town Council.

INTERPRETATION

1. In these byelaws:

"the council" means Kirkby Stephen Town Council;

"goods" means anything brought into the marketplace for the purpose of sale;

"market" means the market maintained by the council and known as Kirkby Stephen market;

"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.

MARKET DAYS AND HOURS

2. The Kirkby Stephen Market will be held in the Market Square on Thursdays throughout the year between the hours of 8.30am and 4.30pm save as hereinafter provided, no person shall sell in the market place any goods other than during the usual Thursday market hours. The Town Council will occasionally allow the sale of goods beyond these hours at events such as, but not limited to: the Annual Christmas Lights evening, Easter Rally & The Westmorland Dales Festival

PREVENTION OF OBSTRUCTION

3. No person shall bring a vehicle into the marketplace during market hours without reasonable excuse.

4. No person in charge of a vehicle shall, during market hours allow it be halted in the market place, or in its immediate approaches, for longer than is reasonably necessary for the loading or unloading of goods.

5. No person shall 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

6. No person shall occupy any stall or deposit any goods on any stall without the permission of the market officer.

7. No person shall set up or attempt to set up a stall in the market place without the permission of the market officer.

8. Where the council:

> a. designate any part of the market place for the sale of particular goods or any class of goods, or for sales by auction, and
>
> b. display in a conspicuous place a public notice to that effect

no person shall sell goods, or hold sales by auction, except in accordance with the terms of that designation.

MAINTAINING CLEANLINESS

9. Every tenant or occupier of a stall shall:

> 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.

PREVENTION OF SPREAD OF FIRE

10. No person shall light a fire in any part of the market place.

11. No person shall keep or sell any explosive or highly flammable substance in the market place.

PRESERVATION OF ORDER

12. No person shall ring any bell or blow any horn or use any other noisy instrument or loudspeaker to attract the attention or custom of any person.

13. No persons shall 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.

14. No person in the market place or in its immediate approaches shall, except by way of sale, distribute or attempt to distribute to the public any printed matter except with the permission of the market officer.

ANIMALS

15. No person shall bring into or allow to remain in the market any dog or other 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.

16. (a) No tenant or occupier of a stall shall keep any dog or other animal at his stall.

(b) Nothing in paragraph (a) above shall prevent a blind, partially sighted or deaf person from keeping with him any assistance dog belonging to him or in his charge.

LIVESTOCK MARKETS

17. No person shall 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

18. Every person who brings any animal into any pen in the market place shall ensure that the pen is properly cleansed no more than one hour after the end of the market hours.

PENALTIES

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

REVOCATION

20. The Kirkby Stephen Market was established by Royal Charter in 1353 and 1605. There is no record of a previous byelaw.