Suppliment tal-Gazzetta tal-Gvern ta' Malta Nru. 18,936, 26 ta' Ġunju, 2012

Taqsima D

K.L.B.L. 24/3/2012

ATT DWAR KUNSILLI LOKALI
(KAP. 363)

***Bye-Laws* tal-2012 dwar Attivitajiet f'Għar San Brinkat**
(Kunsill Lokali Ħal Għargħur)

BIS-SAĦĦA tas-setgħat mogħtija bl-artikoli 34, 35(8) u 60 tal-Att dwar Kunsilli Lokali, il-Kunsill Lokali Ħal Għargħur għamel il-*Bye-Laws* li ġejjin:-

Titolu u bidu fis-seħħ.

1.1 It-titolu ta' dawn il-*Bye-Laws* hu *Bye-Laws* tal-2012 dwar Attivitajiet f'Għar San Brinkat (Kunsill Lokali Ħal Għargħur).

1.2 Dawn il-*Bye-Laws* għandhom jibdew iseħħu xahar wara l-pubblikazzjoni tagħhom fil-Gazzetta

Tifsir.

2. F'dan il-Bye-Laws, kemm-il darba r-rabta tal-kliem ma tkunx meħtieġ xort'oħra:

"applikant" tfisser kull persuna li tapplika għal permess skont dawn il-*bye-laws* u tinkludi individwu, kumpannija, każin u għaqda;

"l-Att" tfisser l-Att dwar Kunsilli Lokali; Kap. 363.

"attività" tfisser kull attività li ssir fil-beraħ u li dwarha japplikaw dawn il-*bye-laws*;

"*barbecue*" tinkludi tisjir jew xiwi ta' oġġetti, li jsir b'kull mezz, inkluż nar dirett jew sostnut bil-gas jew inkella b'xi mezz ieħor;

"jum" tfisser ġurnata ta' xogħol li fih jiftaħ l-uffiċċju tal-Kunsill Lokali;

"Kunsill" tfisser il-Kunsill Lokali Ħal Għargħur;

"lokalità" tfisser il-lokalità ta' Ħal Għargħur kif jidher fit-Tieni Skeda tal-Att;

"Għar San Brinkat" tfisser is-sit kif elenkat fl-Iskeda.

Attivitajiet f'Għar San Brinkat.

3. Mingħajr preġudizzju għal kull liġi oħra li tipprovdi għall-ħtieġa ta' xi permess ieħor minn xi awtorità oħra, ħadd ma jista' jorganizza attività f'Għar San Brinkat, mingħajr l-awtorizazzjoni bil-miktub mogħtija minn qabel mill-Kunsill skont dawn il-*bye-laws*:

Iżda l-ebda awtorizazzjoni bil-miktub mill-Kunsill skont dawn il-*bye-laws* ma tkun meħtieġa sabiex tiġi organizzata xi attività f'Għar San Brinkat, sakemm l-attività tkun limitata għal mhux aktar minn tliet persuni.

Permess.

4.1. Il-Kunsill jista' fuq l-applikazzjoni ta' kull persuna, jagħti permess sabiex issir xi attività f'Għar San Brinkat, b'dan li dak il-permess jista' jkun soġġett għal dawk il-kundizzjonijiet li l-Kunsill jidhirlu xierqa.

Kobor tal-attività.

4.2. L-applikazzjoni għandha tiġi ppreżentata lill-Kunsill Lokali mill-anqas jumejn qabel d-data tal-attività. Fl-applikazzjoni, l-applikant għandu jindika n-natura tal-attività u għal kemm persuni l-attività li dwarha jkun qed jitlob permess tkun intiża u fin-nuqqas li jagħmel dan, għandu jiġi preżunt li l-attività tkun intiża għal aktar minn tliet persuni.

Garanzija.

4.3. Il-Kunsill Lokali jista' jitlob li jsir depositu jew tiġi provduta garanzija bankarja ta' mhux aktar minn mitt euro (€100) favur tiegħu sabiex jagħmel tajjeb għal kull ħsara li tista' ssir u għal kull ħmieġ li jista' jithalla.

Tindif.

4.4. Kull applikant għandu jibqa' responsabbli għat-tindif tas-sit wara l-attività.

Daqq ta' mużika.

4.5. Ma jistax isir daqq ta' mużika, ikun xi jkun il-mezz użat, li tkun tinstema' f'distanza ta' aktar minn għaxar metri.

