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KWABRE EAST MUNICIPAL ASSEMBLY BYE-LAWS

Kwabre East Municipal Assembly (Adeedeta Tricycle) Bye-Law, 2018

In exercise of the powers conferred on the Kwabre East Municipal Assembly by section 181 of the Local Governance Act 2016 (Act 936) hereby made this Bye-Law:

Title

This Bye-law may be cited as Kwabre East Municipal Assembly (Adeedeta Tricycle) Bye-law, 2018.

License

2. (1) The owner or person in possession of any Adeedeta having wheels propelled by mechanical means in the Municipality shall acquire a license for such tricycle.

2(2) A license issued under this Bye-Law shall expire on the 31st December, of the year in which it was issued.

Fees

3. The Kwabre East Municipal Assembly shall by a resolution fix the fees payable for the issuance of the license.

4. An Adeedeta issued with a license shall display it on the windscreen.

Condition of Vehicle

5. Before the issuance of a licence, a testing officer of the Assembly or a person directed to do so by the Assembly shall certify that the condition of the tricycle does not endanger the life of persons or property.

Prohibition

6. (1) A person below the age of 18 years shall not ride any Adeedeta within the area of jurisdiction of the Assembly.

6. (2) No person shall sit beside the rider while it is in motion.

Rules of the Road

7. a. The user of any such tricycle which is subject to this Bye-law shall use the main road but not pedestrian walkways or in the middle of the road.

b. The user shall park only at the approved parking lots.

Restrain on use of vehicle

8. (1) A tricycle licensed under this Bye-law shall not obstruct and endanger road users.

Enforcement

9. Municipal Guards, the Transport Committee and other relevant departments of the Assembly are vested with power to ensure compliance with the provisions of this Bye-law.

Monitoring

10. A monitoring team from the Assembly shall monitor the operations of the tricycles to ensure compliance with these Bye-Laws.

Offence

11. A person who contravenes any of the provisions of these Bye-laws shall be guilty of an offence and shall on conviction be liable to a fine not less than *50 penalty units and more than 150 penalty units* or imprisonment for a term not exceeding three months or both.

Application

12. This Bye-law shall apply within the area of authority of the Assembly.

Interpretation

13. In this Bye-law unless the context otherwise requires, K.E.M.A means Kwabre East Municipal Assembly, Adeedeta means a tricycle for the purposes of conveying persons from one point to another.

Revocation

14. Any Bye-laws on Adedeta in the existence in the area of operation of the K.E.M.A before the coming into force of these Bye-laws are hereby revoked.

Made at a meeting of the Assembly held on the

SIGNED

SIGNED

.....
Presiding Member
Kwabre East Municipal Assembly

.....
Municipal Co-ordinating Director
Secretary to K.E.M.A

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government.

SIGNED

Regional Co-ordinating Director and Secretary to R.C.C

Kwabre East Municipal Assembly (Control of Manufacture of Charcoal) Bye-Laws, 2018.

In exercise of the powers conferred on Kwabre East Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby make this bye-law:

Prohibition of Manufacture of Charcoal

1. (1) A person shall not burn for purposes of the manufacture of charcoal in the area of authority of the K.E.M.A unless the K.E.M.A grants a license after inspecting the premises designated for the burning.

(2) Since the burning of charcoal is harmful and produces air pollutants which overtime may cause and aggravate respiratory diseases, damage lung tissue, the Environmental Health Department of the K.E.M.A shall take into consideration these factors in designating a place safe for burning of charcoal.

Licence

2. The K.E.M.A. may grant such license subject to such condition as the Assembly may deem fit for the purpose of making the burning environmentally safe having regard to bye-law 1(2).

Fees

3. A license shall be issued after the payment of the requisite fees approved by a resolution of the Assembly and such a license shall expire on the 31st December, of the year in which it was issued.

Collaboration and Monitoring

4. (1) The Assembly shall collaborate with the Environmental Protection Agency on ways to safeguard the environment and inhabitants by allotting special places for purposes of burning charcoal.

(2) The Assembly shall through the Environmental Health Department monitor the activities of the licensees.

(3) The Environmental Health Department shall assess the impact of the operation of the licenses and advise the K.E.M.A. on actions to be taken regarding safety of the environment and the inhabitants.

Restriction on the sale of Charcoal

5. (1) A person shall not sell charcoal in the area of authority of the K.E.M.A. unless the person obtains from the K.E.M.A a license to do so.

(2) The Assembly shall have a standing committee comprising the Security, the Environmental Health departments and Environmental Protection Agency which shall visit sites of production to ensure compliance with guidelines given in accordance with Section 4 of the bye-law.

Renewal of Licence

6. The standing committee's recommendations shall indicate whether a license of a charcoal burner should be renewed or not and whether the site is conducive for continued burning of the charcoal.

Offence

7. A person who contravenes any provision of this Bye-law commits an offence and is liable on conviction to a fine of not less than *50 penalty units and not more 150 penalty units* or to a term of imprisonment not exceeding three months or both.

Enforcement

8. The Environmental Health and Security departments of the K.E.M.A. shall enforce the provisions of this Bye-law.

Title

9. This Bye-law may be cited as Kwabre East Municipal Assembly (Control of Manufacture of Charcoal) Bye-Laws, 2018.

Application

10. These Bye-law shall apply within the area of authority of the Assembly.

Interpretation

11. In this Bye-Law unless the context otherwise requires, K.E.M.A. means Kwabre East Municipal Assembly.

Revocation

12. Any Bye-law on control of manufacture of charcoal in existence in the area of authority of the K.E.M.A before the coming into force of this Bye-law is hereby revoked.

Made at a meeting of the Assembly held on

SIGNED

*Presiding Member
Kwabre East Municipal Assembly*

SIGNED

*Municipal-ordinating Director
and Secretary to K.E.M.A*

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government.

SIGNED

Regional Co-ordinating Director and Secretary to R.C.C.

Kwabre East Municipal Assembly (Sale of Intoxicating Liquor) Bye-Law, 2018

In exercise of powers conferred on the Kwabre East Municipal Assembly by section 181 of the local Governance Act, 2016 (Act 936) hereby make this Bye-law:

Licence

1(1) A person shall not distill or sell any intoxicating liquor either as a wholesale or retailer in any part of the Municipality without a license issued by the K.E.M.A. for that purpose.

(2) The K.E.M.A. shall issue separate licenses for distillation and retailing of intoxicating liquor.

(3) Hotels, restaurants, bars and food joints that sell intoxicating liquor shall apply for a license before selling intoxicating liquor at the premises.

(4) The K.E.M.A. shall fix the fees payable for the license so issued and such a license shall expire on the 31st December of the year in which the license was issued.

(5) The K.E.M.A. shall grant a license after the environmental department of the K.E.M.A. and the Police have conducted a survey certifying the suitability of the premises for either the distilling or sale of the intoxicating liquor.

Application to be in writing

2. (1) An applicant for a license under this Bye-law shall submit an application in writing to the K.E.M.A and shall contain the name, the address, the place and type of liquor the applicant intends to sell or is selling.

(2) The report of the Environmental health department and other relevant departments and agencies if it certifies the place as suitable for the activity shall allow the issuance of the license.

(3) In issuing the license, the distillers or retailers shall submit themselves and their workers for medical examinations conducted by the Medical Officer of K.E.M.A. or other designated health facility approved by the K.E.M.A. who shall issue a health certificate of all persons who shall work in the distillery or selling at a hotel, restaurant, bars and food joints as fit and proper persons with no health problems which may have an adverse effect on the people they serve.

(4) The K.E.M.A. shall not issue a license to a distiller or seller who operates with children under 18 years of age.

(5) Where a person issued with a license operates with children under 18 years, the license shall be revoked and shall only be restored after the K.E.M.A. has satisfied itself that the breach shall not continue

Condition and Duration of Licence

3. A license issued under this law-:

(a) shall abide by the provision in the Liquor Licensing Act of 1970, and

(b) shall expire on the 31st December, of the year in which it was issued.

Fees

4. The K.E.M.A. shall by a resolution fix the fees payable for the issuance of the license.

Powers of Collection of Fees

5. (1) An officer of the revenue department duly authorized by the K.E.M.A. shall, at all reasonable times take steps to recover the approved fees,

(2) Where a party operates without the requisite license, the K.E.M.A. shall impose a penalty to be fixed by the Assembly on the person in addition to the payment of the approved fees.

Revocation of Licence

6. The K.E.M.A. may revoke any such license where the proprietor or any person acting in that capacity

- (a) has refused to pay the approved fee;
- (b) is acting in a manner unacceptable to the Assembly's interest;
- (c) is acting in a way injurious to public interest; or
- (d) does not use the place for the purpose for which it was originally intended.

7. A person shall not obstruct or otherwise interfere with any officer of the K.E.M.A or other persons authorized by the K.E.M.A in the performance of any duties assigned to them under this Bye-laws.

Offence and Penalty

8. A person who distils or sells liquor without the requisite license contravenes Bye-law 1 and commits an offence and shall on summary conviction pay a fine of not less than **100 penalty units and not more than 150** penalty units or in default to a term of imprisonment not exceeding 6 months or both.

Inspection

9. (1) An officer from the Health department of the K.E.M.A. may enter upon the premises of the distiller or seller of liquor for purposes of inspecting the premises used for distilling or selling of the intoxicating liquor in respect of;

- a) Whether the licensee is complying with the terms of the license,
- b) Randomly test samples of the intoxicating liquor for analysis.

Prohibition

10. (1) A licensee shall not allow any person who has not attained 18 years to distill, buy or sell intoxicating liquor at the premises of the licensee.

(2) The licensee shall demand a proof of age and identity where the person seems not to have attained 18 years.

(3) A licensee shall not sell intoxicating liquor to a drunken person and shall ensure that the premises are not used for any disorderly activities.

(4) A licensee who contravenes any of the provisions of these bye-laws commits an offence and is liable on conviction to a fine of between 60-100 penalty units and in default to a term of imprisonment not exceeding three months or both.

(5) Where the default continues the license shall be revoked by the K.E.M.A.

Interpretation

11. In this Bye-law unless the context otherwise declares, liquor means any distilled alcoholic drink or any liquor produced by boiling/fermenting of food substance for example from malt, millet, sugar and sugar cane, K.E.M.A. means Kwabre East Municipal Assembly.

Title

This Bye-law may be cited as Kwabre East Municipal Assembly (Sale of Intoxicating Liquor) Bye-Law, 2018

Revocation

12. All existing Bye-laws on sale of intoxicating liquor are hereby revoked.

Made at meeting of the Assembly held on

SIGNED

SIGNED

*Presiding Member
Kwabre East Municipal Assembly*

*Municipal Co-ordinating Director
and Secretary to K.E.M.A*

Approved by the Regional Co-coordinating Council, Ashanti on behalf of the Ministry of Local Government.

SIGNED

Regional Co-ordinating Director and Secretary to R.C.C

Kwabre East Municipal Assembly (Control of Economic Trees) Bye-Laws, 2018

In exercise of the powers conferred on the Kwabre East Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936), hereby make this Bye-law;

Prohibition & Permit

1.(1) A person shall not cut down any economic tree in the Municipality unless the person first obtains a permit in writing to do so from the department of natural resources conservation, forestry, game and wildlife division of the K.E.M.A. or with the written permit of the forestry Commission in the case of timber concessions.

(2) An application shall be made in writing to the environmental department of the K.E.M.A and shall state the reason for cutting down such economic tree(s).

Duration and Conditions of grant

2. (1) A permit granted under this Bye-law shall expire immediately that economic tree has been cut.

(2) The permit granted shall include a provision on replanting of an economic tree at the spot where it was cut and supervised by a designated officer from the department of natural resources conservation, forestry, game and wildlife division from K.E.M.A. who shall report the planting of the tree to a committee to be appointed by the Assembly

Trees to be replanted

3. A person granted a permit under this Bye-law to cut an economic tree shall replant a tree of the same or similar stock within 30 days at the spot or in the vicinity where the tree is cut.

Fees

4. The K.E.M.A shall by a resolution fix the fees payable for the issuance of the permit.

Offences

5. A person who contravenes any provision of this Bye-law commits an offence and shall be liable on conviction to a fine of less than 50penalty units and not more than 100 penalty units or to a term of imprisonment not exceeding three months or both.

Interpretations

6. In this Bye-law unless the context otherwise requires; “economic tree” means any tree which provides any form of benefit to the Municipality, K.E.M.A. means Kwabre East Municipal Assembly.

Title

This Bye-law may be cited as Kwabre East Municipal Assembly (Control of Economic Trees) Bye-Laws, 2018.

Applications

7. This Bye-law shall apply within the area of authority of the Kwabre East Municipal Assembly.

Revocation

8. A Bye-law on control of economic trees in existence within the area of authority of the K.E.M.A immediately before the commencement of this Bye-law is hereby revoked.

Made at a meeting of the Kwabre East Municipal Assembly held on the

SIGNED

SIGNED

Presiding Member

Municipal Co-ordinating Director

Kwabre East Municipal Assembly

and Secretary to K.E.M.A

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government.

SIGNED

Regional Co-coordinating Director and Secretary to R.C.C

Kwabre East Municipal Assembly (Herbalists) Bye-Laws, 2018.

IN exercise of the powers conferred on the Kwabre East Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby make this Bye-law:

Licence

1. A herbalist shall not practice within the area of authority of the Assembly unless the herbalist first-
 - (a) Registers with the Ghana Psychic and Traditional Healers Association; and
 - (b) Obtain a license from K.E.M.A.'s Medical Officer of Health and complies with conditions which the K.E.M.A. has set under bye-law 3 below and any other conditions that may become necessary.

Duration of Licence

2. A license issued under this bye law shall expire on the 31st day of December, in the year in which it was issued.

Sanitary Conditions of herbalist's premises

3. A herbalist shall-
 - (a) Keep his or her premises and surroundings clean;
 - (b) Remove all filth from the premises from time to time and as often as may be necessary to maintain the premises in a state of cleanliness.
 - (c) Keep his or her stock under hygienic conditions;
 - (d) Take all reasonable precautions in cases of infectious and contagious diseases; and
 - (e) Refer cases beyond his or her competence to a hospital with reasonable dispatch.

Inspection of premises

4. (a) An officer from the Environmental Health Department of K.E.M.A. duly authorized shall enter and inspect the sanitary conditions of a herbalist's premises periodically.
 - (b) The said officer shall also make unannounced visits to the premises of the herbalist for purposes of enforcing bye-law 4 (a) above,
 - (c) The said officer may request the herbalist to produce the license issued by the K.E.M.A. for inspection,
 - (d) The K.E.M.A. may in a year in conjunction with the Traditional Healers Association and the Foods and Drugs Authority organize seminars for the herbalist on the need to keep clean surroundings and better health practices.

Revocation

5. The K.E.M.A. shall revoke the license of a herbalist under the following conditions;

(a) Where a herbalist is convicted on two or more occasions of an offence involving dishonest or improper conduct as a herbalist, or

(b) Where the herbalist repeatedly fails to keep and maintain good sanitary conditions in his or her premises.

Restoration

6. A herbalist whose license is revoked by virtue of the above bye-law shall apply

for a restoration of the license after satisfying conditions imposed by the K.E.M.A. in accordance with advice from the health department of the K.E.M.A.

Penalty

7(1) A person who breaches any of this Bye-law shall be guilty of an offence and liable on conviction to a fine of not less than 100 penalty units and not more than 200 penalty units or in default to a term of imprisonment not exceeding six months or both.

(2) For each day that the commission of the offence continues after notification of conviction, a further ten penalty unit shall be imposed on the offender.

Application

8. These Bye-laws shall apply within the area of authority of the Assembly.

Title

9. This Bye-law may be cited as Kwabre East Municipal Assembly (Herbalists) Bye-Laws, 2018

Revocation

10. Any (Herbalists) Bye-law in existence immediately before the coming into effect of this Bye-law is hereby revoked.

Made at a meeting of the Kwabre East Municipal Assembly held on the

SIGNED

Presiding Member

Kwabre East Municipal Assembly

SIGNED

Municipal Co-ordinating Director

and Secretary of K.E.M.A

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government.

SIGNED

Regional Co-ordinating Director and Secretary to R.C.C.

Kwabre East Municipal Assembly (Births and Deaths Registration) Bye-Laws, 2018

IN exercise of the powers conferred on the Kwabre East Municipal Assembly by section 181 of the Local Governance Act, 2016(Act 936) hereby make this Bye-law;

Report of birth and death

1. (a)The birth and deaths registry of the K.E.M.A. shall receive notice of births and deaths occurring within the Municipality and to record such reports in books provided for the purpose (hereinafter referred to as the Registration).

(b)The section shall operate under a Registrar with a supporting staff mandated to undertake such registration.

Duties of the Registrar

2. The Registrar shall-

- (a) Keep two separate registers to record the details of birth or death received at the office;
- (b) Subject to the directions of the K.E.M.A., the Registrar shall ensure safe keeping of the registers;
- (c) Make the registers available at all responsible times for inspection by an authorised member of K.E.M.A. or Medical Officer of Health or the Principal Registrar of Births and Deaths or his representative or for search by any member of the public;
- (d) Submit returns in such manner and at such times as the Principal Registrar of Births and Deaths shall direct;
- (e) Otherwise conform to the requirements of this Bye- law

Appointment of Registration Assistants

3. (1) The K.E.M.A may appoint such number of Registration Assistants necessary to compliment the work of the Registrar;

(2) Registration Assistant shall perform the same duties as the Registrar but shall report to the Registrar;

(3) Registration Assistants shall send to the Registrar certified extract of all entries in their registers during the previous month;

(4) The Registrar shall keep under lock and key, registers not in use,

(5) The Registrar in accordance with bye-law 1(a) shall receive reports in writing from the following persons:

(a) birth, by the mother, father or guardian of the child;

(b) deaths, by the surviving spouse of the deceased or the head or a principal member of the deceased's family or in his absence by the person finding or taking charge of the body.

Fees

6. The person making the report of birth or death shall pay the necessary fee fixed by the resolution of the K.E.M.A. and approved by or on behalf of Ministry of Local Government.

Custody of Registers

7. The Registrar shall keep registers in the forms provided for register of Birth/Deaths and Burial respectively under the existing law.

Issuance of Birth or Death Certificate

8. The Registrar and the Registration Assistants shall upon registering any birth or death delivered to the reporter and upon payment of a fee fixed by resolution of the K.E.M.A. and approved by or on behalf of the Ministry of Local Government, issue a certificate in accordance with the existing law and or regulations;

Time for Registration

9. A person who has to make a report under this Bye-law shall do so as follows;

(a) in respect of death within fourteen days, and

(b) in respect of a birth within three months.

(c) where a person fails to make the report as stated under bye-law 9 (a) the late report shall attract a penalty determined by a resolution of the KE.M.A.

