

Cork County Council
Playground, Multi Use Play Area, Skate Park
& Outdoor Gym Bye-Laws

The Cork County Council, being the Local Authority for the County of Cork in exercise of the powers conferred on it by Part 19 of The Local Government Act 2001, hereby make the following Bye-Laws:

1. These Bye-Laws may be cited as the County of Cork Playground, Multi Use Play Area, Skate Park & Outdoor Gym Bye-Laws, 2013.

These Bye-Laws shall come into operation on the 1st day of May, 2014.

Definitions:-

2. In these Bye-Laws:-

“Playground” means children’s outdoor fixed play areas whether open or enclosed within the administrative area of Cork County Council and in charge or control of Cork County Council.

“Playground Equipment” means equipment installed in a playground for recreational use by children.

“Multi Use Play Area” means specific areas designed and constructed but not exclusively for Football, Basketball, Netball, Volleyball, Tennis etc. or other individual or team recreation.

“Skate Park” means specific areas designed and constructed for the use and enjoyment of skateboards.

“Outdoor Gym” means areas where outdoor fitness equipment for all ages and abilities has been installed.

“Council” means the County Council of the County of Cork.

“Authorised Person” shall include every foreman, supervisory official, caretaker and/or any other person employed by and duly authorised by the Council.

“Hours of Darkness” means the hours between sunset on any day and sunrise on the next day.

“Controlled Drugs” means any substance, product or preparation which is specified in the schedule to the Misuse of Drugs Act, 1977 or any amending act or regulations.

Prohibited Acts:-**No Person Shall:-**

3. Enter or remain in a Playground, Multi Use Play Area, Skate Park & Outdoor Gym during the hours of darkness, without authorization from the Council or an Authorised Person.
4. Enter or exit a playground Multi Use Play Area, Skate Park & Outdoor Gym, other than through the gateways or other openings provided for that purpose.
5. Refuse to leave a playground Multi Use Play Area, Skate Park & Outdoor Gym, on request to do so by an Authorised Person or by a member of An Garda Siochana.
6. Bye-Laws as setout in 3 and 4 above do not apply to Authorised Person or members of An Garda Siochana in the course of their duty.
7. Bring, deposit or leave/throw in a playground Multi Use Play Area, Skate Park & Outdoor Gym, any item of litter as defined in the Litter Pollution Act 1997 except in receptacles provided for that purpose.
8. Break glass, china or any such item.
9. Damage, disfigure, write graffiti or mark any seat, gate, fountain, sculpture, structure, notice or notice boards of any property or fittings in a playground Multi Use Play Area, Skate Park & Outdoor Gym,
10. Bring a dog into a Playground, Multi Use Play Area, Skate Park & Outdoor Gym except guide dogs or dogs used by members of An Garda Siochana in the course of their duties.
11. Menace, threaten, annoy, fight with or otherwise interfere with any person using a playground, Multi Use Play Area, Skate Park & Outdoor Gym.
12. Smoke, bet, gamble, use obscene or profane language, behave indecently or otherwise cause annoyance to other users of the playground, Multi Use Play Area, Skate Park & Outdoor Gym.
13. Play musical instruments, radio, stereos, etc. at such a noise level as to cause a nuisance and noise shall be considered a nuisance in this instance whenever it is so loud, so continuous, so repeated or of such duration or pitch or occurring at such times that it gives reasonable cause for annoyance.

14. Destroy or damage any shrub, tree, plant or grass growing in the playground Multi Use Play Area, Skate Park & Outdoor Gym, or pluck, cut, remove any flower or any blossom or fruit of any tree, shrub or plant therein.
15. Walk upon flowerbeds, shrubberies, enclosed plantation within the playground, Multi Use Play Area, Skate Park & Outdoor Gym.
16. Climb any tree, shrub, fence, railing, or sculpture in a playground, Multi Use Play Area, Skate Park & Outdoor Gym.
17. Stand on any seat or place thereon anything that defiles it or causes discomfort to any member of the public.
18. Remove, displace or cause any damage to property or fittings in a playground, Multi Use Play Area, Skate Park & Outdoor Gym.
19. Throw a missile of any type in a playground, Multi Use Play Area, Skate Park & Outdoor Gym with the objective of damaging property or striking a person in the playground Multi Use Play Area, Skate Park & Outdoor Gym, or adjoining property.
20. Resist, obstruct or interfere with an Authorised Person or other person in the exercise of his/her duty or disobey his/her lawful direction.

