

**Comhairle Contae
Fhine Gall**
Fingal County
Council



SKERRIES HARBOUR BYE-LAWS 2024

**MADE BY RESOLUTION OF FINGAL COUNTY COUNCIL ON
16TH JANUARY 2024**

TITLE

Fingal County Council pursuant to the provisions of the Local Government Act 2001(as amended) and as extended by Section 89 of the Harbours Act 1996 hereby makes the following Byelaws in relation to the regulation of Skerries Harbour.

PURPOSE

Regulating the Admission of Vessels into the Harbour or the vicinity thereof and their removal therefrom, and providing for the good order and government of vessels while within the Harbour; for preventing and removing obstructions or impediments in or on docks, quays, works and roadways within the Harbour; and for enabling the Council to impose charges in like circumstances to those which may be imposed under the Harbours Act 1996 and, in particular, charges for keeping a vessel in the Harbour and charges for the use of the Harbour by visiting vessels.

CITATION

These Bye-Laws may be cited as **Skerries Harbour Bye-Laws 2024**.

COMMENCEMENT

These Bye-Laws shall come into effect on 1st March 2024.

REVOCATION

Balbriggan and Skerries Bye-Laws 2010 are hereby revoked

INTERPRETATION

In these Bye-laws, unless the context otherwise requires:

The Council Means Fingal County Council.

The Harbourmaster Means a person appointed by the Council to be the Harbourmaster of the harbours under its control or management and any other person authorised in writing by the Council to discharge the functions of harbourmaster.

Authorised Person	Means a person, including the Harbourmaster, authorised in writing by the Council for the purposes of Section 204 of the Local Government Act 2001 to exercise the powers in that section, which powers relate to ensuring compliance with these byelaws.
The Harbour	Means the Harbour of Skerries comprising the pier and slipways and other harbour works connected therewith, and the water area comprised within the distance of 500 yards (457.2 metres) seaward of the pier being the limits of the Harbour of Skerries formerly within the jurisdiction of Dublin Port and Docks Board as shown on the map annexed to these bye-laws.
Inner Harbour	Means that part of the Harbour which lies to the South of an imaginary line drawn due West from the navigational light and lantern on the end of the pier to the periphery of the Harbour.
Berth	Means any place, mooring or anchorage at the pier or in the waters of the Inner Harbour.
Vessel	Means any description of floating craft and includes any ship, boat, canoe, jetski, and personal watercraft whether used in carriage of passengers or of goods, in fishing or in recreation.
Power driven vessel	Means a vessel propelled by machinery.
Length of a vessel	The length of a vessel shall be measured from the foremost part of the vessel or any protrusion thereon to an imaginary line perpendicular to the waterline drawn through the aftermost part of the vessel or any protrusion therefrom. The measurement is to be made parallel to the waterline.
Vehicle	Means any mechanically propelled vehicle or any other form of land transport or conveyance, including any machinery on wheels or caterpillar track, motorcycles, trailers, caravans, and mobile homes, and includes items which are towed, such as a boat trailer, and items which can be detached from a vehicle, such as a skip or a container.
Goods	Means all articles and merchandise of every description, including fish, livestock, animals, fishing nets, fishing pots, fish boxes, cargo of every description, break bulk, bulk solids and liquid goods.

USE OF THE HARBOUR BY VESSELS

1. The use of the Inner Harbour is restricted to vessels which are less than 18 metres in length. Vessels of 18 metres or over may only berth at the Harbour when specifically licensed by the Council and then only subject to the conditions in the licence.

The owner, skipper or person in charge of a vessel which berths in or at the Inner Harbour in breach of this byelaw shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding €1,500.

If the contravention of this byelaw is continued after conviction the person so convicted shall be guilty of an offence on each day that the contravention continues and shall be liable on summary conviction for each such offence to a fine not exceeding €100.

2. The owner, skipper or person in charge of any vessel other than vessels of any length licensed by the Council shall leave the limits of the Inner Harbour or any specified berth in the Inner Harbour, as the case may be, if and when directed to do so by the Harbourmaster for reason of congestion in the Inner Harbour or at any specified berth or to facilitate the working of the Harbour for other vessels.

The owner, skipper or person in charge of a vessel which remains within the limits of the Harbour or at a specified berth at the Harbour, as the case may be, in breach of this byelaw shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding €1,500.

If the contravention of this byelaw is continued after conviction the person so convicted shall be guilty of an offence on each day that the contravention continues and shall be liable on summary conviction for each such offence to a fine not exceeding €100.

3. The owner, skipper or person in charge of a vessel shall not cause or permit the engine of a vessel to be worked in such a manner as to cause a wash or wake in the water which might cause injury or damage to any person, other vessel or property within the limits of the Harbour, including such damage by undermining the face of the Harbour walls.

The owner, skipper or person in charge of a vessel who causes or permits the engines of a vessel to be worked in breach of this byelaw shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding €1,500. Before instituting a prosecution for breach of this byelaw, the Harbourmaster shall serve a fixed payment notice in the amount of €75 on the alleged offender and the provisions of section 206 of the Local Government Act 2001 shall apply to such fixed payment notice and subsequent prosecution, if any.

4. A power driven vessel shall not proceed or navigate within the limits of the Inner Harbour at a speed in excess of 4 knots (approximately 7.4 kilometers per hour). The owner, skipper or person in charge of a vessel who causes or permits a vessel to proceed or navigate within the limits of the Inner Harbour at a speed in excess of 4 knots and the helmsman or other person conducting such vessel in

breach of this byelaw shall each be guilty of an offence and shall be liable on summary conviction to a fine not exceeding €1,500.

