

5.0 Terms and Conditions of Licence

5.1 Operational Arrangements

- A. A person shall not engage in Casual Trading unless he/she holds a casual trading licence from Galway City Council that is for the time-being in force and the casual trading is in accordance with the licence.
- B. Casual Trading shall only take place at the locations specified, and on the days and within the times specified in the Casual Trading Licence.
- C. A licence holder (other than the holder of a license for a special event) shall engage in Casual Trading only within the bay(s) allocated to him/her in a designated area which bays shall be described in his/her license and by reference to the maps of the designated areas and/or markings on the ground.
- D. A licence holder, or his/her agent, shall prominently display the number of the licence at his/her trading bay in such a position as to be clearly visible and easily legible to members of the public, and any authorised officer.
- E. A licence holder, or his/her agent shall only be permitted to sell the goods which are permitted by and listed on his/her licence.
- F. A licence holder shall only use a stall, or other like receptacle for carrying/displaying goods, which is approved by the Council. See the First Schedule of these byelaws, annexed hereto, for guideline specification.
- G. A license holder shall not place or cause to be placed any stall, goods, articles, signage or anything whatsoever that would be in or overhanging an area, other than the space allotted, or causing an obstruction, nor shall he/she use or cause to be used any stall, the dimensions of which exceed the defined space of the allotted bay(s)
- H. Trading shall not be conducted in a manner that is likely to cause offence to any fellow trader, authorised officer, or any member of the public.
- I. Each licence holder shall ensure that no obstruction is caused, or allowed to be caused, to the owners/proprietors of premises, and their invitees in an area where casual trading is permitted.

5.2 Parking

- A. Subject to items B, C and D below, no motor vehicles, vans or trailers (other than those approved by the Council, and specially designed and constructed for the purpose) shall be permitted within designated casual trading areas during trading hours. In exceptional circumstances, the City Council may permit a licence holder to place a motor vehicle or trailer within the space allocated to him/her, where the licence holder is a traditional established trader and who has previously utilised a vehicle while engaging in casual trading.
- B. Before the commencement of trading, traders may park a vehicle in a casual trading area for a period not exceeding 60 minutes for the purpose of unloading stalls, goods, produce etc. there from the vehicle to the trading bay(s) specified in the casual trading licence.

- C. After trading hours, traders may park a vehicle in a casual trading area for a period not exceeding 60 minutes for the purpose of unloading stalls, goods, and produce etc. from the trading bay(s) specified in the casual trading licence to the vehicle.
- D. All stalls, goods produce etc. shall be removed from casual trading area not later than 60 minutes after the expiration of trading hours, at which time the Council may remove them and the trader shall be liable for the cost of removal.
- A. With the exception of items B, C and D above, a non-trader or trader who parks a vehicle in a casual trading area during casual trading hours shall be guilty of an offence under these Bye-laws.
- B. A licence holder, or any person engaged in casual trading shall not cause or do any act or thing which interferes with the free flow of traffic, including pedestrian traffic, or which would create a traffic or safety hazard.

5.3 Equipment

- A. Licence holders shall not use a loudspeaker or other public address or amplification system or otherwise cause any nuisance or disturbance.
- B. Licence holders shall not be permitted to use loud generators, and any such use will be subject to prior approval by the Council. All generators used in conjunction with Casual Trading Stalls shall conform to acceptable noise levels (i.e.55db (A) by day and 45db (a) by night, where db (A) means decibel level and a manufacturers certificate will be required to confirm specification.
- C. Gas supplies to units should be in compliance with IS 820 “Non Domestic Gas Installations” and should be in areas that are ventilated and fully secure against entry by members of the public. Ready access to these areas should be available only to designated staff to enable them to shut off the gas supply in the event of fire or emergency.

5.4 Waste Management

- A. The removal of waste generated at each Casual Trading Area is the responsibility of the licence Holder.
- B. Licence holders shall ensure that all waste generated at the Casual Trading Area is disposed of appropriately and in accordance with the Waste Management Act 1996, as amended and any relevant Regulations and EU Directives.
- C. Licence holders shall provide a minimum of a 3 bin system for their waste. Food Waste, Dry Recyclable Waste and General Waste shall all be segregated, stored and disposed of separately by the License Holder to an appropriate waste facility. In the case where a Licence holder uses cooking oil, waste cooking oils shall be disposed of separately by the License Holder to an appropriate waste facility. Further information from foodwaste@galwaycity.ie or www.foodwaste.ie
- D. Licence Holders shall, on request by an Authorised Officer, produce evidence of method of disposal of waste generated at the Casual Trading Area.

- E. The provision or sale of any single use plastic product will be prohibited; this includes bottles, cutlery, containers, single use sachets, plates, straws, etc. Compostable or reusable alternatives must be used instead of single use plastic. The Food waste bin(s) should clearly state that the plates, cups, etc. are compostable and can be placed in this bin.
- F. Plastic bag levy must be applied to all leviable plastic bags supplied and returns made to Revenue as required. Further information from package@galwaycity.ie or www.revenue.ie
- G. Contravention of this provision of these byelaws shall result in enforcement action being taken against the Licence Holder under the Waste Management Act 1996, as amended.

5.5 Litter

- A. A Licence Holder shall provide, at his/her own expense, adequate and suitable litter receptacles, that meet the requirements of the Council, for the disposal of litter and shall keep the Casual Trading Area and vicinity clean and tidy at all times, in accordance with Section 15 of the Litter Pollution Act 1997, as amended.
- B. Litter shall not be allowed to accumulate in the vicinity of the Casual Trading Area during authorised Casual Trading hours and at the end of each trading day, the Casual Trading Area shall be cleaned and all litter removed and shown to be properly disposed of by the Licence Holder.
- C. Contravention of this provision of these byelaws shall result in enforcement action being taken against the Licence Holder under the Litter Pollution Act 1997, as amended

5.6 General

- A. A casual trading licence may not be rented or sold by the holder to any other person, and any trader found in breach of this condition, shall have his/her licence revoked.
- B. No trader or any other person shall interfere with or obstruct any officer, servant or agent of Galway City Council, or any other provider of public utilities engaged in the carrying out of any works of maintenance or improvement in any part of the Designated Areas, even when such work is carried out during trading hours. The City Council reserves the right to prohibit casual trading on any trading day, or part thereof, in the event that exceptional circumstances arise which necessitate such prohibition. The Council will notify any affected licence holders in advance of any such prohibition taking effect.
- C. While occupying a trading bay(s) a licence holder must obey all lawful requests of an Authorised Officer or a member of the Garda Síochána.
- D. Licence holders trading in foodstuffs must comply with the requirements of the Environmental Health Officer.