

SUBSIDIARY LEGISLATION 363.194

**EXCLUSIVE ZONES FOR BARBECUES
(BIRŽEBBUĢA LOCAL COUNCIL)
BYE-LAWS**

3rd January, 2018

LOCAL COUNCIL BYE-LAW 15/02/2018. as amended bye-law 15/16/2018.

1. The title of these Bye-Laws is the Exclusive Zones for Barbecues (Biržebbuġa Local Council). Citation.

In these Bye-Laws unless the context otherwise requires:— Interpretation.

"Act" means the Local Government Act; Cap. 363.

"applicant" means a person applying for a permit in terms of these Bye-Laws, be it an individual, company, club or association;

"application" means a request made by an applicant to the Council in accordance with these Bye-Laws, in the form shown in the First Schedule;

"barbecue" includes cooking or roasting of foodstuffs, which is carried out by naked fire, using materials such as wood or coal, but excluding the use of gas;

"gas barbeque" includes cooking or roasting of foodstuffs, which is carried out using gas

"administrator" means the person, club, association or society that delegated the administration of issuing of permits as indicated in bye-law 5.1

"the Council" means Biržebbuġa Local Council;

"exclusive zone for barbecues" means the area with a defined boundary as shown in the Second Schedule to these Bye-Laws;

"locality" means the Biržebbuġa locality;

"residents" include both those persons who are permanently resident in the locality as well as those who are temporary residents.

3.1 Barbecues and gas barbecues can only be made only in the exclusive zones as established by the Council as shown on the Second Schedule: Zones.

Provided that the Council can determine the type of barbecues that can be made in the exclusive zones by publishing a notice:

Provided further that at no point in time can these zones include sandy beaches:

Provided further that the Council, or entities and associations, in collaboration with the Council, can organise activities that include barbecues and gas barbecues as described in Bye-law 2 in the excluded zones.

3.2 The Council can erect signs to indicate the zones exclusive for barbecues as deemed necessary.

General
conditions.

4.1 Places in these zones shall be taken on the basis of the first-come first-served principle.

4.2 The Council may, on an application made by any person, done as per application form shown on the First Schedule, grant a permit to do a barbecue in the exclusive zones for barbecues, subject to a fee of three euro (€3) for a group of up to twenty (20) people, and twenty euro (€20) for a group of twenty-one (21) people or more:

Provided that the Council may give a special concession renouncing to the fee for activities which have a philanthropic purpose:

Provided further that permits are subject to those conditions that the Council may wish to impose.

4.3 No music is allowed to be played whatever the means used, which can be heard at a distance of not more than ten metres.

4.4 The applicant shall be held responsible for the cleaning of the site used.

4.5 Notwithstanding the provisions of these Bye-Laws, the Council may revoke a permit granted in accordance with these Bye-laws, at any time, if this would be necessary for public order:

Provided that if the Council revokes a permit, the Council shall provide the reason in writing to the applicant, who shall be entitled to a refund of the fee paid in respect of the application for such permit;

Delegation.

5. The Council can delegate to third parties the administration of issuing of permits, so is to abide by the regulations stipulated in these Bye-Laws and all those conditions that the Council can impose:

Provided that the Administrator cannot administer the issuing of such permits with fees or conditions different from those imposed by the Council

Penalties.

6.1 Any person who is in breach of any of the provisions of

these Bye-Laws, or who fails to abide by any condition made by the virtue of these Bye-Laws, shall be deemed to have committed a contravention and shall, on conviction, be liable to a fine (*ammenda*) of not more than seventy euro (€70) for such contravention.

6.2 In addition to the penalty stipulated in bye-law stipulated in Bye-law 6.1, the Council may order the guilty person of a breach to carry out the necessary repairs to the Council's satisfaction.

6.3 The Council shall have the right to carry out the necessary repairs at the expense of the guilty person.

**FIRST SCHEDULE
(Bye-law 4.2)****Application for Barbecue**

Application No: _____

Name and Surname of Applicant: _____

Identity Card No./ Passport No: _____

Position in Organisation (e.g. President, Secretary, etc.): _____

Name of Organisation (if applicable): _____

Official Address: _____

Telephone No: _____ Fax: _____

Site of Activity: _____

Day of Activity: _____

Duration (time): From: _____ To: _____

Number of attendees: _____

Date: _____ Applicant's Signature: _____

FOR OFFICIAL USE

Fee Paid: _____ Receipt No: _____

Date and Time when application is received: _____

Accepted/ Refused (delete as applicable) Date: _____

Comments by Council (if applicable): _____

Signature: _____ Official Rubber Stamp:

Designation: _____

SECOND SCHEDULE
(Bye-law 3.1)

Added by:
L.C.B.L.15/16/
2018.