Inspection of Register

10. A person shall on payment of an amount fixed by resolution of the K.E.M.A. inspect an entry in the register or to search the register at any reasonable time.

Copies as evidence

11. A certified copy of a register shall be receivable in evidence in any legal proceedings as evidence of the facts recorded therein.

Correction of register

12. (1) A clerical error in a register may if discovered at the time of making the entry, be corrected. An alteration detected after the entry in the register shall only be altered on the application of the party supplying the information to the Registrar.

(2) No erasure shall be made in any register or certified copy or extract thereof; any such erasure shall render same void.

(3) Without prejudice to Bye law 12(2) above, any correction made shall be in respect of the register and not the certified copy. The person effecting the correction shall draw a line of red ink

through the word but shall leave the word readable. Any word to be inserted shall be underlined or written in the margin opposite any correction.

(4) Where it is desired to change the name of a child whose birth and name have been registered, or recorded but the certified copy has not been issued, the Registrar, may, upon written application by child's parent or guardian made before the issuance of the certified true copy, correct the register accordingly. Where the certified copy has been issued, no change can take place except to do change of name in accordance with the law.

Penalty

13. A person who willfully registers or permits registration of a false statement or who willfully destroys or permits the destruction of an entry in a register shall commit an offence and shall upon conviction be liable to a fine of not less than 100 penalty units and not more than 200 penalty units or in default to term of imprisonment not exceeding two months or both.

Interpretation

14. In these Bye-Laws unless the context otherwise requires;

K.E.M.A. means Kwabre East Municipal Assembly.

Title

15. This Bye-law may be cited as Kwabre East Municipal Assembly (Births and Deaths Registration) Bye-Laws, 2018.

Revocation

16. The Births and Deaths Bye-law, of 1995 is hereby repealed

Application

17. This Bye-law shall apply within the area of authority of the K.E.M.A.

Made at a meeting of the Kwabre East Municipal Assembly held on

SIGNED

Presiding Member

Kwabre East Municipal Assembly

SIGNED

Municipal Co-ordinating Director

and Secretary of K.E.M.A

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government.

SIGNED

Regional Co-ordinating Director and Secretary to R.C.C

**Kwabre East Municipal Assembly (Hotels, Restaurant, and Eating Joints or Chop Bars)
Bye-Law, 2018**

IN exercise of the powers conferred on the Kwabre East Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby make this Bye-law:

Licence

1. (1) A person shall not designate a place as a hotel, motel, guest house, restaurant, eating joints or chop bar, unless the premises have been approved and licensed by the K.E.M.A. for that purpose.
- (2) A license issued under this Bye-law is subject to such conditions as the K.E.M.A. shall impose;
- (3) A license issued shall take effect from the date on which it is granted and shall determine on the 31st day of December in the year in which the license is issued.
- (4) Every license granted shall be personal to the licensee only and not transferable.

Provision of separate places for eating, cooking and lavatory

2. (1) A hotel, motel, guest house, restaurant, eating joint or chop bar premises shall provide the following;
 - (a) a separate room used solely as a public eating room
 - (b) a separate kitchen used solely for cooking and for the preparation of food and liquid refreshment for use in the premises aforementioned;
 - (c) a separate lavatory for male and female;
 - (d) A separate changing/cloak room for male and female

Requirement as to public eating room

- (2) A public eating-room in the premises aforementioned shall have the minimum dimensions of not less than five meters long, four meters wide and four meters high. The minimum requirements so stated may change having regard to the circumstances of the case.
 - (3) The floor of every public eating-room shall have a minimum of concrete floor and the wall, capable of being washed or painted.
 - (4) The proprietor of public eating-room shall provide adequate lighting, ventilation and keep the premises clean at all times.
 - (5) the eating room shall be fly proof
3. (1) A kitchen in the aforementioned premises shall have a concrete floor, and in every such kitchen suitable fly-proof storage for foodstuffs, meat, fish and vegetables together with one or more tables for the preparation of food.
 - (2) The licensee shall further provide adequately covered receptacles for storage and the disposal of refuse and maintain the kitchen to ensure cleanliness of the premises.

Washing of plates and others

4. A licensee shall have a suitable arrangement for the washing of plates and utensils. Where the licensee is not using a dish washer, the licensee shall constantly replace the water used for washing.

Infected Person

5. (1) A licensee shall not permit any person suffering from an infectious or contagious disease to take part in the preparation or serving of food or in connection with the hotel, restaurant, eating-house or chop bar.

(2) To ensure compliance with bye-law 5(1) above, the licensee shall ensure that all workers are medically examined and found fit by a designated health facility in the city certifying that the person is fit to work in any of the places mentioned therein before the issuance of the license to operate as such.

Nuisance

6. The licensee shall not keep livestock on the premises of operation.

Obstruction

7. A person shall not obstruct or resist an Officer of health or any other person appointed by the K.E.M.A and acting in the performance of duties relating to any of the purposes of this Bye-law.

Withdrawal of licence

8. (1) The K.E.M.A in its discretion may withdraw a license issued under this Bye-law if;
 - (a) An alteration is made to any premises licensed hereunder without the permission of the K.E.M.A. or the necessary planning authority;
 - (b) If the licensee operates contrary to the provisions of this Bye-law
 - (c) If the licensee is convicted of any of the offences under this Bye-law;(2) A licensee whose license is revoked shall apply for a fresh license to operate the premises as such after satisfying all the conditions of the K.E.M.A. in respect of operating premises as a hotel, restaurant, food joint or a chop bar.
 - (3) A licensee whose license is withdrawn shall pay a penalty fixed by the resolution of the K.E.M.A before a new license is issued.

Appeal

9. (1) A person dissatisfied with the revocation of a license shall within 7 days from the day of the decision appeal to the M.C.E. for a redress.

(2) The M.C.E on receipt of same shall constitute a panel of three comprising the Solicitor of the K.E.M.A, the heads of the planning and Environmental health departments of the K.E.M.A. who shall hear the appeal and report to the M.C.E. within two weeks with their recommendations.

(3) The M.C.E. on receipt of the recommendations shall accept, reject or modify the committee's recommendations and notify the appellant in writing of the decision taken by the M.C.E. containing the recommendations.

Offence and Penalty

9. A person found guilty of a breach of any of this Bye-law or a license granted hereunder shall be liable on conviction to a fine of not less than 100 penalty units and not more than 200 penalty units or in default of payment to imprisonment for a term not exceeding six months or both.
10. A place where food is prepared or cooked or liquid refreshment is provided for sale to the public for consumption on the premises shall be deemed to be a restaurant or eating-house for the purpose of this Bye-law.

Interpretation

11. In these Bye-Laws unless the context otherwise requires;
K.E.M.A. means Kwabre East Municipal Assembly, M.C.E. or MCE means the Municipal Chief Executive, Hotel shall include motel and guest house

Title

12. This Bye-law shall be cited as Kwabre East Municipal Assembly (Hotels, Restaurant, and Eating Joints or Chop Bars) Bye-Law, 2017.

Revocation

13. The Bye-law on control of Hotels, Restaurants and Eating-houses or Chop Bars) 1995, is hereby repealed.

Made at a meeting of the Kwabre East Municipal Assembly....

SIGNED

*Presiding Member
Kwabre East Municipal Assembly*

SIGNED

*Municipal Co-ordinating Director
and Secretary of K.E.M.A*

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government.

SIGNED

Regional Co-ordinating Director and Secretary to R.C.C.

Kwabre East Municipal Assembly (Porters) Bye-Law, 2018

IN exercise of the powers conferred on the Kwabre East Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby make these Bye-laws:

Prohibition

1. A person shall not operate as a porter unless the person obtains a license after undergoing security and medical screening and wears the uniform prescribed by the K.E.M.A. for that purpose and has attained 18 years or above and is not of a school going age.

Registration

2. The Medical Officer of the K.E.M.A shall examine a prospective applicant and issue a certificate certifying whether the applicant can engage in the business of a porter.

Screening

3. A prospective porter applicant shall undergo security screening with the police who shall upon investigation of the applicant issue a police criminal report on the applicant to the K.E.M.A.

Criminal Record

4. The police shall submit the criminal record to the security department of the K.E.M.A. who shall issue the applicant with the requisite application forms.

Processing of Forms

5. The applicant shall fill the forms and submit it together with two passport size photographs and pay the requisite license fees approved by the resolution of the K.E.M.A.

Vetting of Forms

6. The security department of the K.E.M.A. shall vet the forms after which the K.E.M.A. shall issue a photo identity card for the applicant with the applicant's name, number and area(s) of operation embossed thereon.
7. A porter after going through this process is deemed to have registered with the K.E.M.A. to operate in a named locality.

Uniforms and Proof of identity

8. (a) It is unlawful for any porter to operate at any part of the Municipality without the approved uniform and a license issued by the K.E.M.A.;
- (b). The uniform shall be a prescribed by K.E.M.A with the registration number of the porter boldly written in front and at the back thereof and the name of the porter in front or any specified uniform which the K.E.M.A. may approve.
- (c) The porter shall also wear a picture identity provided by the K.E.M.A. at all times.

Monitoring and Enforcement

9. The Security department and the Municipal Guards of the K.E.M.A. shall conduct routine inspection of porters to ensure that all porters in the municipality comply with the provisions of this Bye-law.

Withdrawal of License

10. The K.E.M.A. reserves the right to withdraw the license of any porter who is convicted of a criminal offence in the nature of theft, dishonesty or commits acts of in- subordination or persistently breaches a provision(s) of this Bye-law.

11. It shall be the duty of every porter to keep his overall dress clean and to maintain a general appearance of personal cleanliness.

Offence and Penalty

12. A porter who contravenes any provisions of this Bye-law commits an offence and shall be liable on conviction by a court to a fine not less than 50 penalty units and not more than 100 penalty units or to a term of imprisonment not exceeding three months.

Title

13. This Bye-law may be cited as Kwabre East Municipal Assembly (Porters) Bye-Law, 2018.

Interpretation

14. For the purposes of this Bye-law, “a porter” means a carrier of goods or trolley pusher, or carrier at a trading shop, market, lorry stations, taxi ranks and any other place where the work of a porter is carried on, K.E.M.A means Kwabre East Municipal Assembly and M.C.E. means Municipal Chief Executive.

Application

15. This Bye-law shall apply within the authority of the Assembly.

Made at a meeting of the Kwabre East Municipal Assembly held on the.....

SIGNED

SIGNED

.....

.....

*Presiding Member
Kwabre East Municipal Assembly*

*Municipal Co-ordinating Director
and Secretary of K.E.M.A*

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government.

SIGNED

Regional Co-ordinating Director and Secretary to R.C.C.

Kwabre East Municipal Assembly (Billboards or Sign-Boards and Advertising) Bye-Laws, 2018.

In exercise of the powers conferred on the Kwabre East Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby make these Bye-laws:

Licence

1.(1) A person shall not erect, site or hang a billboard or sign-board or paint a building or any open space for purposes of advertising within the area of authority of the Assembly unless the person first obtains a license from the K.E.M.A. for that purpose.

(2) The prospective applicant must first present an application to the K.E.M.A. spelling out the kind of billboard, signboard or the advert to be placed out. The application shall contain a sketch showing the sizes, heights and structural character of the advert.

(3) The K.E.M.A shall vet the application by considering among others the location, size and its propriety before issuing a license for the advert after the payment of the appropriate fees fixed by a resolution of the K.E.M.A.

(4) A license issued under this bye-law shall expire on the 31st day of December of the year in which it was granted, but in the case of a banner or a sign-board for an occasion the license shall expire after the period specified.

(5) The K.E.M.A. shall grant the license upon the payment of the fees fixed by the resolution of the K.E.M.A.;

(6) The prospective applicant shall display the number allotted by the K.E.M.A., failure of which the K.E.M.A. shall notify the owner to display the number within three days. If this is not done the advert shall be removed without any further notice to the person who placed it out and the cost of removal surcharge on the owner.

Dilapidated billboards and sign-boards

2. (1) Bill-boards, sign-boards or any advert that have become dilapidated or expired with time shall either be replaced or removed by the owners thereof.

(2) Where the owners of dilapidated or expired bill, sign-boards or advert take no steps to either replace or remove, the same the K.E.M.A. may on its own order its removal and thereafter impose a penalty on the defaulting owners.

Designated Locations

3. (1) The K.E.M.A reserves the right to determine the specific location or area suitable for the erection of one or more reflector directional sign-boards.
- (2) To avoid a cluster of directional sign-boards in an area the Assembly may make provision for one general directional sign-board to accommodate the lot.
- (3) In such a situation the K.E.M.A. shall approve of a recognized individual or company with the requisite know-how after a public invitation to express interest to undertake the provision of the general reflector sign-board based upon a dimension approved by the Municipal Roads in conjunction with the relevant Department of Assembly.
- (4) A prospective advertiser shall not choose a site for the erection of a bill or sign-board unless it has been inspected and approved by the department of physical planning in collaboration with the Works department of the K.E.M.A.
- (5) The K.E.M.A. shall at a fee to be determined by the resolution of the Assembly provide spaces within the Municipality for posters.
- (6) A poster pasted at an unauthorized location shall attract a spot fine of 20 penalty units and the owner of the poster made to remove same failure of which shall attract prosecution.

Erection of boards without authority

4. Where a bill or sign-board is erected without a license from the K.E.M.A., Assembly shall levy the owner as follows-
 - a) The payment of the approved fees and a penalty of 50% of the fees payable shall be imposed on the owner thereof if, in the opinion of the K.E.M.A the bill or sign-board is suitably located. The owner of such a sign shall regularize his/her application to the K.E.M.A. within *seven days* of the owner being notified in writing.
 - b) The bill or sign-board shall be removed without notice if in the opinion of the K.E.M.A. it is wrongly located and surcharge the owner with the cost.
 - c) For the purpose of this Bye-law, a house or any open space painted with any product shall constitute an advertisement and the provisions of this Bye-law shall apply to same.

Offences and Penalty

4. Any person who contravenes any provision of these Bye-laws commits an offence and shall on conviction by a court be liable to a fine of not less than 100 penalty units and not more 250 penalty units or to a term of imprisonment not exceeding 3 months.

Prohibition

5. An advert shall not be erected on any electricity pole and other public poles. An advert placed there shall be removed and the owner surcharged with the cost of removing the advert.

Enforcement and Monitoring

6. (1) The department of physical planning, the Works Department and the Municipal guards shall ensure the compliance and enforcement of the provisions of this Bye-law.

(2) For purposes of Bye-law 6(1), the enforcement team has power to remove any signboard or billboard wrongly located.

Title

7. This Bye-law may be cited as Kwabre East Municipal Assembly (Billboards and Sign-Boards) Bye-Law, 2018.

Interpretation

8. Within the meaning of these Bye-laws “a bill, sign-board” or ‘an advert’ includes electronic bill board, banner or placard made from cloth, wood or metal for occasions like funeral, procession, religious or secular activity or a house or store or an open space painted for promoting a product and includes a poster; and a “bill or sign-board” is dilapidated if the date contained thereon has expired or has become obliterated or it has fallen into a state of disrepair with parts falling into pieces, K.E.M.A means Kwabre East Municipal Assembly.

Application

9. This Bye-law shall apply within the area of authority of the K.E.M.A.

Made at a meeting of the Kwabre East Municipal Assembly held on the.....

SIGNED

SIGNED

Presiding Member

Municipal Co-ordinating Director

Kwabre East Municipal Assembly

and Secretary of K.E.M.A

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government.

SIGNED

Regional Co-ordinating Director and Secretary to R.C.C.

Kwabre East Municipal Assembly (Kiosk -Keepers) Bye-Laws, 2018.

IN exercise of the powers conferred on the Kwabre East Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) these Bye- laws are hereby made:

Licence

1. (1) A person shall not construct or keep a kiosk in the Kwabre East Municipal Municipality for the transaction of business without first applying to the Assembly for a permit to construct and transact business thereon and written consent of the landlord.
- (2) A permit granted under Bye-Law 1(1) is temporary and the K.E.M.A. reserves the right to order the removal of any kiosk if its location is required for a public use.
- (3) An applicant shall attach to the application for a permit to operate a kiosk, three site plans of the area and the location of the kiosk;
- (4) The K.E.M.A. shall in accordance with its fee fixing mechanism determine fee payable for the issuance of the permit.

Display of official numbers

2. The owner of a kiosk shall display the official number(s) allocated by the K.E.M.A. on the frontage of the kiosk.

Dimension

3. No kiosk shall exceed 12 sq.m.

Monitoring and Enforcement

4. (1) A delegated officer or officers of the department of works of the K.E.M.A. shall ensure that all kiosks constructed in the city complies with the provisions of this Bye-law;
- (2) The owner of a kiosk erected contrary to the provisions herein shall be notified in a writing specifying the breach and given twenty-one days to remedy the breach and failure on the owner's part, the K.E.M.A shall remove the kiosk and surcharge the owner with the cost of the removal.

Former permits

5. A permit issued in respect of an existing kiosk granted by the K.E.M.A. shall remain valid until it expires.

Offence and Penalty

6. (1) Any person who contravenes any provision of these Bye-laws shall be guilty of an offence and shall on conviction be liable to a fine not less than 100 penalty units and not more than 250 penalty units or to a term of imprisonment not exceeding three months or both.
- (2) Notwithstanding any court action instituted under Bye-law 1, the K.E.M.A. may remove any unauthorized kiosk after giving fourteen days' notice to the owner of the kiosk to remove it and surcharge the owner with the cost of removal if the owner fails to do so.

(3) Where the removal of the kiosk is due to expansion of a facility and or construction of a public infrastructure, the K.E.M.A shall give six months written notice to the occupants to look for an alternative space.

Title

7. This Bye-law may be cited as Kwabre East Municipal Assembly (Kiosk -Keepers) Bye-Laws, 2018.

8. In these Bye-laws unless the context otherwise requires K.E.M.A. means Kwabre East Municipal Assembly, public use means use the premises for the benefit of the public, kiosk refers to wooden or metal structures conforming to the specifications given in this bye law.

9. These Bye-laws shall apply within the area of authority of the Assembly.

Made at a meeting of the Kwabre East Municipal Assembly held on the...

SIGNED

SIGNED

*Presiding Member
Kwabre East Municipal Assembly*

*Municipal Co-ordinating Director
and Secretary of K.E.M.A*

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government.

SIGNED

Regional Co-ordinating Director and Secretary to R.C.C.

Kwabre East Municipal Assembly (Communal Labour) Bye-Laws, 2018.

IN exercise of the powers conferred on the Kwabre East Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby make these Bye-laws:

Organisation of Communal Labour

1. The K.E.M.A. or any Zonal Council/Unit Committee or any person authorized by the Assembly (hereinafter referred to as the “Organizing Authority”) may from time to time organize communal labour in any town or electoral area within the Municipality, as the K.E.M.A. or organizing Authority deems necessary.