Before instituting a prosecution for breach of this byelaw, the Harbourmaster shall serve a fixed payment notice in the amount of €75 on the alleged offender and the provisions of section 206 of the Local Government Act 2001 shall apply to such fixed payment notice and subsequent prosecution, if any.

5. No vessel is permitted to lay fishing pots or nets, or to anchor in the Harbour without the permission of the Harbourmaster, which permission shall only be refused if, in the opinion of the Harbourmaster, the pots, nets or anchored vessel concerned would interfere with the fairway of vessels navigating in or through the Harbour.

The owner, skipper or person in charge of a vessel which lays fishing pots or nets, or anchors in the Harbour in breach of this byelaw, shall each be guilty of an offence and shall be liable on summary conviction to a fine not exceeding €1,500.

If the contravention of this byelaw is continued after conviction the person so convicted shall be guilty of an offence on each day that the contravention continues and shall be liable on summary conviction for each such to a fine not exceeding €100.

6. No vessel of any length shall be kept in or at the Inner Harbour unless expressly licensed by the Council by a licence in writing and then only when in compliance with the terms and conditions of such licence, and the payment in advance for the term of the licence of the harbour charges for keeping the vessel in or at the Inner Harbour which the Council is hereby enabled to impose by virtue of the provisions of Section 89 paragraph (3) (a) (ii) of the Harbours Act 1996.

The owner of a vessel which is kept in or at the Inner Harbour in breach of this byelaw shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding €1,500.

If the contravention of this byelaw is continued after conviction the person so convicted shall be guilty of an offence on each day that the contravention continues and shall be liable on summary conviction for each such offence to a fine not exceeding €100.

7. Visiting vessels are only permitted to remain berthed in or at the Inner Harbour, or remain anchored in the Inner Harbour, with the express permission of the Harbourmaster and must leave the Inner Harbour when directed to do so by the Harbourmaster for reason of congestion in or at the Inner Harbour or to facilitate the use of the Inner Harbour by other vessels.

The owner, skipper or person in charge of a vessel which remains in or at the Inner Harbour or anchored in the Inner Harbour in breach of this byelaw shall each be guilty of an offence and shall be liable on summary conviction to a fine not exceeding €1,500.

If the contravention of this byelaw is continued after conviction the person so convicted shall be guilty of an offence on each day that the contravention continues and shall be liable on summary conviction for each such offence to a fine not exceeding €100.

8. The Council is hereby enabled by this byelaw and the provisions of Section 89 paragraph (3) (a) (ii) of the Harbours Act 1996 to impose harbour charges on the owner, skipper

or person in charge of a visiting vessel for the use of the Inner Harbour. Such charges as the Council shall fix from time to time shall be displayed in the Harbour and may be recovered as a simple contract debt from the owner, skipper or person in charge of the vessel at the time of the visit.

9. USE OF THE HARBOUR ROADWAY, SLIPWAY OR PIER FOR PLACING OR KEEPING GOODS.

No goods may be placed or kept at any time on the roadway, slipway or pier of the Harbour without the permission of the Harbourmaster and the owner or person who has custody of such goods so placed or kept, with or without the permission of the Harbourmaster, must remove them when directed to do so by the Harbourmaster.

The owner and the person who has custody of such goods and who fails to remove them when one or both of them are directed by the Harbourmaster to do so shall each be guilty of an offence and shall be liable on summary conviction to a fine not exceeding €1,500. If the contravention of this byelaw is continued after conviction the person so convicted shall be guilty of an offence on each day that the contravention continues and shall be liable on summary conviction for each such offence to a fine not exceeding €100.

10. PROHIBITION OF BRINGING VEHICLES ON TO THE ROADWAY, SLIPWAY OR PIER.

With the exception of Fire Brigade vehicles, ambulances, Garda vehicles and Coastguard vehicles, no vehicle may be brought on to the roadway, slipway or pier of the Harbour without the express permission of the Harbourmaster.

The owner and the driver or other person who has custody of such vehicle which has been brought on to the roadway, slipway or pier of the Harbour in breach of this byelaw shall each be guilty of an offence and shall be liable on summary conviction to a fine not exceeding €1,500.

If the contravention of this byelaw is continued after conviction the person so convicted shall be guilty of an offence on each day that the contravention continues and shall be liable on summary conviction for each such offence to a fine not exceeding €100.

11. PROHIBITION OF PLACING VESSELS, VESSEL'S APPAREL BOAT CRADLES OR TRAILERS ON THE ROADWAY, SLIPWAYS, CAMPSHIRES OR HORIZONTAL SURFACES OF THE PIER.

No vessel, vessel's apparel, boat cradle or trailer shall be placed on the roadway, slipways, campshires or horizontal surfaces of the pier of the Harbour without the express permission of the Harbourmaster; this Byelaw shall not apply to launching trollies or boat or boat trailers whilst the owner thereof is using his craft afloat on the water. The owner and any other person who has custody of such vessel, vessel's apparel, boat cradle or trailer which has been placed on the roadway, a slipway, a campshire or a horizontal surface of the pier in the Harbour in breach of this byelaw shall each be guilty of an offence and shall be liable on summary conviction to a fine not exceeding €1,500.

If the contravention of this byelaw is continued after conviction the person so convicted shall be guilty of an offence on each day that the contravention continues and shall be liable on summary conviction for each such offence to a fine not exceeding €100.

Appendix 1-A: Limits of Bye-Laws for Skerries Harbour

