

## **10.0 Offences and Penalties**

- A. Where a person is trading in an area not designated as a casual trading area and the product being sold does not fall under the exemption set out in the list of exemptions above in Section 3 of these Bye Laws, then they shall be guilty of an offence as set out in Section 3 of the Casual Trading Act 1995 as amended and be shall be liable to the penalties set out in Section 14 of the Casual Trading Act, 1995 as amended.
- B. Where a Bye-Law is contravened an Authorised Person may serve a Fixed Charge Notice in respect of the contravention. The Notice shall be in the specified form as directed by the Council setting out the name, address, the general nature of the contravention alleged to have been committed, it's location and the date of the offence. The Notice shall state that if the fixed payment of €75.00 is paid to the Council within 21 days, that no legal proceedings will be instituted against the person in respect of the alleged offence. The Notice shall contain a statement to the affect that the alleged offender is entitled to disregard the Notice and defend a prosecution of the alleged contravention in Court. For the purpose of these Bye-Laws the amount of the Fixed Charge Notice shall be €75.00 for a period of 21 days after the date of issue of the Fixed Charge Notice, failing payment within the said 21 days after the date of issue of the Fixed Charge Notice summary proceedings will be issued against the accused.