Notice of Communal Labour

2. (1) The K.E.M.A or Organizing Authority may give at least seven days’ notice to residents of the relevant town or village or electoral area before the date set for the communal labour.

(2) The notices shall take the form using a van with mounted speakers making the announcement between the hours of 5am to 7am and 6pm – 8pm of an impending communal labour.

(3) The K.E.M.A. or Organizing Authority may, where the circumstances so require give shorter notice as it may determine.

(4) The notice shall include-
 - (a) The date, time and the place or location where the communal labour is to be organized
 - (b) The nature of the communal labour to be undertaken.

Qualification

3. (1) A person of 18 years up to sixty years resident in the relevant town or electoral area shall take part in any communal labour organized under Bye-law .1

(2) The K.E.M.A or Organizing Authority may exempt any person from taking part in a communal labour organized by it if it is satisfied that –
 - (a) the person is sick or
 - (b) the person is required to appear before a Court to give evidence or is to help the police in any investigation;
 - (c) the person is attending the funeral of his relative or of such person as the K.E.M.A or Organizing Authority may approve; or
 - (d) such persons who are above sixty year.
 - (e) Aside sub clause (d), persons coming under any of the clause shall give evidence of their condition.

Offence and Penalty

4. (1) A person who contravenes these Bye-laws commits an offence and shall on conviction by a Court be liable to a flat fine of 50 penalty units or to imprisonment for a term not exceeding three months or to both.

(2) A person who, without lawful justification or excuse, the proof of which lies on him incites any person to refuse to take part in any communal labour organized under these Bye-laws commits an offence, and shall be liable on conviction to a fine of 40 penalty units or to imprisonment for a term not exceeding one month or to both.

(3) Subject to sub-paragraphs (1) and (2) of this paragraph, the Court may, in addition to any punishment imposed on the offenders, order the persons to undertake the communal labour, determined by the court and request the person to sign a bond to desist from such act in future.

Monitoring and Enforcement

5. It shall be the duty of the sub- Municipal to ensure that those residents comply with notices given for the undertaking of communal labour.

Title

6. This Bye-law may be cited as the Kwabre East Municipal Assembly (Communal Labour) Bye-Laws, 2018.

Interpretation

7. In these Bye-laws unless the context otherwise requires-

K.E.M.A means Kwabre East Municipal Assembly.

Revocation

8. Any Bye-laws on Communal Labour in existence before the coming into force of these Bye-laws are hereby revoked.

Made at a meeting of the Kwabre East Municipal Assembly held on the ..

SIGNED

*Presiding Member
Kwabre East Municipal Assembly*

SIGNED

*Municipal Co-ordinating Director
and Secretary of K.E.M.A*

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government.

SIGNED

Regional Co-ordinating Director and Secretary to R.C.C

Kwabre East Municipal Assembly (Control of Mills) Bye-Laws, 2018.

IN exercise of the powers conferred on the Kwabre East Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 462) hereby make these Bye-laws:

Building and Development permit

1. A person shall not operate a mill within the Kwabre East Municipal Assembly's area of authority without first obtaining-
 - (a) A development permit for the site from the Physical Planning Department of the K.E.M.A, and
 - (b) A building permit from the Physical Planning Department of K.E.M.A.

Licence

2.
 - a) A person shall not operate a mill without a licence from K.E.M.A.
 - b) A person shall not operate a mill without an inspection conducted by the Environmental Health Department and a suitability report written.

Fees

3. (1) The K.E.M.A. shall by a resolution fix the fees payable for the issuance of the licence.
- (2) A permit issued by the K.E.M.A shall expire on the 31st day of December of the year of issue.

Dimension of premises

4. (1) A person shall not use a room or structure as a mill if;
 - (a) It is less than 4.2 meters long 3.6 meters wide and less than.... meters high from the floor level; and
 - (b) The floor is not made of concrete or others approved impervious material; and
 - (c) The walls are not fly- proofed.

Prohibition

5.
 - a) A person shall not use a room used as a mill also as a living or bed room.
 - b) No mill shall be sited within residential premises.

Times of operation

6. A mill shall be opened to the public only between the hours of 5.a.m and 7p.m

Prohibited person

7. (1)A proprietor or person in charge of a mill shall not allow any person suffering from an infectious or contagious disease to operate the mill.
- (2) For purposes of Bye-Law 7(1), the Medical Officer of K.E.M.A. or a designated health facility shall examine the operator(s) and certify their health condition suitable to operate the machine which shall form part of the conditions for granting the license.

Monitoring and Enforcement

8. The Environmental Health department and the Municipal guards of the K.E.M.A. shall monitor and enforce the provisions of this Bye-law.

Offence and Penalty

9. A person who contravenes any provisions of these Bye-Laws commits an offence and is liable on summary conviction to a fine not less than 60 penalty units and not more than 150 penalty units or in default to a term of imprisonment not exceeding three months or both.

Title

10. This Bye-law may be cited as Kwabre East Municipal Assembly (Control of Mills) Bye-Laws, 2018.

Revocation

11. Any Bye-Laws on control of mills in force immediately before the passage of these Bye-laws are hereby revoked.

Interpretation

12. In these Bye-Laws unless the context otherwise requires- “K.E.M.A means Kwabre East Municipal Assembly ““mill” means any building or structure with machinery for grinding corn, pepper, cassava, groundnut and other foodstuff.

Made at a meeting of the Kwabre East Municipal Assembly held on the ...

SIGNED

SIGNED

Presiding Member

Municipal Co-ordinating Director

Kwabre East Municipal Assembly

and Secretary of K.E.M.A

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government.

SIGNED

Regional Co-ordinating Director and Secretary to R.C.C.

Kwabre East Municipal Assembly (House Owners and Occupier) Bye-Laws, 2018.

IN exercise of the powers conferred on the Kwabre East Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby make these Bye-laws:

Responsibility

1. (1) Every house owner/occupier shall clear and keep clean all gutters public or private in or around the premises.
- (2) House owner/occupier shall fix an electric bulb or security lights on the four outside corners of the premises.

Construction across public way

2. (1) A house owner/occupier shall not construct a gutter, drainage or lay a pipeline across a public way such as road or street except with the prior approval of the Municipal Roads Engineer.
- (2) The house owner or occupier before undertaking any such construction envisaged under Bye-Law 2(1) shall apply to the Municipal Roads Engineer in writing stating the reasons for such activity;
- (3) The department on receipt of the application shall proceed to the location to ascertain the facts on the ground and make a determination on the application;
- (4) Where the application is granted, the department shall supervise the construction to suit the specifications so given by the department.
- (5) No person shall develop land without a permit.

Painting

3. House owners/occupiers shall paint the outer portion of the house once every three years.

Undeveloped plots

4. (1) The owner or occupier of an undeveloped plot shall keep it clear of weeds and refuse at all times;
- (2) Where the area is not kept tidy and becomes weedy, the Environmental Health Officer for the area concerned shall serve a written notice on the land owner or occupier who fails to comply with Bye-Law 4 (1) to remedy the situation within seven days of the service of the notice.
- (3) Where the land owner or occupier fails to remedy the wrong, it shall constitute a breach and the Environmental health officer shall issue a criminal summons against the land owner or the occupier for failing to clear the land of any weed, refuses and or rubbish.

Prohibition

5. (1) A house owners/occupiers shall not create a refuse dump in or immediately outside the premises.

(2) A house owner or occupier shall not burn refuse irrespective of the nature of the house.

(3) All house owners/occupiers shall get their cesspit emptied regularly by the Waste Management contractor of K.E.M.A. to avoid causing nuisance to the neighborhood.

(4) A house owner or occupier shall not under any circumstances dispose of effluent or other waste materials into gutters.

(5) A house owner or occupier who empties the cesspit tank or other waste materials into a drain shall be liable on conviction to a flat fine of 100 penalty units.

(6) Every house owner or care taker shall provide an environmentally friendly toilet (eg); water closet etc. before habitation.

Drainage

6 (1) House owners or occupiers shall provide proper and adequate system of drainage for the discharge of their waste water to external drainage system;

(2) in the

(2) Where a house owner or occupier faces a difficulty in effectively discharging waste water, a report of the situation shall be made to the departments of Environmental and the Works to offer technical advice to resolve the problem;

(3) Any cost involved in rectifying the situation shall be borne by the house owner or the occupier.

(4) disposal of storm water within localities shall be integrated

Offence and Penalty

7(1) It shall be an offence for a house owner to construct a house without a place of convenience and a bathroom.

(2) Any person who contravenes any of these Bye-Laws shall be guilty of an offence and shall be liable on conviction by a court to a fine not less than 50 penalty units and not more than 150 penalty units or in default to a term of imprisonment not exceeding three months or both.

Title

8. This Bye-law may be cited as Kwabre East Municipal Assembly (House Owners and Occupier) Bye-Laws, 2018.

Application

9. These Bye-laws shall apply within the area of authority of the K.E.M.A.

Interpretation

10. In these Bye-laws unless the context otherwise requires-

“K.E.M.A” means Kwabre East Municipal Assembly, “Occupier” means any person who acts as a caretaker of any premises or is in occupation of premises.

“Around premises” means the area or space immediately outside the main outlay of the premises.

Revocation

11. All other (House Owners/Occupiers) Bye-Laws within the area of authority of the K.E.M.A in existence immediately before the passage of these Bye-Laws are hereby revoked.

Made at a meeting of the Kwabre East Municipal Assembly held on the

SIGNED

SIGNED

*Presiding Member
Kwabre East Municipal Assembly*

*Municipal Co-ordinating Director
and Secretary of K.EM. A*

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government.

SIGNED

Regional Co-ordinating Director and Secretary to R.C.C.

Kwabre East Municipal Assembly (Infectious Disease) Bye-Laws, 2018.

IN exercise of the powers conferred on the Kwabre East Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby make these Bye-Laws:

Cleansing and disinfecting premises and articles

1. (1) Where the K.E.M. A is satisfied upon the certification of a Registered Medical Officer of Health or any legally qualified Registered Medical Practitioner that the cleansing and disinfection of any premises or articles would tend to prevent or check any dangerous or infectious disease;

(2)The K.E.M.A. may by a notice in writing served on the owner of the premises or article, direct that it will at his cost to do the cleansing and disinfection or destruction unless within 24 hours after the receipt of the notice, he/she informs the K.E.M.A. within the time specified in the Notice that he will take such measures as are specified therein to the satisfaction of the Assembly.

Notification of infectious diseases

2. If a person on whom the Notice is served does not inform the Assembly as required or having informed the K.E.M.A. does not take the steps specified to the satisfaction of the K.E.M.A within the time specified, the K.E.M.A., may cause the premises to be cleansed and disinfected and the articles disinfected or destroyed and later recover the expenses reasonably incurred in so doing from the person on whom the Notice was served.
3. Where the evidence exists that the person on whom the notice is served is unable to foot the cost of the exercise, the person shall inform the K.E.M.A. on the service of the notice to enable the K.E.M.A undertake the exercise.
4. The K.E.M.A may serve notice in writing on the owner of any bedding, clothing or other article which has been exposed to infection by any dangerous or infectious disease, requiring the delivering of the articles to an officer of the health department of the Assembly duly authorized within twenty four hours for removal for disinfection or destruction as the case may be.
5. Where the owner fails to comply with this provision, the health officer shall with the help of the security ensure the delivery of the items for removal for disinfection or destruction as the case may be.
6. Without prejudice to Bye-law 2 hereof, any person who fails to comply with any of the requirements of any Notice served on him within the time specified in such notice shall be guilty of an offence.
7. (1) Where any inmate of any building or structure used for human habitation, not being a hospital is suffering from infectious disease, the head of the family to which the patient belongs shall as soon as he becomes aware of the fact send notice thereof to the Medical Officer of Health of the K.E.M.A. In the absence of a head of the family, the nearest relatives or an adult inmate of the house in which the patient present in the building and in the absence of such relatives, any person in charge of or in attendance on the patient resides and in default of any such person, the occupier of the building or structure.

(2) Any person who fails to send the requisite notice shall be guilty of an offence under these Bye-laws unless he satisfies the court that he is required to send the notice only in the absence of some other person and that he believed and had reasonable grounds for believing that the notice has been duly sent.

(3) (a) A Medical Practitioner attending or called in to visit a patient shall as soon as he becomes aware that the patient is suffering from a dangerous or infectious disease, send to the Medical Officer of Health a certificate stating the name of the patient, the nature of his illness and his address.

(b) Any Medical Practitioner who fails to send a certificate as required by these Bye-laws shall be guilty of an offence.

Prohibition on occupation involving risk of infection

8. (1) A person who knows that he is suffering from a dangerous or infectious disease shall not engage in or carry on any trade, business or occupation in connection with food or any trade, business or occupation which he/she cannot engage in or carry on without the risk of spreading such disease.

(2) A person who-

(1) knowing that he/she is suffering from a dangerous or infectious disease exposes other person to the risk of infections by using any public transport or by his/her presence or conduct in any street or footpath thereof, public place, place of entertainment or assembly, club, hotel, restaurant, shop or any licensed premises; or

(2) having the care of a person whom he/she knows to be so suffering cause or permits that person to expose other persons to the risk of infection; or

(3) gives land, sells, transmits or exposes without previous disinfection, any bedding, clothing or other articles which he knows to have been exposed to infection from any such diseases and which are likely to carry such infectious disease shall be guilty of an offence under these Bye-laws.

Restriction on deposit of infected rubbish

9. No person shall place or deposit or cause or permit to be place or deposited in a dustbin or ash-pit or other receptacle for containing refuse any matter which he knows to have been exposed to infection from a dangerous or infectious disease and which has not been disinfected.

Restriction on laundry facilities for infected articles

10. No person shall send or deliver to any laundry or public wash house, for the purpose of being washed or cleaned, any article or thing which he knows to have been exposed to infection from a disease, unless such articles or things have been disinfected by or to the satisfaction of the Medical Officer of Health.

11. (1) No person shall let or offer to let any house, room or other premises in which a person has to his knowledge been suffering from a dangerous or infectious disease, without having that

house, room or other premises and all articles therein liable to retain infection, disinfected to the satisfaction of the Medical Officer of Health or a qualified medical practitioner.

(2) If the occupier of a house ceases to occupy that house in which to his knowledge a person was within six weeks previously, been suffering from an infectious disease and fails to have it and all articles there liable to:

(a) retain infection disinfected to the satisfaction of the Medical Officer of Health or a qualified Medical Practitioner; or

(b) fails to give to the owner of the house notice of previous existence of such disease he shall be guilty of an offence under these Bye-laws.

Monitoring and enforcement

12. The health department and its allied departments shall ensure the compliance of this bye-law.

Offence and penalty

13 (1) It shall be an offence to spit, urinate or throw rubbish in public place.

(2) Any person who contravenes any of the provisions of this Bye-law commits an offence and shall on conviction be liable to a fine of between 50-100 penalty units or in default of payment to a term of imprisonment not exceeding three months or both.

Title

14. This Bye-law may be cited as Kwabre East Municipal Assembly (Infectious Disease) Bye-Laws, 2018.

Application

15. This Bye-law shall apply within the area of authority of the Assembly.

Made at a meeting of the Kwabre East Municipal Assembly held on the

SIGNED

SIGNED

*Presiding Member
Kwabre East Municipal Assembly*

*Municipal Co-ordinating Director
and Secretary of K.E.M.A*

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government.

SIGNED

Regional Co-ordinating Director and Secretary to R.C.C.

Kwabre East Municipal Assembly (Sanitation) Bye-Laws, 2018.

IN exercise of the powers conferred on the Kwabre East Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby make these Bye-Laws:

Disposal of Refuse

1. (1) Where the K.E.M.A has set aside a place and provided dustbins for the disposal of refuse a person shall not place, cause or permit to be placed any carrion, filth, refuse or rubbish or any offensive or unwholesome matter, on any street, yard, premises, enclosure or open space within the Municipality.
- (2) If any offender under Bye-Law 1(1) of this Bye-law has not been identified or discovered the existence of any carrion or other substance mentioned in the said section found close to any building shall be presumed to have been placed by the owner or occupier thereof.

Removal of weeds and rubbish

2. That occupier of any premises shall clear and keep free from all dirt, under bush, under-wood, weeds, high grass, rubbish, rags, broken bottles and all offensive matter (filling up holes with stones, gravel, or other like materials) the streets or roads at the front, back sides, thereof, with the drains, gutters and channels, thereon.
3. (1) Provided that where two or more buildings abound on the streets or roads, the occupier of each shall keep clean only that half of the street or road and drains nearest to his/her premises,
 - (2) No owner of a premises or caretaker or occupier shall direct his or her domestic wastewater into a public drain.

Prohibition

4. (1) A person shall not cause a nuisance in any public or open space.
 - (2) No occupier of any premises shall by any act, allow the existence of a nuisance in his premises.

Food wrapper

5. (1) Food seller shall not serve food in anything unless due care has been taken to make sure the food wrappers are hygienic;

(2) A designated officer of the Environmental Health Department shall have the responsibility of ensuring the compliance of this section of the Bye-law.

Prohibition of deposit of gutter

6. (1) A person shall not deposit litter, refuse or other matter which may cause nuisance or block the passage provided for a gutter or drains.
- (2) A person who intentionally flouts Bye-Law 7(1) shall be issued with ticket spot fine of 50 penalty units issued by a special task force set up under this bye-law for this exercise.
- (3) Such money collected shall be receipted with the general counterfoil receipt of the K.E.M.A. and shall be paid into the accounts of the K.E.M.A.

Offence and Penalty

7. Any person who contravenes any of these Bye-laws commits an offence and shall be liable on conviction by a court to a fine not less than 50 penalty units and not more than 200 penalty units or to a term of imprisonment not exceeding 3 months or both.

Title

8. This Bye-law may be cited as Kwabre East Municipal Assembly (Sanitation) Bye-Laws, 2018.

Interpretation

9. In these Bye-laws unless the context otherwise requires “Nuisance” includes:
 - (a) A pool, ditch caves-gutter, water course, well, hole, pond, tank-privy, urinal, cesspool, drains or KVIP which is in such a bad state to constitute a health hazard.
 - (b) An animal so kept as to be injurious to health;
 - (c) An accumulation or deposit of excreta or urine or things, which are or are likely to be injurious to health.
 - (d) Premises in such a state of disrepair as to be dangerous to the health of man or livestock.
 - (e) A growth of weeds prickly pear, long grass or wild bush of any sort.
 - (f) Any work, manufacturing, trade or business that is or likely to be injurious to health of neighbours
- (2) A well, pond or tank, the water of which is tainted with impurities as to be injurious to the health of man or livestock.

“Occupier” shall where the building is not in actual occupation include the owner thereof.

