

Dated this 9th day of November 2015

Pursuant to Part 5 of The Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 and The Dog Control Orders (Prescribed Offences and Penalties, Etc.) Regulations (Northern Ireland) 2012, Armagh Banbridge and Craigavon District Council hereby make the following Order:

**The Fouling of Land by Dogs (Armagh Banbridge and Craigavon District Council)
Order 2015**

**Roger Wilson
Clerk and Chief Executive
Armagh Banbridge and Craigavon District Council
The Civic Centre, PO Box 66, Lakeview Road, Craigavon,
BT64 1AL**

**The Clean Neighbourhoods and Environment Act (Northern Ireland) 2011
The Dog Control Orders (Prescribed Offences and Penalties, etc.) Regulations (Northern
Ireland) 2012 (S.R. 2012 No. 114)**

**The Fouling of Land by Dogs (Armagh Banbridge and Craigavon District Council)
Order 2015**

Armagh Banbridge and Craigavon District Council hereby makes the following Order:

Commencement

1. This Order comes into operation on 9th November 2015.

Application

2. This Order applies to the land specified in the Schedule.

Offence

3.- (1) If a dog defecates at any time on land to which this Order applies and a person who is in charge of the dog at that time fails to remove the faeces from the land forthwith, that person shall be guilty of an offence unless -

- (a) he has a reasonable excuse for failing to do so; or
- (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

(2) Nothing in this article applies to a person who -

- (a) is registered as blind in Northern Ireland in a register maintained by, or on behalf of, a health and social services trust;
- (b) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
- (c) has a disability which affects his mobility, manual dexterity, physical co-ordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which he relies for assistance.


(3) For the purposes of this article -

- (a) a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog;
- (b) placing the faeces in a receptacle on the land which is provided for the purpose, or for the disposal of waste, shall be a sufficient removal from the land;
- (c) being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for, or other suitable means of, removing the faeces shall not be a reasonable excuse for failing to remove the faeces;
- (d) Each of the following is a "prescribed charity" -
 - (i) Dogs for the Disabled (registered charity number 700454);
 - (ii) Support Dogs (registered charity number 1088281);
 - (iii) Canine Partners for Independence (registered charity number 803680).

Penalty

4. Any person who is guilty of an offence under Article 3 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

SEALED with the Corporate Seal of **ARMAGH BANBRIDGE AND CRAIGAVON DISTRICT COUNCIL** in the presence of:


LORD MAYOR


CLERK AND CHIEF EXECUTIVE



(c) For the purpose of this section, the following shall apply:

(1) A person who has been convicted of a crime involving the possession, use, or distribution of a controlled substance shall be ineligible for employment in the public service of the State of Florida for a period of five years from the date of the conviction.

(2) A person who has been convicted of a crime involving the possession, use, or distribution of a controlled substance shall be ineligible for employment in the public service of the State of Florida for a period of five years from the date of the conviction, unless the person has been granted a pardon or a certificate of rehabilitation by the State of Florida.

(3) A person who has been convicted of a crime involving the possession, use, or distribution of a controlled substance shall be ineligible for employment in the public service of the State of Florida for a period of five years from the date of the conviction, unless the person has been granted a pardon or a certificate of rehabilitation by the State of Florida, and the person has not been convicted of a crime involving the possession, use, or distribution of a controlled substance within the five-year period.

(b) Each of the following is a "controlled substance":

- (i) Cocaine (Federal Identification Number 70254)
- (ii) Heroin (Federal Identification Number 70253)
- (iii) Any other substance listed in the Federal Identification Number 70254.

A person who is ineligible for employment in the public service of the State of Florida for a period of five years from the date of the conviction for a crime involving the possession, use, or distribution of a controlled substance shall be ineligible for employment in the public service of the State of Florida for a period of five years from the date of the conviction, unless the person has been granted a pardon or a certificate of rehabilitation by the State of Florida.

SEAL OF THE CITY OF MIAMI BEACH
to be used in the presence of



FORWARD
CITY OF MIAMI BEACH
CITY MANAGER

THE SCHEDULE
(Description of land to which the Order applies)

1. This Order applies to all the land within the administrative area of Armagh Banbridge and Craigavon District Council and which is:
 - (i) Open to the air (including land that is covered but open to the air on at least one side); and
 - (ii) to which the public are entitled or permitted to have access with or without payment.
2. This Order does not apply to land held by the Department of Agriculture and Rural Development for the purposes of any of its functions under the Forestry (Northern Ireland) Act 2010