*Suppliment tal-Gazzetta tal-Gvern ta' Malta Nru. 18,525, 24 ta' Diċembru, 2009*

*Taqsima* D

**K.L.B.L./27/05/2009**

**ATT DWAR KUNSILLI LOKALI (KAP. 363)**

*Bye-Laws* **tal-2009 dwar Kontroll tal-Ħamiem ( Kunsil Lokali Ħamrun)**

BIS-SAĦĦA tas-setgħa mogħtija bl-artikoli 33, 34, 35(8), 36 u 60 ta' l-Att dwar Kunsilli Lokali, il-Kunsill Lokali Ħamrun għamel il-*Bye-Laws* li ġejjin:-

**1.1** It-titolu ta' dawn il-*Bye-Laws* hu *Bye-Laws* tal-2009 dwar Kontroll tal-Ħamiem (Kunsill Lokali Ħamrun). Titolu.

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

**2.** F'dawn il-*Bye-Laws*, kemm-il darba r-rabta tal-kliem ma tkunx teħtieġ xort'oħra:- Tifsir.

"l-Att" tfisser l-Att dwar Kunsilli Lokali;

"ħamiem domestiku" tfisser ħamiem li jkun miżmum f'post ta' abitazzjoni jew xi post ieħor għal skop ta' rikreazzjoni, passatemp jew sport;

"ħamiem selvaġġ" tfisser ħamiem li ma jkunx ħamiem domestiku;

"il-Kunsill" tfisser il-Kunsill Lokali Ħamrun;

"lokalità" tfisser il-lokalità ta' Ħamrun kif murija fit-Tieni Skeda li tinsab ma' l-Att.

"il-Kunsill" tfisser il-Kunsill Lokali Ħamrun;

**3.1** F'kull parti tal-lokalità hu projbit li persuna titma' ħamiem selvaġġ. Mhux permess li persuna titma' ħamiem selvaġġ.

**3.2** Hu projbit ukoll li persuna tħalli, b'mod volontarju, ikel f'postijiet aċċessibbli għall-ħamiem selvaġġ.

**3.3** Id-disposizzjonijiet ta' dan l-artikolu ma japplikawx għal dawk il-persuni li jrabbu jew jieħdu ħsieb ħamiem domestiku.

Proprjetà immobbli abbandunata.

**4.** Il-propjetarji ta' propjetà immobbli ġewwa l-lokalità li ma tkunx abitata, għandhom jiżguraw li l-imsemmija proprjetà tkun imbarrata b'tali mod li ma jkunux jistgħu jidħlu jew ibejjet ħamiem selvaġġ ġewwa fiha.

Piena.

**5.1** Kull persuna li tikser xi disposizzjonijiet ta' dawn il-*Bye-Laws* tkun ħatja ta' kontravvenzjoni u teħel, meta tinsab ħatja, sakemm ma tkunx applikabbli piena ogħla taħt xi liġi oħra:

**5.1.1** għall-ewwel kontravvenzjoni *ammenda* ta' sitta u erbgħin euro u disgħa u ħamsin ċenteżmu (€46.59);

**5.1.2** għat-tieni kontravvenzjoni jew għal kull kontravvenzjoni oħra li tiġi wara, *ammenda* ta' disgħa u sittin euro u tmienja u tmenin ċenteżmu (€69.88); u

**5.1.3** fil-każ ta' kontravvenzjoni kontinwata, *ammenda* ta' ħdax-il euro u erbgħa u sittin ċenteżmu (€11.64) għal kull jum li matulu tkompli l-kontravvenzjoni.

**L.C.B.L./27/05/2009**

## LOCAL COUNCILS ACT
## (CAP. 363)

### Control of Pigeons (Ħamrun Local Council) Bye-Laws, 2009

IN exercise of the powers conferred by articles 33, 34, 35(8), 36 and 60 of the Local Councils Act, the Ħamrun Local Council has made the following Bye-Laws:–

**1.1** The title of these Bye-Laws is the Control of pigeons (Ħamrun Local Council) Bye-Laws of 2009. Citation.

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

**2.** In these Bye-Laws unless the context otherwise requires – Interpretation.

"the Act" means the Local Councils Act;

"the Council" means the Ħamrun Local Council;

"domestic pigeons" means pigeons which are kept in a residential place or in some other place for the purpose of recreation, hobby or sport;

"locality" means the locality of Ħamrun as shown in the Second Schedule to the Local Councils Act;

"wild pigeons" means pigeons which are not domestic pigeons.

**3.1** The feeding of wild pigeons in any part of the locality is prohibited. The feeding of wild pigeons by any person is prohibited.

**3.2** It is also prohibited for any person to voluntarily leave food in places which are accessible to wild pigeons.

**3.3** The provisions of this article do not apply to those persons who keep or take care of domestic pigeons.

Abandoned immovable property.

**4.** The owners of abandoned immovable property within the locality shall ensure that the said property be sealed in such a manner that no pigeons may enter or make nests therein.

Penalty.

**5.1** Any person who fails to comply with any of the provisions of these Bye Laws shall be deemed to have committed a contravention and shall, on conviction, be liable unless a higher penalty is applicable under any other law:

**5.1.1** for a first contravention to a fine (*ammenda*) of forty six euro and fifty nine cents (€46.59).

**5.1.2** for a second or subsequent contravention to a fine (*ammenda*) of sixty nine euro and eighty eight cents (€69.88); and

**5.1.3** in the case of a continuing contravention to a fine (*ammenda*) of eleven euro and sixty four cents (€11.64) for each day that the contravention continues.

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