Application

10. These Bye-laws shall apply within the area of authority of the K.E.M.A.

Revocation

11. Any Sanitation Bye-laws within the area of authority of the Assembly in existence immediately before the coming into force of these Bye-laws are hereby revoked.

Made at a meeting of the Kwabre East Municipal Assembly held on the ...

SIGNED

*Presiding Member
Kwabre East Municipal Assembly*

SIGNED

*Municipal Co-ordinating Director
and Secretary of K.E.M.A*

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government.

SIGNED

Regional Co-ordinating Director and Secretary to R.C.C.

Kwabre East Municipal Assembly (Cleansing) Bye-Laws, 2018.

IN exercise of the powers conferred on the Kwabre East Municipal Assembly by section 181 of the Local Governance Act, 2016(Act 936) hereby make this Bye -Laws:

Unauthorised structures

1. (1) The Kwabre East Municipal Assembly may order the destruction or removal of any unauthorized structure(s) attached to any property or structure in the Municipality.
- (2) Where packing cases are arranged in front of a building in such a way that-
 - (a) they constitute a danger or obstruction to any person, or
 - (b) they provide accommodation of a sort for a person, animal or thing, they shall be removed without notice.

Parking of vehicle in public pathway

2. Any person who-
 - (a) Parks a vehicle; or
 - (b) Parks goods or items in any public pathway or pavement shall be guilty of an offence.

No posters at unauthorised places

3. (1) No posters, bills, placards, paper sheets or other materials used for advertisement or notices shall be posted or stack on any wall, tree, electric poles or fixtures other than-
 - (a) Spaces specifically provided or approved by the K.E.M.A. for such purposes; or
 - (b) Property owned or otherwise possessed or occupied by the advertiser.
 - (c) This paragraph shall not apply to advertisement or posters for elections or other such occasions initiated by the Government except that the Electoral Commission shall liaised with the K.E.M.A. on how election posters and banners shall be posted.
 - (d) The K.E.M.A. shall cause people who disregard the pasting of notices at appropriate places to clean the area where the notices or advertisement have been pasted.

- (e) For purposes of Bye-Law 3, the Security department of the K.E.M.A. shall monitor the compliance of Bye-Law 3.

No littering

4. Any person who throws litter, refuse or other matter which may cause nuisance or block the water passage provided by a gutter or drain, shall be guilty of an offence.

Obstruction

5. Where the Assembly under its powers sets a Health/Environmental Day, any person who on the Health Day obstructs-
- (a) Any person, authorized to cleanse any area of the K.E.M.A, shall be guilty of an offence and liable to a fine of 50 penalty units or imprisonment for a term not exceeding one month or both.

Obstructing traffic

6. (1) No bottles, empty cases, spare parts of vehicles or derelict vehicles shall be placed, parked, or allowed to cause obstruction to traffic or other users of the road, be an eyesore or unpleasant to the public.
- (2) The K.E.M.A. shall have a task force from the transport department, which shall ensure that broken down vehicles within the Municipality are towed at a fee against the owner or the person in charge at the time of the break down off the road.
- (3) With respect to heavy-duty vehicles, the task force shall liaise with the Police Motor Traffic Transport Union to forestall traffic congestion.

Prohibition

7. (1) To improve the scenic beauty of the Municipality it shall be an offence for a person to construct a structure attached to a building or along streets without a written permission from the planning department of K.E.M.A.;
- (2) Where such structures exist without the written consent, the K.E.M.A. shall notify the owner or occupier to remove same where it is located at an unauthorized place. The K.E.M.A.'s written notice shall state the period required to remove the structure;
- (3) If the owner or occupier fails to remove the unauthorized structure, after the requisite notice has elapsed, the K.E.M.A. shall remove the structure and surcharge the owner or occupier with the cost of removing the structure;
- (4) Where the structure's location is appropriate, but had no permission to build, the owner or occupier shall pay a penalty of 40 penalty units to the K.E.M.A.;

(5) Any person who violates Bye-law 7 shall be guilty of an offence and shall be liable on summary conviction to a fine of 60 penalty units or in default to a term of imprisonment not exceeding three months or both.

Frontage of buildings

8. (1) The frontage of every commercial or industrial building shall be concreted, cemented or otherwise solidly paved, slabbed, tiled or culverted by the owner or occupier to the satisfaction of the K.E.M.A. Engineer who shall provide guidelines and directions for such work.
- (2) Where the owner or occupier of a commercial or industrial building does not comply with the provision of these Bye-laws the Engineer or the Town Planning Officer shall serve a written notice given the owner or occupier fourteen days to undertake the work;
- (3) Where after the notice the owner fails to undertake the work, the K.E.M.A shall do so and recover the cost of removal as if it were a debt owed to K.E.M.A from the owner or occupier of the building concerned together with a punitive penalty of 200 penalty units;
- (4) Owners or occupiers of stores, shops, stall and markets spaces shall keep their doors, frontage and surrounding clean and clear of filth;
- (5) Where a person is permitted or otherwise licensed to trade, work or use for any purpose the frontage of a building, the owner or occupier of the building or other licensor shall be solely or jointly liable with the licensee for the default of that person under this sub-section.

Nuisance

9. Any person who for the purpose of his trade, vacation or other business causes smell or other nuisance to the detriment of his neighbor or the public, shall be guilty of an offence.

No liability

10. No person authorized by the Assembly to destroy, remove or otherwise dispose of anything under these Bye-laws shall be liable to any person for any loss whether sustained thereby.

Offence and Penalty

11. Except where penalty is expressly provided, any infringement or breach of any of these Bye-laws may be met with abatement by the Assembly with or without notice or be punishable by a fine of between 100-150 penalty units or in default of payment to a term of imprisonment not exceeding three months.

Title

12. This Bye-law may be cited as Kwabre East Municipal Assembly (Cleansing) Bye-Laws, 2018.

Interpretation

13. In these Bye-laws unless the context otherwise requires-

“Building” means any structure whatsoever and includes stalls, kiosk, restaurants and bars.

“Goods” include things and articles of any kind.

“Vehicles” include trucks, cranes, Lorries, cars, motor cycles, tricycle, bicycles, carts and wagons.

“Frontage” includes verandah and porch, and “Road” includes street, kerb, pavement, side walk, footpath.

Application

14. These Bye-laws shall apply within the area of authority of the Assembly.

Revocation

15. Any (Cleansing) Bye-laws in existence within the area of authority of the K.E.M.A immediately before the coming into force of these Bye-laws are hereby revoked.

Made at a meeting of the Kwabre East Municipal Assembly held on the ...

SIGNED

SIGNED

Presiding Member

Municipal Co-ordinating Director

Kwabre East Municipal Assembly

and Secretary of K.E.M.A

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government.

SIGNED

Regional Co-ordinating Director and Secretary to R.C.C.

Kwabre East Municipal Assembly (Abatement of Nuisance) Bye-Laws, 2018.

IN exercise of the powers conferred on the Kwabre East Municipal Assembly by section 181 of the Local Governance Act, 2016(Act 936) hereby make these Byes -Laws:

Abatement notice

1. (1) Where the Assembly is satisfied that a nuisance exists, an officer from the Assembly shall serve a notice (in these Bye-law referred to as “Abatement Notice”) after being notified by the sub Municipal concerned on the person by whose act, default or sufferance the nuisance exists continues, or if, that person cannot be found the owner or occupier of the premises on which the nuisance arises;
- (2) An abatement notice shall require the person on whom it is served to abate the nuisance and to execute such works and to take such steps within such period as may be specified in the notice;
- (3) The environmental officer who issued the notice shall follow through having regard to the time given to the owner or occupier to abate the nuisance to ensure compliance;
- (4) Where the person causing the nuisance cannot be found, and it is clear that the nuisance does not arise or continue by the act, default or sufferers of the owner or occupier of the premises the Assembly may itself take such steps as may be required to abate the nuisance and to prevent a re-occurrence thereof.

Nuisance complaint

2. (1) If the person on whom an abatement notice has been served makes default in complying with any of the requirements of the notice, or if the nuisance although abated since the service of the notice, is in the opinion of the Assembly, likely to re-occur on the same premises, the Assembly shall cause a complaint to be made to a court of competent jurisdiction for summons to be issued requiring such person to appear before such Court to sign a bond that the nuisance shall not re-occur;
- (2) Where any person is aggrieved by the existence of any nuisance, after these steps taken above, such person may issue civil summons against the person in respect of the nuisance to a Court of competent jurisdiction requiring the person by whose act, default or sufferance the nuisance arises or continues to appear before such Court to show cause why the person should not be punished.

Nuisance orders

3. (1) Where on the hearing of a complaint made on non-compliance with an Abatement Notice, it is proved that the nuisance exists, or that although abated it is likely to re-occur on the same premises, the Court shall make a Nuisance Order for any of the following purposes;
 - (a) An Abatement Order requiring the defendants to comply with all or any of the requirement of the Abatement Notice, or otherwise to abate the nuisance within a time specified in the Order and to execute any works necessary for that purpose;
 - (b) A prohibition Order prohibiting a re-occurrence of the nuisance and requiring the defendant within a time specified in the Order to execute any works necessary to prevent a re-occurrence;

- (c) A closing Order, prohibiting the use of the premises for human habitation provided that a closing Order shall be made only if the Court is satisfied that by reason of the nuisance, that premises are unfit for human habitation.

(2) Where on the hearing of a complaint made on non-compliance with an Abatement Notice it is proved that the alleged nuisance existed at the date of the making of the complaint it either existed or likely to re-occur the court may order the defendant to pay the Assembly such reasonable sum as the Court may determine in respect of the expenses incurred by the Assembly in or in connection with the making of the complaint and the proceedings before the Court.

(3) If it appears to the Court that the person by whose act, default or sufferance the nuisance arises or the owner or occupier of the premises cannot be found, the nuisance order may be addressed to and executed by the Assembly.

(4) (a) On the hearing of the complaint, the Court may in addition to making a Nuisance Order impose a fine not exceeding the limit prescribed by the Bye-laws.

(b) Any person who fails to comply with the Abatement Order shall unless he proves that he has used all due diligence to carry out the Order be liable to such fine and such daily penalty for every day on which the offence continues not exceeding the limit prescribed by the Bye-laws.

(c) Any person who knowingly contravenes a prohibition or closing Order shall be liable to such daily penalty for every day on which the offence continues not exceeding the limit prescribed by the Bye-laws.

Proceedings against several persons

4. (1) Where a nuisance appears to be wholly or partly caused by the acts or defaults of two or more persons, the Assembly may, in its discretion institute proceedings against the one of, or all of them; any one or more of the persons proceeded against may be ordered to abate the nuisance for as far as it appears to the court to be caused by his or their acts or defaults, or may be prohibited from continuing any acts or defaults which, in the opinion of the court, contribute to the nuisance or may be fined or otherwise punished and the costs may be apportioned as the court may deem fair and reasonable.

(2) Where some or any of the persons, by whose acts or defaults a nuisance has been caused, have been proceeded against, they may without prejudice to any other remedy, recover in a summary manner, from the other persons who were proceeded against, a proportionate part of the costs, of, and incidental to the proceedings and the abatement of the nuisance, and of any fine or costs ordered to be paid in the proceedings.

Abatement of nuisance by Assembly

5. (1) Where a nuisance order has not been complied with the Assembly may abate the nuisance and do whatever may be necessary in the execution of the Order;

(2) Any expenses reasonably incurred by the Assembly in abating, or preventing the recurrence of a nuisance in respect of which a Nuisance Order has been made may be recovered by it.

(3) Where the Assembly proceeds to recover such expenses as aforesaid, the Court may apportion the expenses between persons by whose acts or defaults the nuisance was caused in such manner as the court may deem fair and reasonable.

Nuisance arising outside the Municipality

6. Where nuisance within the Municipality appears to be wholly or partly caused by some act or default committed or taking place outside the Municipality, the Assembly may take proceedings as if the act or default was committed within the Municipality. Provided that the proceedings may be taken before a court having jurisdiction in the place where the act or default is alleged to be committed.

Abatement of nuisance

7. Without prejudice to the preceding Bye-laws, where the requirements of the Abatement Notice have not been complied with the Assembly may abate the nuisance.
8. The Municipal guards in conjunction with the Environmental Health Unit of K.E.M.A. and Environmental Protection Agency shall monitor persons served with abatement notice to ensure compliance with the orders so issued and further check the various levels of noise.

Offence and Penalty

9. Any person who fails without reasonable excuse (the proof of which shall lie on such person) to comply with any of the requirements of the Abatement Notice served on him/her shall be liable to a fine of between 50-150 penalty units or imprisonment for a term not exceeding six months and to a further fine of 10 penalty unit for each day on which the offence continues after the conviction of the defaulter.

Title

10. This Bye-law may be cited as Kwabre East Municipal Assembly (Abatement of Nuisance) Bye-Laws, 2018.

Interpretation

11. In these Bye-laws unless the context otherwise so requires “Nuisance” includes:

- (i) Any premises in such a state as to be prejudicial to health, life and property.
- (ii) Any animal kept in such a state as to be prejudicial to health;
- (iii) Any accumulation or deposit which is prejudicial to health, and
- (iv) Any dust or effluvia caused by any trade, industry and being prejudicial to the health of the inhabitants of the neighbourhood.

Revocation

12. The Abatement of Nuisance Bye-laws, 1998 is hereby revoked.

Made at a meeting of the Kwabre East Municipal Assembly held on the ...

SIGNED

SIGNED

*Presiding Member
Kwabre East Municipal Assembly*

*Municipal Co-ordinating Director
and Secretary of K.E.M.A*

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government.

SIGNED

Regional Co-ordinating Director and Secretary to R.C.C.

Kwabre East Municipal Assembly (Cemeteries) Bye-Laws, 2018.

IN exercise of the powers conferred on the Kwabre East Municipal Assembly by section 181 of the Local Governance Act, 2016(Act 936) hereby make these Bye- Laws:

Control of cemetery

1. (1) The K.E.M.A. shall for the purpose of these Bye-laws have the control and management of all cemeteries within the Municipality.
- (2) In respect of cemeteries owned by churches and other religious organizations, the K.E.M.A. shall have a standard code of conditions to be followed by all the organizations.
- (3) The Environmental Health Department shall ensure that all cemeteries under the control of the K.E.M.A. are kept neat and tidy at all time.

Plan of cemetery

2. The K.E.M.A. shall prepare a plan of the cemetery by a licensed Surveyor, in which the position of all grave spaces and pathways shall be delineated and plotted and this plan shall be kept in the office of the sexton-in-charge of the cemetery.

Infant/free burial

3. In each cemetery, a part may be set aside for infant burials, and a part may likewise be set aside for free burials.

Grave space

4. In every cemetery grave space shall be 2.4 meters by 1.2m except that in that part of the cemetery reserved for infant burials, each grave shall be 1.5m by 0.9m.

Depth of grave

5. No grave in K.E.M.A. cemetery shall be less than 1.2m deep and this shall have the certification of the sexton in charge of the cemetery.

Register of burials

6. Each grave space delineated and plotted in the plan provided for in bye-law 2 of these Bye-laws shall be numbered and the sexton-in-charge of the said cemetery shall cause a Register of burials to be kept in the form shown in the schedule to these Bye-laws.

Vaults

7. No greater number than six grave spaces shall in a cemetery be granted to any one person or family for the construction of a vault.

Cremation

8. The sexton-in-charge in conjunction with the Environmental Health Department of the K.E.M.A. shall make arrangement for the provision of facilities for persons whose religious belief requires the cremation of their bodies.

Head Stones

9. (1) The foundation of a head stone or other memorial in the cemetery shall not extend more than 6m below the surface of the grave.
- (2) The sexton-in-charge shall ensure compliance by all who intend to erect a memorial.

Restrictions

10. (1) No burial shall be allowed without a permit issued by the K.E.M.A.
- (2) A relative of a deceased person shall apply for a burial permit with a certificate of death issued by a recognized hospital or clinic.
- (3) Where the person died outside a hospital but kept in a mortuary, a notice from the mortuary shall be used to apply for a burial permit.
- (4) In all cases of applying for a permit, the K.E.M.A. shall by a special resolution fix the fees payable.

Free burials

11. No free burial shall be allowed without the written authority of the Municipal Chief Executive, which written authority shall specify the reasons for permitting free burial.

Hours of burial

12. Burials may take place at the cemetery between the hours of half past six and eleven o'clock forenoon or between the hours of three and six in the afternoon.

Fees

13. (1) Fees for grave and vaults in a cemetery shall be payable at the rate fixed by resolution of the Assembly and by or on behalf of the Ministry of Local Government.
- (2) General Counterfoil receipt shall be issued to persons who come for grave space or vaults and such money shall be paid into K.E.M. A's accounts at regular intervals.
- (3) Free burials permitted under Bye-law 10 shall not attract any fee.

Nuisance

14. A person shall not commit any nuisance in a cemetery.

Monitoring and compliance

15. The Environmental Health Department shall visit all cemeteries in the Municipality at least once in every two months to ascertain the level of compliance of this Bye-Law and report to the MCE for necessary action(s) to be taken on issues raised during the visit.

Offence and penalty

16. Any person who contravenes the provisions of this Bye-law commits an offence and shall on conviction be liable to a fine of between 60-100 penalty units or in default of payment to imprisonment for a term not exceeding two months.

Title

17. This Bye –law may be cited as Kwabre East Municipal Assembly (Abatement of Nuisance) Bye-Laws, 2018.

Revocation

- 1. Any Bye-laws on cemetery in existence before the coming into force of these Bye-laws is hereby revoked.

Interpretation

18. In this Bye-law unless the context otherwise requires, K.E.M.A means Kwabre East Municipal Assembly

Application

19. These Bye-laws shall apply within the area of authority of the Assembly.

Schedule of Register of Burial

Register of Burial in Assembly Cemetery.....

Number.....

Name of person being buried.....

Registry Office.....

Grave Space Granted.....

Date in which space was granted.....

Signature of Sexton.....

Made at a meeting of the Kwabre East Municipal Assembly held on the ...

SIGNED

*Presiding Member
Kwabre East Municipal Assembly*

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government.

SIGNED

*Municipal Co-ordinating Director
and Secretary of K.E.M.A*

SIGNED

Regional Co-ordinating Director and Secretary to R.C.C.

Kwabre East Municipal Assembly (Abatement of Litter) Bye-Laws, 2018.

IN exercise of the powers conferred on the Kwabre East Municipal Assembly by section 181 of the Local Governance Act, 2016(Act 936) hereby make these Bye-Laws:

Deposit of litter

1. A person shall not place, deposit, throw, leave or caused to be placed, deposited, thrown down and left, otherwise than in a receptacle or place provided by the Assembly for that purpose, or in any street, park, recreation ground or other public or open space to which the public has access, or in any ditch, water course, gutter or drain abutting on any street and glass, chinaware, earthenware, tin, carton, paper, bottles, nails or other sharp substances, orange peel, banana skin or the skin of any fruit or the leaves or refuse of any vegetable or any offensive, unwholesome or dangerous substance.