Projbizzjoni ta' *barbecue*.

4.6. Ebda persuna ma jista' jagħmel *barbecue* f'Għar San Brinkat.

Drittijiet.

5. L-ebda permess ma għandu jingħata sakemm l-applikant ma jħallasx dritt lill-Kunsill ta' għaxar euro (€10) għal kull jum jew parti minnu li matulu jkun ser issir l-attività li tkun ser tiġi organizzata f'Għar San Brinkat.

Penali.

6.1. Kull persuna li tikser xi waħda mid-dispożizzjonijiet ta' dawn il-*Bye-Laws*, jew li tonqos li taderixxi ma' xi kundizzjoni mogħtija bis-saħħa ta' dawn il-*Bye-Laws* tkun ħatja ta' kontravvenzjoni u tista', meta tinsab ħatja teħel ammenda ta' mhux aktar minn sebgħin euro (€70) għal kull kontravvenzjoni.

6.2. Il-Kunsill jista', b'żjieda mal-penali stabbiliti fil-*bye-law* 6.1, jordna lill-persuna li tinsab ħatja ta' kontravvenzjoni li tagħmel it-tiswijiet u t-tindif meħtieġ li jkunu għas-sodisfazzjon tal-Kunsill.

6.3. Il-Kunsill ikollu dritt jagħmel it-tiswijiet u t-tindif skont kif meħtieġ bl-ispejjeż fuq il-persuna li tinsab ħatja.

VERŻJONI ELETTRONIKA

SKEDA

Għar San Brinkat

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L.C.B.L. 24/3/2012

LOCAL COUNCILS ACT
(CAP. 363)

Activities in Għar San Brinkat
(Ħal Għargħur Local Council) Bye-Laws, 2012

IN exercise of the powers conferred by articles 34, 35(8) and 60 of the Local Councils Act, the Ħal Għargħur Local Council has made the following Bye-Laws:-

Citation and commencement.

1.1 The title of these Bye-Laws is the Activities in Għar San Brinkat (Ħal Għarghur Local Council) Bye-Laws, 2012.

1.2. These Bye-Laws shall come into force one month after their publication in the Gazette.

Interpretation.

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

Cap. 363.

"the Act" means the Local Councils Act;

"activity" means any activity held in the open and to which these Bye-Laws refer;

"applicant" means any person who applies for a permit in terms of these Bye-Laws, and includes an individual, a company, a club or an association;

"barbecues" includes cooking or roasting of foodstuffs, which is carried out in any manner, including by means of naked fire or through gas or by any other means;

"Council" means the Ħal Għargħur Local Council;

"day" means working day consisting of the Local Council's opening hours;

"Għar San Brinkat" means the site as indicated in the Schedule;

"locality" means the locality of Ħal Għargħur as shown in the Second Schedule to the Act.

Prohibition of activities.

3. Without prejudice to any other law providing for the requirement of any other permit from any other authority, no person may organize an activity in Għar San Brinkat without the Council's prior authorization in writing in conformity with these Bye-Laws:

Provided that no written authorisation from the Council in terms of these bye-laws shall be required for an activity in Għar San Brinkat, insofar as such activity would be limited to three persons.

4.1. The Council may, upon the application by any person, grant a permit for the holding of an activity in Għar San Brinkat, which permit may be subject to such terms and conditions as the Council may deem fit. Permit.

4.2. The application shall reach the Local Council two days prior to the activity. When submitting an application, the applicant is required to indicate the nature of the activity and the number of participants for whom the activity would be intended and in default, it shall be presumed that the activity is intended for more than three persons. Nature of activity and number of attendees.

4.3. The Council may ask for a deposit or for the provision of a bank guarantee of not more than one hundred euro (€100) in its favour in order to secure against any damages and lack of cleanliness that may occur. Guarantee.

4.4. Each applicant shall be responsible for the cleaning of the site after the activity. Cleansing.

4.5. No music is allowed to be played whatever the means used, which can be heard at a distance of more than ten metres. Prohibition of music.

4.6. No person shall hold barbecues in Għar San Brinkat. Prohibition of barbecues in Għar San Brinkat.

5. No permit shall be granted unless the applicant shall have paid to the Council a fee of ten euro (€10) for every day or part thereof, during which an activity would be held. Fees.

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. Penalties.

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

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

VERŻJONI ELETTRONIKA

FIRST SCHEDULE

Għar San Brinkat

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