

The Clean Neighbourhoods and Environment Act (Northern Ireland) 2011

The Dog Control Orders (Prescribed Offences and Penalties, etc.) Regulations (Northern Ireland) 2012 (S.R. 2012 No. [114])

The Dogs on Leads by Direction (Fermanagh and Omagh District Council) Order 2020

Fermanagh and Omagh District Council hereby makes the following Order:

1. Commencement

This Order comes into operation on **6th April 2020**.

2. Application

This Order applies to the land specified in the Schedule.

3. Interpretation

In this Order “an authorised officer of a district council” means an employee of the district council who is authorised in writing by the district council for the purpose of giving directions under this Order.

4. Offence

- (1) Any person in charge of a dog is guilty of an offence if, at any time on any land to which this Order applies, the person does not comply with a direction received from an authorised officer of Fermanagh and Omagh District Council to put and keep the dog on a lead of not more than 2 metres in length unless—
 - (a) the person has a reasonable excuse for failing to do so; or
 - (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to the person failing to do so.
- (2) For the purposes of this Article—
 - (a) a person who habitually has a dog in their possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog;
 - (b) an authorised officer of the district council may only give a direction under this Order to put and keep a dog on a lead if the authorised officer believes that such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog likely to cause annoyance or disturbance to any other person on any land to which this Order applies or the worrying or disturbance of any animal or bird.

5. Penalty

A person guilty of an offence under Article 4 is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Dated this 3rd day of March 2020

The Common Seal of Fermanagh Omagh District Council

Affixed hereto in the presence of:-

Chair - Councillor Siobhan Currie

Chief Executive – Alison Mc Cullagh

SCHEDULE

1. This Order applies to all land within the administrative area of Fermanagh and Omagh District Council which is:

- a) Open to air (including land that is covered but open to the air on at least one side);
and
- b) To which the public are entitled or permitted to have access with or without payment.

2. Excepted from the description in paragraph (1) above is land held by the Department of Agriculture, Environment and Rural Affairs for the purpose of any of its functions under the Forestry Act (Northern Ireland) 2010 (2010c.10(NI))