Litter not to be swept into streets or specified places

2. A person shall not-
 - (a) Sweep or otherwise remove from any shop, house or vehicle into any street, park, recreation ground or other public or open space to which the public has access, or in any ditch, water course, gutter or drain abutting on any street, any waste paper, shaving or other refuse or litter of any kind
 - (b) Throw down and leave or cause or permit to be thrown down and left in any street, park, recreation ground or other public or open space for the purpose of advertising any bill, placard or other substances.

Conveyance

3. A person who conveys any filth, dust, ashes, refuse or litter or a noxious or offensive matter or liquid must operate a vehicle that has body of adequate size and construction for the type of waste being collected.

Removal of falling filth or litter

4. The person shall cover the receptacle with a net, tarpaulin or a suitable material to prevent the litter from falling into or upon the street or any drain or gutter abutting thereon and shall where necessary for that purpose use a cart or other suitable vehicle or receptacle properly and sufficiently covered.

Licence

5. (1) A prospective conveyer of any form of waste shall first apply to the K.E.M.A in writing for a license to collect and transport waste;
 - (2) The application shall indicate among others the nature of waste to be collected, the machinery available for that category of waste, the company's registration documents among others;
 - (3) The K.E.M.A. in considering the application shall seek expert advice from the Environmental Health Department on the suitability of the applicant's vehicles to be used for the collection of the waste, the safety measures in place.
 - (4) After considering the application, the K.E.M.A. shall issue a license subject to the payment of the approved fees determined by the resolution of the K.E.M.A and other

conditions, which said license, shall expire on the 31st of December of the year in which the license was issued and shall be renewed in the subsequent year.

Failure to comply

6. A license issued under these Bye-laws may be revoked by the K.E.M.A. on the advice of the Environmental Health Department where the holder has failed to comply with the provisions of the grant of the license and the provisions of these Bye-Laws.

Notice to offenders

7. (1) A license may be revoked by the K.E.M.A. after a written notice has been served on the defaulting party and given fifteen days to remedy the wrong but has failed and or refused to do so.

(2) Any license so withdrawn shall only be restored after the applicant has complied with all the requirements under these Bye-laws.

Revision of terms

7. The terms of the grant of the license shall be reviewed every three years.

Cleaning

8. (1) If during the conveyance of effluent, filth, dust, ashes, refuse or litter some fall off from the vehicle or any object being used, the person undertaking such conveyance shall cause same to be removed and clean the place on which such filth, dust, ashes, refuse or litter falls,
(2) For purposes of this Bye-Law 4(1), a vehicle conveying filth which litters the street or any place shall be surcharged by a task force or officials of the Assembly to enforce the provisions of these Bye-laws.

Notice

9. If any person contravenes any of the provisions of these Bye-laws the K.E.M.A. may by notice in writing served on such person affixed to some conspicuous place near the article complained of require such person to remove and keep the said article within forty-eight hours from the date of the notice.

Collection of refuse

10. The owner or occupier of any premises other than premises owned by the Ghana Government or an organ thereof requires the Assembly or other private companies to remove refuse therefrom daily shall-
 - (a) Submit an application in writing to the Assembly containing the name, address and the house number of the applicant of such premises and other particulars sufficient to enable the premises to be identified by K.E.M.A. or the private company;
 - (b) And at his own expense provide at a convenient place on the premises or such other place as the K.E.M.A. or the company may direct a dustbin or other receptacle for containing refuse which shall be of metal or plastic with a close-fitting lid and shall be of such dimensions as shall be approved in writing by the Assembly.

Provision of dustbins

11. (1) If it appears to the K.E.M.A. that there are no proper means of depositing domestic refuse in any residential areas and the assembly is satisfied that in the interest of public health it is necessary that the proper provision made for that purpose, the Assembly may by notice in writing require the occupier or owner of the premises in the area to provide such number of covered dustbins or other receptacles for the reception of domestic refuse of such material, size and construction as the Assembly may direct;
 - (2) The K.E.M.A. shall place a bigger receptacle at a central point to enable owners and occupiers tip their bin in the bigger receptacle at a fee determined by a resolution of the K.E.M.A.;
 - (3) Where a person fails to comply with these requirements within such period as may be specified therein, the Environmental Department of K.E.M.A. shall issue summons to the person or persons involved for prosecution in court.
12. A person, other than a person employed by the K.E.M.A. in connection with the removal and disposal of refuse, shall not disturb the material deposited or refuse.

Prohibition

13. The occupier of the premises shall not deposit or cause to be left in any dustbin provided for the reception of domestic refuse any liquid or faecal matter.

Fees

14. (1) The owner or occupier of premises on which business, industrial or recyclable waste is generated, must ensure that until the appointed times for collection by the K.E.M.A. or a private company;
 - a) The waste is stored in a bulk kiosk or other approved receptacle; and
 - b) The waste shall be treated such that it does not pose as health risk and or nuisance to the neighborhood.
15. The fee for the removal of domestic and commercial refuse shall be payable in advance determined by resolution of the K.E.M.A. differently for domestic and commercial waste.

Notice to discontinue

16. A person desirous of discontinuing this service shall notify the Municipal Solicitor or Coordinating Director of K.E.M.A or an official of the company involved not less than 14 clear days to the expiration of the end of the month the person wishes to discontinue the service of the K.E.M.A or any company.

Application

17. These Bye-laws on Abatement of litter shall apply within the area of authority of the K.E.M.A.

Revocation

18. Any Bye-laws on Abatement of litter in existence immediately before the coming into force of these Bye-laws is hereby revoked.

Title

19. This Bye-law may be cited as Kwabre East Municipal Assembly (Abatement of Litter) Bye-Laws, 2018.

Offence and penalty

20. Any person who contravenes or fails to comply with any of these Bye-laws is guilty of an offence and shall on conviction by a court is liable to a fine of between 50-100 penalty units or imprisonment for a term not exceeding three months.

Interpretation

21. In these Bye-laws unless the context otherwise requires, K.E.M.A means Kwabre East Municipal Assembly,

Made at a meeting of the Kwabre East Municipal Assembly held on the

SIGNED

*Presiding Member
Kwabre East Municipal Assembly*

SIGNED

*Municipal Co-ordinating Director
and Secretary of K.E.M.A*

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government.

SIGNED

Regional Co-ordinating Director and Secretary to R.C.C.

Kwabre East Municipal Assembly (Public Market) Bye-Laws, 2018.

IN exercise of the powers conferred on the Kwabre East Municipal Assembly by section 181 of the Local Governance Act, 2016(Act 936) hereby make these Bye-Laws:

Control of markets

1. The K.E.M.A. shall have ownership, exclusive control and management of the markets in the entire Municipality.

Hours of operation

2. All markets shall be opened to the public every day of the week that is from Monday to Saturday from 6 o'clock in the morning until 6 o'clock in the evening and on Sundays from 6 o'clock in the morning until 5 o'clock in the evening.

Allotment of stores, stalls and spaces

3. (1) Stores shall be allotted to allottees for sale of items or articles as the K.E.M.A. may direct from time to time;
 - (2) Subject to Bye-Law 3(1), all applications for the allotment of stalls shall be made to the K.E.M.A officer as the Municipal Chief Executive for that purpose may appoint;
 - (3) For purposes of Bye-law 3(2), a person designated by the MCE may receive all applications in respect of vacant stalls in all existing markets for allotment;
 - (4) In allotting a stall, the K.E.M.A. shall be guided by the date of application and the date of payment of fees prescribed under the application;
 - (5) The K.E.M.A. may refuse allotment of any stall to an applicant previously convicted of an offence under these Bye-Laws;
 - (6) For the avoidance of doubt the grant of all stalls shall be made by the K.E.M.A.

Rent

4. (1) The K.E.M.A shall by a resolution fix the rent payable for the stall from time to time;
 - (2) On payment of rent for a stall a receipt specifying the period in respect of which it is paid shall be issued to the allottee and the receipt shall be prima facie evidence of the payment of rent for the specified period.
 - (3) Failure to produce the receipt on demand by a person authorized by the K.E.M.A., shall render the occupier of a stall liable to ejection from the stall or be made to pay a penalty specified by a resolution of the K.E.M.A. from time to time;
 - (4) All rents may be paid in advance and where the rent is payable monthly or quarterly any part of a month or quarter shall count as entire month or quarter;
 - (5) The period for which rent has been paid shall run from and include the day of allotment and shall expire on the last day of the period for which rent has been paid;
 - (6) In case of an allotment by the month, the occupier of any stall shall give notice of intention to discontinue the use thereof at least seven days before the expiration of the

period in respect of which rent has been paid; otherwise he shall be liable for rent in respect of the succeeding month.

Liability for loss or damage

5. (1) The K.E.M.A. shall not be under any liability for any loss or damage to the property of any occupier of any store in a matter due to fire, theft, burglary or any other cause whatsoever.
- (2) An allottee of K.E.M.A. stall in all the markets shall insure their properties against fire, theft/burglary or other unforeseeable contingencies.

Transfers, Subletting and Succession

6. (1) An occupier of any store, in a market shall not sublet or share such store, except with the written consent of the K.E.M.A.;
- (2) A license granted by the K.E.M.A. to any person to use or occupy any store/stall, table or space in any market shall be personal to the licensee only, and the transfer of some or any part thereof or any transaction or dealing therewith such might by operation of law or equity have the effect of transferring same or any part thereof or any therein to any person at any time without due notice to the K.E.M.A. is prohibited;
- (3) The ownership of a stall shall not be assumed or devolved by way of succession. Upon the death of the original allottee, the interest in the stall automatically reverts to the K.E.M.A.;
- (4) Where an allottee dies, the K.E.M.A. should be notified of such death stating whether the deceased was occupying it or not;
- (5) Any relative of the deceased person who expresses an interest in the store should apply to the K.E.M.A. within three months after notification for consideration and approval by the K.E.M.A. and if the application is successful, a fresh tenancy agreement shall be executed between the K.E.M.A. and the successful applicant;
- (6) Where the real tenant was not in occupation before his/her death, the K.E.M.A. should be obliged in fairness or by way of equity transfer the interest in it to the person who was occupying it as a sub-lessee before his death if such occupation was with the written consent of the K.E.M.A.;
- (7) In any other situation the Assembly reserves the right, or discretion to decide who should occupy it depending on the objective conditions surrounding that situation.

Transfer of interest by person alive

7. (1) A sitting tenant can only transfer his/her interest in a stall by submitting a formal application to the Municipal Co-coordinating Director stating clearly his intention and reason for the transfer;
- (2) A market standing Committee comprising the Market Manager, Municipal Coordinating Director or the deputy or a representative of the Municipal Coordinating Director and the Municipal Solicitor and a member secretary shall handle such applications;
- (3) In such situations, fees to be charged should be approved by a resolution of the K.E.M.A.

Desertion

8. (1) The K.E.M.A. reserves the right to re-enter a store(s) and re-allocate same to any interested person if-
- (a) The occupier deserts the store for 3 months without notice to the K.E.M.A. and fails to pay daily tolls.
 - (b) Fails to pay the rent due for 3 months;
 - (c) The real tenant had sold it to a third party;
 - (d) Or has relinquished his interest to third party without the written consent of the Assembly.
 - (e) The Market manager shall through the daily toll collectors furnish the MCE with the names and store numbers of stores, which are not opened and thus fail to pay daily toll.
 - (f) The K.E.M.A shall before re-entry issue notices to the tenant and or paste a copy at the store where the tenant cannot be traced of the K.E.M.A's intention to re-enter;

Dispute resolution

9. (1) The management of the K.E.M.A. shall resolve all disputes relating to the stalls in markets controlled by the K.E.M.A.;
- (2) A party dissatisfied with the decision of the management may appeal to the Chief Executive of the K.E.M.A. for a review of such decision twenty-one days from the date of the decision by the management;
 - (3) The review Committee comprises of the Market Manager, the Estates Officer, the Solicitor of the Assembly as member Secretary and two other lawyers with the most senior counsel as the chairman;
 - (4) A party dissatisfied with the decision of the Review Committee has the right to go to the Law Court.

Sales restriction

10. (1) A person shall not sell at any place in any market other than in the store allotted to him/her;
- (2) A person who sells or purchases goods or stock near established markets other than approved places or erects stalls at places other than the established markets commits an offence and shall be liable for prosecution.

Appropriation of parts of the market

11. Parts of the market shall be specially set aside by the K.E.M.A. for the sale of specified articles and the sale of such articles shall be prohibited elsewhere in the market.

Daily Sellers

12. (1) The K.E.M.A. shall specifically set aside a portion of the market for the use of daily sellers who shall pay to the K.E.M.A. such daily fees so fixed by a resolution of the K.E.M.A.;
- (2) The toll collector shall issue a receipt/ticket to the sellers therein which shall be prima facie evidence of payment of the toll for the day in question;

(3) The seller shall display the ticket or the receipt issued for the day at the place of business or show same on request by an officer, agent or a person authorized by the K.E.M.A.;

(4) Where a seller fails to produce the receipt/ticket on demand and fails to give any justifiable reason for the failure, by a person authorized by the K.E.M.A., shall render the daily seller liable for ejection from the market or pay a penalty so approved by a resolution of the K.E.M.A.

Cleaning of store

13. (1) An occupier of a Store, in a market shall be responsible for the cleanliness of his store at all times.

(2) Before cleaning the market at the close of the day every occupier shall thoroughly clear his store and its surroundings and the refuse placed at locations provided for the purpose.

Prohibition on exposure of food

14. (1) An occupier of any store/stall in the market shall not expose any article of food for sale from a stall or from a table or other support of a minimum height of at least one and half meters from the ground.

(2) The environmental Health Department of the K.E.M.A. shall ensure that food meant for human consumption shall not be exposed for sale without adequate protection from dust, flies or other insects.

Screening of food products and meat

15. (1) Food meant for human consumption shall not be exposed for sale in any market, unless it is protected by means of screens of a pattern approved by the Environmental health department of the K.E.M.A.

(2) The practice of carrying meat products in the booths of vehicles, open vehicles being trampled upon by butchers, baskets, and other unhygienic practices is hereby banned.

(3) The K.E.M.A's Environmental Unit shall ensure that meat being conveyed to any market in the Municipality shall be conveyed in a recognized meat van.

Infectious disease

16. A person suffering from any infectious or contagious disease shall not sell in any market.

Cleanliness

17. (1) An occupier of a stall shall during the occupancy keep the same in a clean state, and shall scrub, sweep or otherwise clear away any dirt and rubbish before leaving the market at the end of the day's selling;

(2) An occupier of a stall or any other support for the purpose of exposing food for sale shall wash with clean water before leaving at the end of the day's selling, such store/stall, table or other support;

(3) All dirt, rubbish and sweepings shall be deposited in covered receptacles provided by the K.E.M.A. for that purpose or approved refuse sites.

(4) The K.E.M.A. shall as often as is necessary, ensure that the contents of the receptacle are removed to ensure cleanliness;

(5) It is the responsibility of the market managers to set up a task force to ensure compliance with the provision of this Bye-law for all markets controlled by the K.E.M.A.

Prohibited articles

18. A person shall not bring or cause to be brought into the market or keep therein any of the following:

(a) Any live animal except birds;

(b) The skin of any animal unless it is dry and properly cured;

(c) A Sanitary Officer of the K.E.M.A. who shall act on the advice of the Medical Officer of Health concerned or a person authorized by such Medical Officer of Health to ensure compliance with the provisions of Bye-Law 18.

19. Fowls, ducks, guinea-fowls and turkeys offered for sale in the market shall be kept in coops or restrained from free movement.

Children

20. Any person in charge of a child in the market shall be responsible for the good behavior or such child and shall clear up any litter or any nuisance that such child may cause.

Butchers clothing

21. (1) Butchers and their assistants when engaged in carrying, handling or selling meat shall wear clean clothes of styles approved by the sanitary officer of the K.E.M.A. who shall act on the advice of the medical officer of Health concerned in respect of such style of clothing;

(2) The Environmental health unit shall ensure that clothes worn by butchers are clean and meet the prescriptions given by the Medical Officer of health;

(3) A butcher who flouts the directive on the clothing shall receive a warning in the first instance. If the breach continues, the K.E.M.A. shall impose a fine of 40 penalty units.

(4) If the breach continues after the payment of a fine, the K.E.M.A. in conjunction with the butchers association suspend the said butcher from operating in any market controlled by the K.E.M.A. for a period of one month after which the person shall be readmitted after signing a bond that he shall comply with the Bye-law regarding dressing at the time of conveying meat.

Unwholesome food

22. A person who brings into the market or sell or offer for sale therein any article for human consumption, which is unwholesome, shall be guilty of an offence.

Prohibition

23. Except security officers in charge of the markets, no person shall use the market as a sleeping place.

Right of entry

24. It shall be lawful for the Municipal Chief Executive or his representative to enter the market at reasonable times and to inform the K.E.M.A. of any non-compliance with these Bye-laws or to enforce same.

Obedience to the direction of K.E.M.A.

25. Every person using the market shall obey the reasonable directions of the officers of K.E.M.A., including directions given for the purpose of cleanliness, order and regularly in such markets and of facilitating the conduct of business therein.

Categorisation of markets

26. Markets in the Municipality shall be divided into such categories and assigned such facilities as the K.E.M.A. may determine.

27. A person shall not light fire in any part of the market or keep or sell any explosives or highly flammable substances in the market place.

Application

28. These rules and bye-laws shall apply to all the markets in the Municipality.

Offence and penalty

29. Any person who contravenes any of these Bye-laws shall be guilty of an offence and upon conviction be liable to a fine of 60-100 penalty units or to a term of imprisonment not exceeding three months.

Title

30. This Bye-law may be cited as Kwabre East Municipal Assembly (Public Markets) Bye-law, 2017

Interpretation

31. These Bye-laws unless the context otherwise requires- “K.E.M.A” means Kwabre East Municipal Assembly “Market” means public market within Kwabre East Municipality “Store” includes selling sites, stalls, spaces and places as shall be designated by K.E.M.A to be used for selling and buying purposes.

Revocation

32. All bye-laws in operation immediately before these Bye-laws are hereby revoked.

Made at a meeting of the Kwabre East Municipal Assembly held on the

SIGNED

SIGNED

Presiding Member

Municipal Co-ordinating Director

Kwabre East Municipal Assembly

and Secretary of K.E.M.A

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government.

SIGNED

Regional Co-ordinating Director and Secretary to R.C.C.

Kwabre East Municipal Assembly (Profession, Business and Trade) Bye-Laws, 2018.

