

Donegal County Council

Comhairle Chontae Dhún na nGall

REGULATION AND CONTROL OF CERTAIN MARITIME CRAFT BYE-LAWS 2009

Donegal County Council as local authority for the administrative County of Donegal in exercise of the powers conferred on it by Section 6 of the Maritime Safety Act 2005 hereby makes the following bye-laws for the regulation and control of certain maritime craft in the waters hereinafter described which are part of its functional area.

1. TITLE -

These bye-laws shall be known as the Donegal County Council (Regulation and Control of certain Maritime Craft) Bye-Laws 2009.

2. COMMENCEMENT -

These bye-laws shall come into operation on the 1st day of May 2009.

3. INTERPRETATION –

In these bye-laws:-

- (i). Words and phrases defined in the Act shall have the same meaning in these bye-laws unless otherwise specified.
- (ii). “**Act**” means the Maritime Safety Act 2005.
- (iii). “**Council**” means Donegal County Council.

- (iv). **“Recreational craft”** shall be as defined in the Act but subject to the qualification that such craft as are used at the relevant time for lawful fishing purposes are excluded.
- (v). **“Scheduled waters”** means the Schedule A, B and C waters together.
- (vi). **“Schedule A waters”** means the waters specified in the Schedule A hereto.
- (vii). **“Schedule B waters”** means the waters specified in the Schedule B hereto.
- (viii). **“Schedule C waters”** means the waters specified in the Schedule C hereto.

4. GENERAL –

- (i). In the interests of the safety of persons using the scheduled waters and/or to prevent nuisance to or injury to persons or damage to watercraft or other property on those waters and subject to sub-paragraph (vi) hereof, the operation of –
 - (a) personal watercraft and recreational craft are prohibited in the Schedule A waters and
 - (b) personal watercraft are prohibited in the Schedule B waters
- (ii). No personal watercraft or recreational craft shall be launched into, moored or berthed in the Schedule A waters.
- (iii). No personal watercraft shall be launched into, moored or berthed in the Schedule B waters
- (iv). In the Schedule B waters recreational craft shall be operated at a speed not exceeding 5 knots for a distance of 100 metres from any launch or landing site.
- (v). In the Schedule C waters recreational craft and personal watercraft shall be operated at a speed not exceeding 5 knots for a distance of 100 metres from any launch or landing site.

- (vi). In addition to the categories of craft described in Section 18 of the Act these Bye-Laws will also not apply to craft operated by a recognised Water Safety Association or other body for the purpose of training persons in the operation of craft or general water safety or providing other bone fide water safety services, which body is approved in writing in advance by the Council either generally or in connection with an event held on specified date(s) on the scheduled waters or any specified part thereof.

SCHEDULE A

1. All those coastal waters at/off Carrickfin Beach in the area shown coloured dark blue on map 1 annexed hereto.
2. All those coastal waters at/off Culdaff Beach in the area shown coloured dark blue on map 2 annexed hereto.
3. All those coastal waters at/off Killahoey Beach (Dunfanaghy) in the area shown coloured dark blue on map 3 annexed hereto.
4. All those coastal waters at/off Murvagh Beach in the area shown coloured dark blue on map 4 annexed hereto.
5. All those coastal waters at/off Narin Beach in the area shown coloured dark blue on map 5 annexed hereto.
6. All those coastal waters at/off Stroove Beach (White Bay) in the area shown coloured dark blue on map 6 annexed hereto.
7. All those coastal waters at/off Bundoran Beach in the area shown coloured dark blue on map 7 annexed hereto.

SCHEDULE B

1. All those coastal and tidal waters at/off Tullan Strand and in the Erne Estuary as shown coloured pink on map 8 annexed hereto.
2. All those coastal waters at/off Lisfannon Beach in the area shown coloured pink on map 9 annexed hereto.

3. All those coastal waters at/off Marble Hill Beach in the area shown coloured pink on map 10 annexed hereto.
4. All those coastal waters at/off Rathmullan Beach in the area shown coloured pink on map 11 annexed hereto.
5. All those coastal waters at/off Portsalon Beach (Warden Stocker Strand) in the area shown coloured pink on map 12 annexed hereto.
6. All those coastal waters at/off Fintra Beach in the area shown coloured pink on map 13 annexed hereto.
7. All those coastal waters at/off Rossnowlagh Beach (Belalt Strand) in the area shown coloured pink on map 14 annexed hereto.
8. All those coastal waters at/off Tra Beg Beach (Downings) in the area shown coloured purple on map 15 annexed hereto.

SCHEDULE C

1. All those coastal waters at/off Trabeg Beach (Downings) in the area shown coloured grey on said Map 15 annexed hereto.

SEAL of Donegal County Council
affixed hereto as authenticated by the
signature of:

Nominated Officer