Other:-

21. Only adults that are accompanying an appropriately aged child shall enter a playground, at any time, other than an Authorised Person or, by a member of An Garda Síochána while discharging their duties.
22. No cycling, or similar activity is permitted within the playground, Multi Use Play Area, Skate Park & Outdoor Gym.
23. No ball playing is permitted within the playground.
24. No person, unless they are a member of a visiting family unit, shall operate or use a camera, camera phone, video or any other media device in a playground, Multi Use Play Area, Skate Park & Outdoor Gym, without authorization from the Council. However CCTV may be utilized by the Council and / or An Garda Síochána in an approved manner.

25. The age limit for use of the equipment is 12 years, maximum (excluding Multi Use Play Areas, Skateparks and Outdoor Gyms.) No persons other than young children shall use any of the equipment or play on appliances within a playground that is designed solely for young people.
26. Any person, considered by an Authorised Person, to be using any play equipment, Multi Use Play Area, Skate Park & Outdoor Gym inappropriate to their age shall cease doing so and shall leave the amenity if requested to do so.
27. Controlled drugs are not allowed, in any playground, Multi Use Play Area, Skate Park & Outdoor Gym, at any time.
28. No person shall consume intoxicating liquor or have in their possession a vessel containing intoxicating liquor, the seal of which shall indicate that it had been previously opened and a person under the influence of intoxicating liquor shall not be allowed to enter or remain in the playground, Multi Use Play Area, Skate Park & Outdoor Gym.
29. Nothing in this bye-law shall interfere with, or effect or prevent the carrying out of any work or duty in connection with the playground, Multi Use Play Area, Skate Park & Outdoor Gym by an Authorised Person or by a contractor instructed by the Council or by an employee of any such contractor.

Offences:

30. It shall be lawful for an Authorised Person, or for any member of the Garda Siochana to enforce these bye-laws and to exclude or remove from any playground, Multi Use Play Area, Skate Park & Outdoor Gym, any person committing any breach of the above bye-laws and to take any other such action as may be deemed necessary in the enforcing of these bye-laws.
31. Any person offending against any of the above bye-laws may be removed from the Playground, Multi Use Play Area, Skate Park & Outdoor Gym and, shall on summary conviction be liable to a penalty not exceeding €1,904.60.
32. A person who obstructs or impedes or refuses to comply with a request of an Authorised Person acting in the exercise of the functions conferred on an Authorised Person by these bye-laws shall be guilty of an offence.

33. Where an Authorised Person is of the opinion that a person is committing or has committed an offence to which the bye-laws relate, the Authorised Person may demand the name and address of such person and if this demand is refused or the person gives a name or address which is false or misleading, the person shall be guilty of an offence.
34. Where a member of the Garda Siochana is of the opinion that a person is committing or has committed an offence to which these bye-laws relate, that member may arrest the person without warrant.
35. An offence under these bye-laws may be prosecuted by the Local Authority which made the relevant bye-law, by any other Local Authority acting on its behalf or by a member of the Garda Siochana.
36. A person may be served with a notice specifying a fixed payment, not exceeding €75, in respect of a contravention of a bye-law as an alternative to a prosecution for the contravention.

These Bye-Laws were adopted by Cork County Council, at its meeting held on 24th March, 2014 and shall come into force / effect on the 1st May, 2014.

Made under the official seal of Cork County Council.

Dated This _____ Day of _____, 2014