IN exercise of the powers conferred on the Kwabre East Municipal Assembly by section 181 of the Local Governance Act, 2016(Act 936) hereby make these Bye-Laws:

Licence

1. (1) A person shall not carry on any profession, occupation, trade or business in or upon any premises or land in the Municipality unless the K.E.M.A has issued a license in respect of such premises.
(2) A license granted under these Bye-laws shall expire on the 31st December of the year it was issued.
(3) A person who starts business profession or trade later than January in a year shall pay a commensurate rate (prorate).
(4) A license granted under this bye-law shall be displayed in a conspicuous part of the premises or land, and is not transferable.

Fee

2. There shall be charged for every license a fee to be prescribed by the K.E.M.A. by resolution and approved by the Ashanti Regional Co-coordinating Council on behalf of the Local Government.

Liability to pay property rate

3. Any license granted shall be without prejudice to the payment of property rate the owner of a rateables property of a permanent or temporary nature is required to pay under any Bye-laws for the time being in force.

Powers of entry

4. (1) An Officer or other person duly authorized by the K.E.M.A. may at all reasonable times enter any building, premises or land in the Municipality for the purpose of carrying out any inspection, enquiry or any other duties authorized by the K.E.M.A.;
- (2) A person shall not obstruct or otherwise interfere with any officer or other person authorized by the K.E.M.A. in the performance of any duties assigned to him under these Bye-Laws.

Revocation of licence

5. (1) The K.E.M.A. may revoke or withdraw any license granted under these Bye-laws if any alterations are made to any premises or buildings for which the license was granted by the K.E.M.A.;
- (2) The K.E.M.A. may close down any business or suspend its activities until the permit fee is paid for the operation of the business

Winding up

6. (1) If for any reason a company winds up its business activity or suspends its operations, the company shall inform the K.E.M.A. immediately about such a closure or suspension of business activities;
- (2) A company that fails to comply with Bye-Law 6(1) of these Bye-laws shall continue to receive bills from the K.E.M.A. for its fees for Business permit.

Failure to pay business permit fee

7. A person who fails to pay the Business permit fees at the prescribed time shall pay the outstanding fees with interest at the current bank rate with effect from the day of default up to and including the day of the final payment of the fees.

Withdrawal of permit

8. (1) The K.E.M.A may withdraw or revoke any Business permit granted under these Bye-laws if any alterations are affected on premises or building for which the permit was granted without a written authority of the K.E.M.A. or if the person granted the business permit contravenes any provision of these Bye-laws;
- (2) The K.E.M.A may close down any business or suspend its activities until the permit fee is paid for the operation of the business.

Offence and penalty

9. Any person who contravenes any provision of these Bye-laws commits an offence and shall be liable on summary conviction to a fine of between 100-150 penalty units or in default to a term of imprisonment not exceeding six months or both.

Application

10. These Bye-laws shall be within the area of authority of the K.E.M.A.

Title

11. This Bye-law may be cited as Kwabre East Municipal Assembly (Profession, Business and Trade) Bye-Laws, 2018.

Interpretation

12. In these Bye-laws unless the context otherwise requires - K.E.M.A means Kwabre East Municipal Assembly, Business means an economic system in which goods and services are exchanged for one another or money, on the basis of their perceived worth, Trade means commercial transaction involving the sale and purchase of goods, service or information and Profession means occupation, practice or vocation requiring mastery of a complex set of knowledge and skills through formal education and or practical experience.

Revocation

13. Any Bye-laws on Profession, Business and Trade in force immediately before these Bye-laws are hereby revoked.

Made at a meeting of the Kwabre East Municipal Assembly held on the ...

SIGNED

SIGNED

Presiding Member

Municipal Co-ordinating Director

Kwabre East Municipal Assembly

and Secretary of K.E.M.A

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government.

SIGNED

Regional Co-ordinating Director and Secretary to R.C.C

Kwabre East Municipal Assembly (Abatement of Noise) Bye-Laws, 2018.

In exercise of the powers conferred on the Kwabre East Municipal Assembly by section 181 of the Local Governance Act, 2016(Act 936) hereby make these Bye-Laws.

Place for sale of recorded music

1. A person shall not use a place for the sale of musical records or other recorded music unless the place has been inspected, approved and licensed by the K.E.M.A.

Licence

2. (1) The prospective operator shall apply in writing to the K.E.M.A. to inspect the premises designated for the sale of musical records or other recorded music and assess the place before granting a license;
(2) The K.E.M.A shall prescribe conditions for the applicant to fulfill before issuing the license. The conditions include complying with the noise level permitted under the law and putting in place a sound proof structure.
(3) A license issued shall expire on the 31st day of December in the year in which the license was issued.

Withdrawal of licence

3. The K.E.M.A may withdraw a license issued under these Bye-laws where the owner of the premises-
 - (a) After the issue of the license makes an unauthorized alteration to any sound-proofed structure;
 - (b) Is convicted of any offence under these Bye-laws or
 - (c) Conducts the business to pollute the environment.

Facilities for listening

4. Premises issued with a license for the sale of musical records or other recorded music there shall have such gadgets and instruments to eliminate any loud noise to the public.

Music played for advertisement

5. (1) A person shall not play or cause the playing of recorded music or recorded advertisement in public for the purpose of advertisement in such manner as to cause disturbance or nuisance to the public. For purposes of this Bye-law, the noise produced shall not exceed the permitted level under the law;
(2) A person who flouts Bye-law 5(1) shall be liable to pay a fine of 40 penalty units.
(3) The K.E.M.A shall set up a task force to ensure compliance with this Bye-law with powers to confiscate all materials being used by the person. The task force shall be based at the sub- Municipals.
(4) A person whose materials are confiscated shall within 7 days pay the appropriate penalty and further undertakes in writing that he or she shall not flout Bye-Law 5(1);
(5) If after the written undertaken, the breach continues, the K.E.M.A. shall revoke the license granted to the person.

Music at night club and other places

6. (1) A proprietor of a night club, restaurant, drinking bar or other place of refreshment shall not play any music at the place so loudly as to cause disturbance or nuisance (i.e. above the permitted noise level under the law) to residents in the area.
 - (2) Where recorded music is provided in a nightclub, restaurant, drinking bar, hotel or other place of refreshment or entertainment, the sound effect of the music shall remain and be heard only within the confines of the place.
 - (3) In the case of open areas, the proprietor shall play music only at the permitted noise levels;
 - (4) A person who plays a recorded music or live music at a funeral ground must not play music above the noise level required under the law.
 - (5) The K.E.M.A. shall set a task force to monitor operators' compliance with the provisions of these Bye-laws at the sub Municipals.
 - (6) A person who plays a recorded music or live music at a night club or restaurant shall be between 6 a.m. to 11 p.m.

Religious institutions

7. (1) A church conducting a religious service shall not play any music or allow any music to be played or preach or pray at the service so loudly as to cause disturbances or nuisance to residents in an area.
 - (2) Where music is played in a religious institution, the sound effect of the music shall remain within the confines of the buildings.
 - (3) For the purposes of Bye-law 7(2), religious institutions must acquire sound insulators to enable the sound produced stay within the permitted sound level required under the law.
 - (4) A person conducting a religious service where music is to be played or preaching of sermons shall be between 6 a.m. to 10 p.m.
 - (5) Where a religious institution organizes an all-night service, it shall have the facilities and gadgets to ensure that the sound effect of the music and any activity remains within the confines of the building.
 - (6) Any religious institutions shall not use loud speakers for call to worship and religious preaching between the hours of 10 p.m. and 5 a.m.

Excessive noise levels

8. (1) Where a religious institution, an individual, a music shop or a disc jockey flouts the bye-law on noise making, by making excessive noise, a person affected or the task force set up under these Bye-laws shall set out to investigate the complaint;
 - (2) The environmental Health unit in conjunction with the task force must first investigate the complaint by conducting independent checks. Where it is established that the noise is a nuisance the department will contact the offender with an abatement notice if necessary, drawing the attention to the provisions of the Bye-laws and warned to abate the nuisance.
 - (3) If the offender fails to comply with the notice, the K.E.M.A. shall impose a fine of 60 penalty units on the offender;

(4) If after the payment of the fine the nuisance continues the K.E.M.A. and the complainant shall start proceedings against the offender in a Circuit or High Court by first obtaining an injunction against the offender.

Public preaching at central business area

9(1) To forestall persistent overcrowding and congestions on the streets, pavement and pedestrian walks in the central business city of Kwabre East Municipal, public preaching and or playing or religious audio and video cassette with message of Evangelistic in nature for the purposes of propagation of a religion is not permitted at the central business area of the Kwabre East Municipal between the hours of 9 a.m. to 4 p.m.;

(2) For the purposes of the provision in the preceding paragraph, the areas constituting the central business area shall as specified in the schedule of these Bye-laws unless the K.E.M.A. in its discretion determines otherwise.

Noise near hospital and public places

10. A person shall not within one hundred meters of a hospital, clinic, maternity house or other place used for the reception or treatment of the sick, or any public library place of worship, place of public assembly office or public holding.

- (a) Sound or play upon or blow any musical or noisy instrument;
- (b) Sound or blow the horn of a motor vehicle unnecessarily or
- (c) Make any noise, which is a nuisance in any street, open space or other public place.

Noise near other premises

11. A person shall not in any street, open space or other public place or in connection with any shop, business premises or other place which adjoins any street, footway, pavement, sidewalk or other public place to which the public are admitted, or

- (a) in or upon any other premises operating or causing or permitting or suffering to be operated any wireless, loud speaker, gramophone, amplifier or similar instruments make or cause or permit or suffer to be made any noise which shall be so loud and so continuous or repeated as to cause a nuisance or disturbance to the occupants or inmates of any premises in the neighborhood;
- (b) For purposes of the provision in the preceding paragraph the use of mounted loud speakers at vehicle terminals shall strictly comply with the permitted noise level.

12. A person shall not within one hundred meters of any shop, dwelling house, office or other premises, sound or play upon any musical or noisy instrument or sing or shout or blow the horn of any motor vehicle unnecessarily in any street to the annoyance or disturbance of any inmate or occupant thereof.

Noisy animals

14. A person shall not keep within any house, building or other premises any animal, which shall be or cause a nuisance to residents of other premises in the neighborhood.

Noisy hawking

14. A person shall not for the purpose of hawking, selling, distributing or advertising any articles or goods or buying or collecting any other goods or articles shout or ring any bell or any other noisy instrument in any street or other public place so as to cause disturbance to inhabitants of the neighborhood after being requested to desist by any police officer or the task force established under this Bye-law.

Offence and penalty

15. (1) A person who contravenes any of these Bye-laws or any condition attached to a licence hereunder shall be guilty of an offence and liable on conviction to a fine of between 100-200 penalty units or in default to a term of imprisonment not exceeding three months or both or;

(2) In the case of a continuing offence, the offender is liable to additional one-penalty unit in respect of each day on which the offence continues.

Application

16. These Bye-laws shall apply within the area of authority of the K.E.M.A.

Title

17. This Bye-law may be cited as Kwabre East Municipal Assembly (Abatement of Noise) Bye-Laws, 2018.

Revocation

18. Any Bye-laws on Abatement of Noise in existence immediately before the coming into force of these Bye-laws are hereby revoked.

Interpretation

19. In these Bye-laws unless the context otherwise requires-

“K.E.M.A” means Kwabre East Municipal Assembly.

SCHEDULE

1. Ahwiaa town council
2. Mampong area council
3. Krobo area council
4. Ntonso area council
5. Asonomaso area council
6. Wadie Adwumakase area council

Made at a meeting of the Kwabre East Municipal Assembly held on the

SIGNED

SIGNED

*Presiding Member
Kwabre East Municipal Assembly*

*Municipal Co-ordinating Director
and Secretary of K.E.M.A*

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government.

SIGNED

Regional Co-ordinating Director and Secretary to R.C.C.

Kwabre East Municipal Assembly (Regulation of Vehicle Parking Places) Bye-Laws, 2018.

IN exercise of the powers conferred on the Kwabre East Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby make these Bye-Laws:

Provision of lorry parks

1. (1) A driver of a motor vehicle plying for public hire of fares shall not in the public part of the Municipality between 6.a.m and 6 p.m. load or unload or permit the loading of goods, except at the place provided for that purpose by the K.E.M.A.;
- (2) Nothing in these Bye-laws shall prohibit-the loading or unloading of passengers or goods from any private store, dwelling house, shop, market or other place in the Municipality in the event of an accident or bonafide breakdown of the vehicle.

Creation of Lorry Park

2. (1) A person or group of persons shall not have the right to create, build or establish a lorry park in the Municipality without the prior approval of the K.E.M.A.;
- (2) For purposes of the preceding paragraph, an application to operate a parking place shall be submitted to the K.E.M.A. which shall assess the suitability or otherwise of the site and location of the lorry park.
- (3) Where the location is approved, the applicant(s) shall be notified who shall pay the approved fees fixed by the resolution of the K.E.M.A. together with making available amenities for the lorry park as a condition of the grant. In the case of a private developer, he shall make available the amenities specified by the K.E.M.A.
- (4) There shall be payable to K.E.M.A. for the use of a parking place in respect of each motor vehicle a parking fee fixed by a resolution of the K.E.M.A.
- (5) Only transport operators with permits from K.E.M.A. shall provide services at the lorry parks or terminals.

Parking Fees payable

3. (1) A driver of a vehicle shall pay the prescribed fee to the person appointed by the K.E.M.A. or the authorized person as a collector of parking fees who shall issue a receipt to him which he shall produce on demand by an authorized officer of K.E.M.A.;
- (2) A driver who fails to produce such ticket shall be deemed to have used a parking space without paying the prescribed fee;
- (3) The attendant/Collector shall issue a ticket in respect of each payment specifying the amount paid, and the date of issue and the registration number of the vehicle and such ticket shall be available only for the motor vehicle indicated thereon and is not transferable;
- (4) The ticket so issued, shall be valid for a prescribed period.

Regulation of Lorry Park

4. Every driver of a motor vehicle using the lorry park designated as parking facility shall-
 - (1) Enter the lorry park by the opening marked “Entrance” and leave by the opening marked “Exit”.
 - (2) Park his motor vehicle in the lorry park or designated parking facility in such space as may be indicated by the attendant;
 - (3) Secure his motor vehicle from movement by keeping the hand brake on or adopting any other effective means.
 - (4) Refrain from unnecessary blowing of the horn
 - (5) Not permit the execution of any substantial repairs or to work upon his vehicle at the lorry park except such as may be absolutely necessary.

Prohibitions

5. A person shall not kindle any fire or use any naked light in the lorry park.
6. A person shall not deposit or cause to be deposited any refuse, rubbish or any offensive matter on the lorry park except at such places designated for that purpose.

Nuisance

7. A person shall not cause any nuisance in the lorry park.

Access to premises

8. A person shall not park a vehicle at a place in an unreasonable manner so as to prevent access to any premises.

Clamping of vehicles

9. (1) A vehicle parked in contravention of these Bye-laws shall be clamped by the K.E.M.A. or its authorized agents.
(2) An owner of the clamped vehicle shall pay a spot fine in accordance with the fee fixed by K.E.M.A. by resolution before the release of the vehicle to him.

Regulating lorry parks at filling stations

10. (1) Where a group of persons intend to operate a lorry park at a filling station, the persons shall go through the process of obtaining a license as spelt out under Bye-law 2 above.
(2) The K.E.M.A shall ensure that the necessary precautions are in place to forestall any danger.

Towing of vehicles

11. (1) The K.E.M.A. or its authorized agents shall tow any vehicle parked at an unauthorized place upon the following conditions-
 - (a) The vehicle being towed shall be deposited at a place to be designated by K.E.M.A.;
 - (b) The driver or person in charge of the towed vehicle shall pay a fine in addition to a daily fee for the number days the vehicle stays with K.E.M.A in accordance with the fee fixing resolution of the K.E.M.A. before the release of the vehicle;
 - (c) The K.E.M.A. shall take all reasonable care to ensure the safety of the towed vehicle but shall not take personal responsibility for any loss or damage of the vehicle.

Prohibitions

12. A person bringing foodstuffs or livestock into the lorry park for the purposes of off-loading shall not park in the streets or lanes adjacent to the park. Foodstuffs or livestock being off loaded at a lorry park shall be undertaken at the appropriate market by their owners within two hours after the arrival of the cargo.

(1) All commercial activities at the lorry station should be operated by permits. In case of sale of liquor, a police clearance certificate should be obtained as specified in K.E.M.A. bye law for sale of intoxicating liquor.

(2) No persons or owners of vehicles shall perform any commercial activities in or on vehicles parked at any designated parking places.

(3) The execution of any substantial repairs or work upon a vehicle shall not be permitted except such as may be absolutely necessary.

(4) No person shall park a vehicle at a place in an unreasonable manner so as to prevent any available access to any premises.

(5) Every manager of a lorry station or designated parking place shall establish a system for proper sanitation as defined by the K.E.M.A Environmental unit for every permitted station or designated parking area in the Municipality.

(6) The Transport Department of the K.E.M.A. shall establish a task force with a mandate to inspect all lorry parks or parking facility and issue the notices and follow through with monitoring and enforcing all the provisions of these bye-laws.

(7) The Transport Department shall maintain an effective call center to receive comments, complaints and other feedbacks from stakeholders and the general public.

(8) All complaints arising out of the applications of these bye-laws should be forwarded to the MCD for investigations and redress.

Offence and penalty

13. Any person contravening any of the provisions of these Bye-laws shall be guilty of an offence and shall be liable on conviction to a fine of between 60 to 100 penalty units or in default to a term of imprisonment for a term not exceeding three months.

Application

14. These Bye-laws shall apply to all approved lorry parks in the Municipality

Title

15. This Bye-law may be cited as the Kwabre East Municipal Assembly (Regulation of vehicle Parking Places) Bye-Laws, 2018.

Revocation

16. The Lorry Parks Bye-laws, 1998 is hereby repealed.

Interpretation

17. In these Bye-laws unless the context otherwise requires: -

“K.E.M.A” means Kwabre East Municipal Assembly” “Driving” means any person who is the owner or has charge or control over a vehicle or being present is entitled to give orders to the person having charge or control of the vehicle.

“Motor Vehicle” means any mechanically propelled vehicle intended or adopted for use on roads;

“place” includes street, pavement or an open space.

Made at a meeting of the Kwabre East Municipal Assembly held on the

SIGNED

*Presiding Member
Kwabre East Municipal Assembly*

SIGNED

*Municipal Co-ordinating Director
and Secretary of K.E.M.A*

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government.

SIGNED

Regional Co-ordinating Director and Secretary to R.C.C.

Kwabre East Municipal Assembly (Stray Animals) Bye-Laws, 2018.

