

**ERECTION OR RETENTION OF TEMPORARY DWELLINGS  
(PROHIBITION) (WHITERATH) ORDER 2009**

**LOUTH COUNTY COUNCIL**, the sanitary authority, being of the opinion that the erection or retention of temporary dwellings on lands in the Townland of Whiterath in the County of Louth within their sanitary district as more particularly described in the Schedule to this Order and delineated on the Plan contained in the said Schedule and hatched thereon in red and available at [www.louthcoco.ie](http://www.louthcoco.ie) would be prejudicial to public health and the amenities of the said lands, in exercise of the powers conferred by Section 31(1) and (2) of the Local Government (Sanitary Services) Act 1948 hereby Orders as follows:


1. This Order may be cited as the Erection or Retention of Temporary Dwellings (Prohibition) (Whiterath) Order 2009.
2. This Order is made on the 28<sup>th</sup> day of March 2009.
3. In this Order the expression "temporary dwelling" means any--
  - (a) tent, or
  - (b) van or other conveyance (whether on wheels or not), or
  - (c) shed, hut or similar structureused for human habitation or constructed or adapted for such use.
4. No person shall erect or retain a temporary dwelling on lands at Whiterath in the Townland of Dromiskin in the County of Louth.

**SCHEDULE**

All those lands situate at Whiterath, Dromiskin, from junction of Whiterath Motorway Overpass in a generally easterly direction to the Cul de Sac road in front of Animal Pound which is a distance of 568 metres and taking a point from the central line of that road going 10 metres in either direction measuring total width of 20 metres and total area of 1.013 hectares as shown on the map located at [www.louthcoco.ie](http://www.louthcoco.ie)

Given under seal  
Louth County Council

In the presence of:-

  
\_\_\_\_\_  
**Declan Breathnach**  
Cathaoirleach

  
\_\_\_\_\_  
**Joe McGuinness**  
Director of Services

28<sup>th</sup> March 2009  
Date

**TAKE NOTICE** that in accordance with the requirements of section 31(10) of the Local Government (Sanitary Services) Act 1948 **LOUTH COUNTY COUNCIL**, the sanitary authority, **HEREBY GIVES NOTICE** that the Erection or Retention of Temporary Dwellings (Prohibition) (Whiterath) Order 2009, a copy of which is published above has come into force on the 28<sup>th</sup> March 2009

**WARNING**

Any person who erects or retains a temporary dwelling in contravention of the Erection or Retention of Temporary Dwellings (Prohibition) (Whiterath) Order 2009 shall be guilty of an offence under section 31(4) of the Local Government (Sanitary Services) Act 1948 and shall be liable on summary conviction to a fine not exceeding €1,270 and, in the case of a continuing offence, to a further fine not exceeding €252 for each day on which the offence is continued.

Where a person is convicted on a second or subsequent occasion of such offence in relation to the same temporary dwelling, the court may, in addition to or in lieu of imposing a fine, order the forfeiture of the temporary dwelling to the sanitary authority and thereupon the authority may take possession of the temporary dwelling and dispose of it by sale, destruction or otherwise as they think fit.