IN exercise of the powers conferred on the Kwabre East Municipal Assembly by section 181 of the Local Governance Act, 2016(Act 936) hereby make these Bye-Laws:

Seizure of unattended animal

1. A person authorized by the K.E.M.A. who finds any stray animal in any public part of the Municipality without any person in charge thereof may seize and impound such animal and send it to the place set aside by the K.E.M.A. for that purpose.
2. (a) An animal so impounded shall be released by the K.E.M.A. to the owner upon the payment of a fee fixed by the resolution of the K.E.M.A.

(b) any expenses incurred by the K.E.M.A for the maintenance of such animal shall be paid by the owner as determined by the resolution of the Assembly.

Prohibition

3. The rearing and or the keeping of animals in any premises or in any part of the Municipality otherwise than for immediate slaughter or in such public place as the K.E.M.A. may provide for that purpose, is forbidden and animals kept in contravention of these Bye-laws may be seized by any person authorized by the K.E.M.A. and placed in a pond.

Permission to keep animal

4. Notwithstanding Bye-Law 2, a person may keep animals within the area of administration of K.E.M.A. for domestic, religious or customary purposes upon the conditions that the animals-
 - (a) Are kept in a kraal which is well maintained and always kept clean; and
 - (b) Do not constitute a nuisance by such or noise to neighbors; and
 - (c) Are attended to by veterinary officers or assistants and the owners are to ensure that sanitary rules specified by Ministry of Health are maintained.

Cattle breeders

5. It shall be an offence for cattle owners to bring cattle to the residential areas and the streets. For avoidance of doubt cattle shall be confined to their kraal outside residential areas.

Impounding of stray animals

6. Where officers of K.E.M.A. impound cattle or any stray animal under Bye-laws 1 of these Bye-Laws-
 - (a) The K.E.M.A. shall not be liable for any animal that may die after it has been impounded.
 - (b) An owner of any impounded animal may retrieve it on conditions as may be determined by the K.E.M.A.
7. Any animal placed in a pound may be detained there until the owner pays to the K.E.M.A. a fee covering the impounding and the maintenance of the cattle as may from time to time be fixed by resolution of the A.M.M.A.

Sale of impounded stray animal

8. Where the animal remains with the K.E.M.A. for seven days, notices shall be posted at vantage points for three days after which the animal shall be sold by public auction and the proceeds paid to the K.E.M.A. account.

Penalty

Any person contravening any of the provisions of these Bye-laws shall be guilty of an offence and shall be liable on conviction to a fine of between 20 to 100 penalty units or in default to a term of imprisonment for a term not exceeding three months. In addition, shall pay the cost of any property or crops damaged.

Interpretation

9. In these Bye-laws unless the context otherwise requires-
“Animals includes horse, sheep, goats, cattle, monkeys and pigs”

Application

10. These Bye-laws shall apply within the area of authority of the K.E.M.A.

Title

11. This Bye-law shall be cited as the Kwabre East Municipal Assembly (Stray Animals) Bye-Laws, 2018.

Revocation

12. Any Bye-laws on cattle pounds in existence within the area of authority of the Assembly immediately before the coming into force of these Bye-laws are hereby revoked.

Made at a meeting of the Kwabre East Municipal Assembly held on the

SIGNED

SIGNED

Presiding Member
Kwabre East Municipal Assembly

Municipal Co-ordinating Director
and Secretary of K.E.M.A

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government.

SIGNED

Regional Co-ordinating Director and Secretary to R.C.C.

Kwabre East Municipal Assembly (Control of Dogs) Bye-Laws, 2018.

IN exercise of the powers conferred on the Kwabre East Municipal Assembly by section 181 of the Local Governance Act, 2016(Act 936) hereby make these Bye-Laws:

Prohibitions on keeping dogs and other pets

1. (1) A person shall not keep any kind of dog or bitch unless the person applies for and obtain a license from the K.E.M.A. to do so;
- (2) The veterinary department of K.E.M.A. shall before granting a license satisfy itself that the dog has been duly vaccinated against rabies on the production of a signed Certificate issued by the Veterinary Officer to this effect;
- (3) The officer from the veterinary department after inspecting and certifying the authenticity of the badge shall provide to the keeper by the Licensing Officer which badge shall be kept on the dog at all times whilst the license remains in force;
- (4) A license issued under these Bye-laws shall expire on the 31st December of the year in which it is issued;
- (5) The owner shall renew the license by subjecting the animal for another vaccination and follow the same process to renew the license that shall also expire on the 31st December of the year in which it was issued.

K.E.M. A's role

Stray dogs/pets

2. (1) A dog in respect of which a license is granted shall be confined in a house by the owner and shall not be allowed to be at large except with the owner or someone and on leash.
- (2) It shall be lawful for any Police Officer, Health Officer, Task Force of K.E.M.A. or any person authorized by the K.E.M.A. to seize any stray dog found at large and bring it before a Magistrate who may direct that the dog be returned to its owner or assigned to a suitable person or make such order as he may think fit.

Keeper of dogs/pets

3. A person in whose custody, charge or possession or on whose premises a dog is found shall, for the purpose of these Bye-laws, be deemed to be keeper of such dog unless the contrary is provided.

Seizure of diseased dogs/pets

4. An Officer of K.E.M.A. authorized in that behalf may seize any dog which is suffering or which he reasonably believes to be suffering from mangle, rabies or other disease within the meaning of the Disease of Animals Act, 1916 (Act 83).
5. A person who has a dog license in force shall produce it within twenty-four hours on request by an officer of the K.E.M.A. in that behalf.

Vaccination

6. A person who keeps a dog shall have it inoculated once every year against rabies at the Department of Animal Health and obtain a Certificate to that in respect of the dog.

Offence and penalty

7. Any person who contravenes any provision of these Bye-laws commits an offence and shall on conviction by a court be liable to a fine of 30 penalty units or a term of imprisonment not exceeding two months.

Application

8. These Bye-laws shall apply within the area of authority of the K.E.M.A.

Title

9. This Bye-law shall be cited as the Kwabre East Municipal Assembly (Control of Dogs) Bye-Laws, 2018.

Revocation

10. Any Bye-laws on Control of Dogs in existence within the area of authority of the K.E.M.A immediately before the coming into force of these Bye-laws are hereby revoked.

Interpretation

11. In these Bye-laws, unless the context otherwise requires-
“K.E.M.A” means Kwabre East Municipal Assembly.

Made at a meeting of the Kwabre East Municipal Assembly held on the ...

SIGNED

SIGNED

Presiding Member

Municipal Co-ordinating Director

Kwabre East Municipal Assembly

and Secretary of K.E.M.A

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government.

SIGNED

Regional Co-ordinating Director and Secretary to R.C.C.

Kwabre East Municipal Assembly (Operation of Commercial Vehicles) Bye-Laws, 2018.

IN exercise of the powers conferred on the Kwabre East Municipal Assembly by section 181 of the Local Governance Act, 2016(Act 936) hereby make these Bye-Laws:

Application and Fees

1. (1) Every application for commercial vehicle registration shall be made to the licensing officer of the K.E.M.A by the responsible executives of the local union or branch under which it intends to operate.

(2) No commercial vehicle registration shall be approved under these bye-laws unless the vehicle in respect of which the registration is required has been licensed as a commercial vehicle and certified as road worthy in accordance with the provisions of the Road Traffic Act and any other appropriate enactment at the time in force

2. A person shall not paint or spray or equip any vehicle or cause or allow any vehicle painted or sprayed or equipped for use as a commercial vehicle without the authority of the licensing officer.

The evidence of the registration shall be:

i) A sticker affixed to the windscreen of the vehicle.

ii) The sticker shall be renewed annually valid until (31st December of the year) upon renewal of the appropriate permit.

3. (1) A commercial passenger vehicle registration shall not be approved unless the vehicle in respect for the registration has been licensed by the Driver Vehicle Licensing Authority for commercial operations. This shall be evidenced by the yellow vehicle registration number plate affixed to the plate. Every vehicle registered under these bye-laws shall remain equipped and fitted in the manner under which it was originally licensed under the Driver Vehicle Licensing Authority for commercial operations.

(2) All commercial vehicles must operate from an approved station and shall pay a daily toll for the use of the loading station.

(3) A commercial vehicle registration shall be completed by paying the requisite fee fixed by the resolution of the K.E.M.A.

Issue and display of licence

4. The licensing officer shall issue a vehicle sticker with the registration number of the vehicle inscribed on it which shall be displayed on the front windscreen of the vehicle.

Display of Licence

5. The driver of every vehicle operating bus services, minibus will be required to boldly display a destination board in front of the vehicle at all times and the vehicle shall have a sticker issued by the union which shall be affixed to it indicating the lorry station it is registered under.
6. (1) The driver named in the operating permit to drive a commercial vehicle have in his possession the commercial driver's license issued by the K.E.M.A. whenever he is using the vehicle to work.

(2) Where the owner or driver or union decides to allow another driver to drive the commercial vehicle, that driver must have a valid driving license.

Number of passengers

7. A licensed commercial vehicle shall not be permitted to carry more than the permitted capacity of the vehicle as determined by the Driver Vehicle Licensing Authority.

Duties of licensees

8. (1) Every driver permitted to drive a commercial vehicle under this bye-law shall:
 - (a) Observe all traffic regulations including pedestrian crossing;
 - (b) Display a valid sticker on the windscreen of the commercial vehicle in respect of which the permit has been granted.
 - (c) Notify the K.E.M.A. of any change in his postal, residential or office address within seven days of such change.
 - (d) Keep and maintain the commercial vehicle in good repairs.
- (2) A person permitted to drive a commercial vehicle under this bye-law shall not:
 - (a) Permit any person other than the person licensed under this Bye-law to drive the commercial vehicle unless the person also holds a commercial driver's license from the K.E.M.A. but has no car.
 - (b) Remove, deface, alter, mutilate or cancel the license or any notice mark affixed to the commercial vehicle in pursuance of this Bye-law nor, allow or permit any other person to do same.
 - (c) Permit the commercial vehicle to be used for any unlawful purpose.
 - (d) Display any advertisement inside or outside the coach or taxi without the consent of K.E.M.A. or the appropriate authorities as required by the bye-laws of K.E.M.A with regard to fees.

Revocation of licence

9.(1) A commercial vehicle registered under a permit shall be revoked by the K.E.M.A. if the vehicle is not road worthy or otherwise in contravention with any road traffic regulations in force at the time of or any other provisions of this bye-law.

(2) The Court may make an order for the suspension or the prohibition of the use of the vehicle for transport services where the driver has been convicted under this bye-law on two or more occasions for-

(a) using the coach, minibus, bus or taxi for illicit purposes;

(b) dishonesty; or

(c) failing to keep or maintain the coach or taxi in a manner required by any enactment for the time being force.

Records

10. (1) A licensed driver shall, on being requested to do so by an authorized enforcement officer of the K.E.M.A. produce his K.E.M.A commercial driving license for inspection.

(2) The licensing officer of the K.E.M.A shall keep a record of all commercial vehicles, buses and taxis registered under this bye-law.

Monitoring and Enforcement

11. A task force established under this Bye-law at the transport department of the K.E.M.A. shall routinely visit and mount road check points in conjunction with the police and the road safety committee to inspect the possession of vehicles stickers and K.E.M.A commercial driver license.

Duty to produce licence

12. (1) A vehicle without such permit shall pay a spot fine to be fixed by a resolution of the K.E.M.A. before being allowed to regularize its registration under the appropriate operating permit;

(2) Every licensed driver shall, on being requested so to do by a member of the police service or officers duly authorized by the K.E.M.A. produce his commercial driving license and sticker to the task force.

Restrictions

13(1) Every commercial driver providing transport services within the K.E.M.A shall obtain a K.E.M.A commercial driver's license.

(2) A person shall not drive or hold himself out as a commercial driver within the jurisdiction of K.E.M.A unless the driver has obtained K.E.M.A commercial driver's license.

(3)A driver permitted under this Bye-law as a commercial driver must possess a license to drive commercial vehicles issued by the Driver Vehicle Licensing Authority.

Duration of Licence

14. A commercial vehicle driver's license shall remain in force for a person for one year unless revoked or suspended.

Lost licence

15. Where a license is lost or destroyed the Licensing Officer shall issue a duplicate license upon the production by the applicant of a satisfactory police report supported by an affidavit duly sworn to by the applicant and upon payment of the prescribed fee.

Production of licence

16. Every commercial vehicle driver shall have his commercial vehicle driver's license in his possession wherever the driver is acting as a commercial vehicle driver or when appearing before any court and shall on request produce the license for inspection by police officer or any officer duly authorized by the K.E.M.A.

Renewal of licence

17. An applicant submitting an application for the renewal of a license shall submit to the licensing officer;

- (a) His current driver's license and
- (b) Payment of prescribed fees

Suspension or withdrawal of licence

18. A commercial vehicle driving license shall not be suspended or withdrawn under this Bye-law unless-

- (a) The driver's license issued by the DVLA has become suspended or withdrawn or
- (b) A court of law so orders.

19. This Bye-laws shall not apply to-

- (a) Any vehicle which is the property of the Government statutory body, board or Corporation; or
- (b) Any commercial vehicle operating under a permit other than by K.E.M.A which is in transit through the Municipality of Kwabre East Municipal, provided that the driver of such coach, minibus, bus or taxi shall not be guilty of an offence under this Bye-law.

False declarations

20. Any license obtained under these Bye-laws as a result of false declarations or missed-representations shall be null and void and any fee paid for such license shall not be recoverable.

Excess passengers

21(1) A commercial vehicle shall not carry any number of persons in excess of the number allowed to be carried by the vehicle provided that for the purpose of this Bye-law an infant in arms shall not count as a person and every child of twelve shall count as one person.

(2) Not more than two persons including the driver in case of taxi or three in that of a coach (the driver inclusive) shall sit on the front seat.

(3) A driver of a taxi shall not carry luggage on the roof or on the bonnet.

(4) A person suffering from an infectious disease shall not be allowed to be carried with other passengers on a coach, minibus, bus or taxi.

22. A commercial vehicle or taxi shall not stop, halt or slow down his vehicle in such a way that his conduct amounts to an unreasonable obstruction of traffic.

23(1) Any commercial passenger vehicle shall when a passenger has reached his destination, take steps to ensure that no article or luggage belonging to the passenger is left in the vehicle;

(2) A commercial vehicle or taxi driver shall not retain portion of or otherwise unlawfully deal with, any article or luggage left in his vehicle.

Prohibitions

24. (1) Every driver to a commercial vehicle shall convey passengers to their destination without alighting them along the way and reboarding them and charging respective fares for each stretch.

(2) Every driver of a commercial passenger vehicle shall conduct himself/herself in a non-abusive manner to passengers and other road users

(3) A commercial vehicle or taxi shall not charge more than the fares prescribed and approved by the Kwabre East Municipal Assembly in consultation with representatives of the major transport operator unions.

Taxi Ranks

25. The K.E.M.A. may provide taxi ranks subject to such conditions and rules as to the use thereof as it may prescribe.

Nuisance

26. A driver shall not blow the horn of his vehicle nor make any unnecessary noise to other users of the road.

Monitoring and enforcement

27. The Transport Department of K.E.M.A. shall have a standing task force to monitor and ensure compliance with this bye-law.

28. The Transport Department shall constitute a taskforce to monitor and ensure that all provisions of these bye-laws are properly adhered to.

29. The Transport Department shall maintain an effective call center to receive comments, complaints and other feedback from stakeholders and the general public.

30. All complaints arising out of application of these bye-laws should be forwarded to the Municipal Chief Executive for investigation and redress

Offence and penalty

31. Any person who contravenes any of these Bye-laws shall be guilty of an offence and shall be liable on conviction to a fine of between 50-100 penalty units in default to a term of imprisonment not exceeding three months.

Title

32. This Bye-law may be cited as the Kwabre East Municipal Assembly (Operation of Commercial Vehicles) Bye-Laws, 2018.

Interpretation

33. In these Bye-laws unless the context otherwise requires-

“Coach”, minibus or bus means any motor vehicle not being a taxi and not being a Government vehicle or that of any corporation, used or intended to be used for carrying passengers for regard.

“Taxi” means any motor vehicle designed to carry not more than five persons and used for carrying passengers for reward under a contract expressed or implied for the use of the vehicle as a whole or for an agreed sum.

“Licensing Officer” means the City Manager or any Officer authorized by him to act as such.

Revocation

34. All Bye-law on coaches, minibus buses and taxis in force immediately before the coming into force as these Bye-laws are hereby revoked.

Made at a meeting of the Kwabre East Municipal Assembly held on the

SIGNED

SIGNED

*Presiding Member
Kwabre East Municipal Assembly*

*Municipal Co-ordinating Director
and Secretary of K.E.M.A*

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government.

SIGNED

Kwabre East Municipal Assembly (Control of Poultry in Dwelling Houses) Bye-Laws, 2018.

In exercise of the powers conferred on the Kwabre East Municipal Assembly by section 181 of the Local Governance Act, 2016(Act 936) hereby make these Bye-Laws:

Limitation of poultry in dwelling houses

1. (1) Subject to provisions of these Bye-laws, the maximum number of poultry that may be kept in a dwelling house within K.E.M.A's Administration area shall not be more than 20 birds.
- (2) Whenever the sanitary conditions of the poultry cause nuisances, the K.E.M.A. shall order its closure.
- (3) The K.E.M.A. shall notify the owner and give the owner a written notice of three months to look for an alternative location to keep the poultry.

Inspection and impounding of excess poultry

2. (1) An officer of the Environmental Health Department of the K.E.M.A. duly authorized to impound excess poultry may at any reasonable time during the day enter and inspect any premises where poultry are kept for purposes of ascertaining the total number of poultry.
- (2) Where the inspection reveals keeping of birds more than the required number, the officer will issue a notice in writing to the owner or the keeper of the poultry which is in excess of the permitted number within 14 days to keep the number within the required limit.
- (3) Where the owner or keeper of the poultry fails to dispose of the excess poultry within the stipulated fourteen days after receipt of a written notice, the authorized officer of the K.E.M.A. may impound them.

Housing of poultry

- 3 An owner or keeper of poultry who contravenes sub-paragraph (1) of paragraph 2 commits an offence under paragraph 7 and the court which records the conviction may in addition order the owner or keeper to dispose of the excess poultry within such time as it deems fit.

Disposal of droppings

4. (1) Litter or droppings cleared from deep litter or battery cases or any other structure housing the poultry shall be disposed of in accordance with the sanitation rules of the K.E.M.A.;
- (2) Any such litter or droppings shall not be disposed off in a manner that constitutes a nuisance to residents in the area.

Stray poultry

5. (1) An owner or keeper of poultry shall not allow his poultry to stray outside the premises owned or occupied by him.

(2) An officer of the Environmental Health Department of K.E.M.A. duly authorized, may impound any strayed or straying poultry which is found in a public place.

Custody of strayed poultry

6. An owner or occupier of any premises into which poultry stray, may impound them and shall within 24 hours, surrender them to K.E.M.A. or arrange for the K.E.M. A. or its Environmental Health Department to take possession of them.

Redemption of impounded stray poultry

7 The owner of any impounded stray poultry may redeem them after paying the requisite fee fixed by a resolution of the K.E.M.A.

Failure to pay

8. (1) Where the expenses of keeping the poultry is not paid by the owner within 11 days after being impounded, the keeper or other person appointed by the Environmental Health Officer of K.E.M.A. shall sell them by public auction and pay the proceeds to the treasury of K.E.M.A.

Power of Medical officer to conduct inspection

9. A duly authorized officer of the K.E.M.A., may at reasonable time during the day, enter any house in which he has reason to believe that poultry are being kept for the purpose of

(a) Advising or enforcing any bye-laws relating to sanitation so as to prevent or minimize the spread of livestock diseases particularly those communicable to man

Or;

(b) Finding if the conditions under which poultry are being kept to meet the requirement of these Bye-laws.

Discretionary powers of K.E.M.A

10. Notwithstanding the provisions of these Bye-laws the K.E.M.A. may, where it is satisfied that sufficient land is available for the purpose, authorize the keeping of poultry in excess of the limit specified in paragraph (1) subject it to such condition relating to sanitation as it may be reasonably necessary in the public interest.

11. Any person who contravenes the provisions of these Bye-laws commits an offence and is liable on summary conviction to a fine of between 40-80 penalty units or in default of payment to a term of imprisonment not exceeding three months or both.

Title

12. This Bye-law may be cited as the Kwabre East Municipal Assembly (Control of Poultry in Dwelling Houses).

Revocation

13. Any Bye-Laws on control of Poultry in Dwelling Houses immediately before these Bye-laws are hereby revoked.

Application

14. These Bye-laws shall apply within the area of authority of the K.E.M.A.

Interpretation

15. In these Bye-laws unless the context otherwise requires

“K.E.M.A” means Kwabre East Municipal Authority

“Health Officer” means the Chief Medical Officer of Health, a Medical Officer and any person appointed as Health Officer by the K.E.M.A.

“Poultry” includes domestic fowls, turkeys, geese, ducks, guinea-fowls and pigeons.

Made at a meeting of the Kwabre East Municipal Assembly held on the.....

SIGNED

SIGNED

*Presiding Member
Kwabre East Municipal Assembly*

*Municipal Coordinating Director
and Secretary of K.E.M.A*

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government.

SIGNED

Regional Co-ordinating Director and Secretary to R.C.C.

Kwabre East Municipal Assembly (Control of Hawkers) Bye-Laws, 2018.

IN exercise of the powers conferred on the Kwabre East Municipal Assembly by section 181 of the Local Governance Act, 2016(Act 936) hereby make these Bye-Laws:

Hawkers to obtain licence

1. (1) A person shall not operate as a hawker unless he obtains upon application a license from the K.E.M.A. for that purpose.

(2) The license shall be in such forms as the K.E.M.A. determine and shall be issued subject to such conditions deemed fit including but not limited to the following:

(a) A hawker shall not sell, offer or exhibit goods other than those in respect of which the K.E.M.A. has granted a license in writing therein.

(b) A hawker shall not erect any stall or any structure in any public place for the purpose of his trade or any business.

(c) A hawker shall not obstruct or impede the free movement of vehicular or pedestrian traffic.

(d) The Municipal Guards shall monitor the hawkers to ensure compliance with the conditions stated above in these Bye-laws.

Particulars of Application

2. Every application issued under these Bye-laws shall be made in writing and shall contain particulars of the goods which the applicant wishes to sell.

Duration of licence

3. (1) A license issued under these Bye-laws shall expire on the 31st December, of the year in which it is issued.

(2) The payment of a license shall be quarterly ending March, June, September and December.

(3) A license shall be issued on the payment of such fee as may be fixed by resolution of the K.E.M.A.

Hawkers not to sell in public places

5. No hawker shall sell or offer for sale anything in the places specified in the schedule to these Bye-laws.

Hawkers to produce licence on demand

5. (1) Every hawker shall produce for inspection a license granted under these Bye-laws upon demand being made to him by a person authorized in writing by the K.E.M.A.

(2) Any person who fails or refuses to produce the license without a reason commits an offence.

Cleanliness of food selling sites

6. An occupier of a space or selling site shall be responsible for maintaining the cleanliness of the space or selling site, and he shall at the close of each day thoroughly clean his place or selling site and sweep all rubbish from the space of selling and its surroundings and place the rubbish in dustbins. Material or a location provided for the purpose and thoroughly wash away all stains and marks whether of fat, oil, grease or any other kind.

Prescribed outfit for food handlers

7 No handler of food meant for public consumption shall operate without wearing an outfit prescribed and approved by the K.E.M.A and made up as follows:

- a) A white hair cap,
- b) A white apron,
- c) A pair of white latex hand gloves
- d) and any other outfit as K.E.M.A shall deem necessary.

Food for sale to be raised from the ground

8. No occupier of any space or selling site shall offer for sale any bread, prepared grain food or any other articles of food, unless the articles are placed on a table or support raised at least 0.45 meter from the ground.

Protection of food from dust, flies and other contaminants

9. No article which is likely to be used for human consumption, shall be exposed either to dust or flies and shall be disposed of in such a manner as will satisfy the sanitation rules prescribed by K.E.M.A.

Prohibitions

10. (1) A person of unsound mind, person suffering from vermin or from any contagious or infectious diseases shall be prohibited entry into a street market;

(2) No occupier of any space or selling site shall place any box, basket or other kiosks in the pathways or avenues of the market.

Offence and penalty

11. Any person who contravenes any provision of these Bye-laws commits an offence and shall on conviction by the court pay a fine of between 30-60 penalty units or in default to a term of

imprisonment not exceeding three months or in the alternative a spot fine approved by a Resolution of the Assembly.

Interpretation

12. In these Bye-laws unless the context otherwise requires- “a hawker” means any person who sells or offers or exposes for sale, goods of any description in a place other than a recognized market or his dwelling house or shop and includes an assistant employed by such person.

Application

13. These Bye-laws shall apply within the areas of the K.E.M.A.

Title

14. This Bye-law shall be cited as the Kwabre East Municipal Assembly (Control of Hawkers) Bye-Laws, 2018.

Revocation

15. Any Bye-law on Control of Hawkers in existence within the area of authority of the Assembly before the coming into force of these Bye-laws are hereby revoked.

(1) Frontage of stores

(2) Pedestrian-Walks

(3) Such areas as the K.E.M.A may from time to time determine.

Made at a meeting of the Kwabre East Municipal Assembly held on the

SIGNED

Presiding Member

Kwabre East Municipal Assembly

SIGNED

Municipal Co-ordinating Director

and Secretary of K.E.M.A

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government.

SIGNED

Regional Co-ordinating Director and Secretary to R.C.C.

Kwabre East Municipal Assembly (Protection of Roads) Bye-Laws, 2018.

IN exercise of the powers conferred on the Kwabre East Municipal Assembly by section 181 of the Local Governance Act, 2016(Act 936) hereby make these Bye-Laws:

Prohibitions

Carriageway

1. A person shall not spill fuel and lubricants on any road in the Municipality.
2. (1) A person shall not damage any part of bitumen surface roads by dragging a heavy metal or wood or stone or any other material on the surface of a road.
 - (2) A person shall not cook, fry or light any fire or any other material emitting heat on the surface of any road.
 - (3) A person shall not use, pour or put corrosive material on the bitumen surface roads.
 - (4)(1) A person shall not cut a trench on any part of the road or bore under any road without a permit from K.E.M.A. All application for cutting or boring shall pass through the Department of Municipal Urban Roads. A permit will be issued under the following conditions:
 - a) Assessment of associated cost as determined by Department of Municipal Urban Roads
 - b) Payment of determined cost to Department of Municipal Urban Roads
 - c) Pursuant to the issuance of the permit, the K.E.M.A through Department of Municipal Urban Roads shall take all necessary steps to ensure safety of road users within the vicinity of the activity
 - 4(2) The Department of Municipal Urban Roads shall be responsible for the proper and timely reinstatement of the excavated area
 - 4(3) The applicant shall undertake the excavation activity strictly as per guidelines specified in the approval letter.
 - 4(4) The Department of Municipal Urban Roads shall supervise the excavation activity
 - 4(5) A person shall not off-load or dump any item(s) or goods on any road or adjoining shoulder or walkway so as to constitute obstruction to road and pedestrian traffic.
 - 4(6). A person or a group of persons shall not block or erect a canopy on any road in the Kwabre East Municipality for any funeral or social gathering without approved permit from the authorized officer of the K.E.M.A. after an assessment by the Department of Municipal Urban Roads and payment of the approved fee for such purpose as shall be determined by the resolution of the K.E.M.A. from time to time.

5 (1) A person who washes vehicles on a road commits an offence.

(2) A person who washes vehicles on the road shall have the vehicle impounded and made to sign a bond before a Court of Law that the conduct shall not be repeated before releasing the vehicle.

(3) A commercial vehicle washing bay that does not direct its wastewater away from the road commits an offence. The K.E.M.A. shall issue a written notice to the owner of the premises to remedy the situation. If the offence continues after the notice has expired, the equipment shall be seized and the owner shall sign a bond before a Magistrate and pay the penalty for the offence and remedy the situation before the release of the equipment.

(4) In addition to the bond the person shall pay a spot fine of 40 penalty units.

(5) For purposes of bye law 5(3), the Department of Municipal Roads shall form a task force to monitor and ensure compliance with the provisions of this bye law.

6. It is an offence to keep a disabled vehicle for more than 2 hours on an urban road.

7. It is an offence to trade in car booth sales, table top sales etc. on the carriageway and walkway or shoulder

8. Any person or group of persons who erects advertising bill boards at intersections to obstruct visibility at the intersections commits an offence.

Drains

10. Any person or group of persons who dumps any type of solid material into a drain commits an offence.

11. Any person or group of persons that undertake an activity that physically damages the drain commits an offence.

12. Any person or group of persons that undertakes any activity which blocks the drain (partially or completely) commits an offence.

13. Any person or group of persons who removes any type of drain cover (metal gratings or concrete slabs) commits an offence.

Walkways and Shoulders

14. All pedestrian walkways shall remain open at all times to enable free and safe passage of pedestrians.

The following types of encroachments shall constitute an offence;

(1) Erection or installation of stationary objects in the nature of tables, wooden kiosks, metal kiosks, boundary fence wall etc. on the pedestrian walkway.

(2) Dumping of any material (sand, stones etc.) for any purpose

(3) Digging through walkways and/or shoulder

- (4) Driving on a walkway and/or shoulder
- (5) Digging and placing of signs in any road shoulder and walkway

Road Furniture

15. Road furniture shall consist of and not limited to road signs, crash barriers, bollards, traffic signals, street lights, hand and/or guard rails, road line markings etc.

A person shall not remove any road furniture from its originally installed place

- (1) For the purpose of item 1 above a person shall pay a fine of 150 penalty units
- (2) Any person who crashes into road furniture shall reinstate as per recommendations from the Department of Municipal Roads.
- (3) Any person who defaces road line markings and signs commits an offence.

Medians and Islands

16. Any activity that hinders the usage of a Median and Islands poses great risk to pedestrians and motorists.

The following types of encroachments shall constitute an offence;

- (1) Erection or installation of stationary objects in the nature of tables, wooden kiosks, metal kiosks, etc. on medians and islands.
- (2) Dumping of any material (sand, stones etc.) for any purpose.
- (3) Digging through medians and islands.
- (4) Lorry stations within islands and bus stops pose risks to pedestrians and motorists hence any person who operates any transport station within an island commits an offence.
- (5) Access of pedestrian crossings shall be kept opened and unrestricted at all times

Offence and penalty

17. Any person who contravenes any provision of these Bye-laws commits an offence and shall be liable on conviction by the court to a fine of between 50-200 penalty units or in default 3 months of imprisonment or both.

Application

28. These Bye-laws shall apply within the area of the Authority of the K.E.M.A.

Title

19. This Bye-law shall be cited as the Kwabre East Municipal Assembly (Protection of Roads) Bye-Laws, 2018.

Revocation

20. Any Bye-law on Protection of Roads in existence within the area of authority of the Assembly before the coming into force of these Bye-laws is hereby revoked.

Interpretation

21. In these Bye-laws unless the context otherwise requires K.E.M.A. means Kwabre East Municipal Assembly, medians and islands means safe storage for pedestrians.

Made at a meeting of the Kwabre East Municipal Assembly held on the

SIGNED

SIGNED

*Presiding Member
Kwabre East Municipal Assembly*

*Municipal Co-ordinating Director
and Secretary of K.E.M.A*

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government.

SIGNED

Regional Co-ordinating Director and Secretary to R.C.C.

Kwabre East Municipal Assembly (Urban Passenger Transport Services) Bye-Laws, 2018.

IN exercise of the powers conferred on the Kwabre East Municipal Assembly by section 181 of the Local Governance Act, 2016(Act 936) hereby make these Bye-Laws:

Permit to operate

1. (1) An entity operating an Urban passenger transport services within the Municipality shall require a permit to operate any such system,

(2) An existing group of operators legally associated as a Union, Cooperative, Association, Limited Liability Company, Partnership or any new association formed and, currently providing transport services in the Municipality shall be eligible to apply and register with the Assembly after satisfying the requisite conditions of the Assembly.

Application forms

2. (1) A prospective applicant shall purchase the requisite application forms from the Assembly and completes same in triplicate and submit it to the transport department of the Assembly for processing.

2(2) the applicant shall attach to the application the body's certificate of registration, tax clearance certificate, a detailed description of all routes to be plied, services to be provided, place of operation describing all facilities available and any other requirements as the Assembly shall from time to time require.

2(3) The Assembly shall on receipt of the application with all its attachments issue a receipt to a representative of the applicant who made the presentation after the payment of the requisite fees approved by a resolution of the Assembly.

Processing of application forms

3. (1) The completed application form shall be processed by the Assembly within one month from the date of receipt of the application,

3(2) The processing of the application shall be done by a three-member panel comprising the head of transport department at K.E.M.A, the Solicitor of K.E.M.A. and a representative from the police motor traffic and transport unit of the Ghana Police Service;

3(3) The panel shall in processing the application among others visit the place of operation of the applicant to verify the contents and other statements made in the application;

3(4) The Assembly will assess a valid application based on the adequacy or otherwise of existing services and whether the proposed service is required in the public interest;

3(5) This will be done on the basis of the best evidence available to it, including evidence submitted by the Applicant in support of the permit application and information made available by, local, regional and national transport union representatives where necessary or other relevant interest groups;

3(6) The Assembly may, if necessary, seek information from any public or private body, but without disclosing details of the application that has been made;

3(7) The criteria for deciding whether a route is adequately served will comprise a review of existing service frequency, number of services provided per day/week, duration of daily service provided;

3(8) Evidence of unsatisfied demand would include transport studies, representations, complaints and any case made by an application.

Operational permit

4. (1) The panel after processing the application shall issue an operational permit to the applicant for the operation of the urban transport services under Type 'A' permit for areas within the Kwabre East Municipality and type 'B' permit for areas outside the Assembly's jurisdiction;

4(2) Any such permit granted is valid till 31st December of the year, in which it was issued,

4(3) A successful applicant shall pay a fee fixed by the resolution of the Assembly,

4(4) The panel in refusing an application shall state the grounds upon which the application has been refused and notify the applicant,

4(5) An applicant whose application is refused shall in the case of failing to fulfil a condition complete a fresh application and resubmit the application for consideration.

4(6) In any other case the applicant shall appeal to the MCE within 21 days after the panel's decision.

4(7) The MCE shall constitute a three-member appeals panel which shall vet the application and give its written recommendation to the MCE within fourteen days from constituting the panel,

4(8) The Appeals panel shall comprise, a Magistrate court judge who shall act as the chair, a senior lawyer and a senior police officer.

4(9) The MCE on receipt of the appeal decision shall notify the appellants of the Assembly's decision,

4(10) Where the appeals panel refuses the grant of the permit, the applicant shall within 21 days of the decision appeal to the Regional Minister for a review of the decision.

4(11) Where the appeal to the Regional Minister also refuses to grant the permit for operation, the applicant shall proceed to a court of law for redress.

4(12) The panel in processing the application shall among others consider a detailed description of the route and time table in respect of the proposed service including pick up and set down points, inspect vehicles to be used including road worthy and insurance certificates and others.

Duration of permit

5. (1) A permit granted under this bye-law shall be valid for one year after which it shall be renewed by the Assembly upon the fulfilment of the terms and conditions stated by the Assembly,

5(2) The transport department of the Assembly shall set a task force which shall visit the various routes granted to the transport operator to assess the organization's compliance with the conditions of grant of the operational permit,

5(3) An applicant whose renewal is refused by the Assembly shall go through the appeal process existing under this bye-law,

5(4) The Assembly in rejecting the renewal of the operational permit shall be guided by whether the service to which the permit relates has been carried out efficiently or not, whether there have been frequent breaches or not and whether the applicant has complied with the conditions attached to the permit under these bye-laws

Complaint Unit

6. (1) The Assembly shall set a compliant unit at the transport department to receive complaint from the general public concerning the operation of a permit holder at a bus terminal and on the routes provided to a permit holder,

6(2) Any complaints received relating to operational permits for passenger services, or other matters arising in the context of the urban passenger transport services will be investigated by the Assembly with assistance where necessary from other relevant bodies.

6(3) All complaints should be forwarded in writing to the Assembly.

Chairman- K.E.M.A. Transport Commission or

Head of Unit- K.E.M.A. Urban Passenger Transport Unit.

6(4) Any complaint received shall be investigated by the Assembly to ascertain any factual breach or breaches after which a formal letter containing the complaint shall be forwarded to the permit holder for a response,

6(5) upon receipt of the response, the complaint unit shall give opportunity to the parties to state their case and parties questioned from their evidence. A final decision will only be made after consideration of the relevant factual matters and any submissions of the relevant parties.

6(6) the complaint unit shall give its decision fourteen days after hearing the parties and their decision must be written and read to the parties after duly inviting the parties to appear before them.

6(7) where the breach or offence is established against the permit holder, the permit holder shall be given a written warning by the compliant unit and where the breach continues, it shall be a ground for revoking or refusing to renew a permit.

Regulation

7. (1) The Assembly shall regulate the urban passenger transport services within its area of jurisdiction.

7(2) Regulations of Urban Passenger Transport Services shall consist of the power to:

- a. require that Urban Passenger Transport Services for any designated area within their area of authority is operated under a permit,
- b. define routes, stopping places and terminals within part or the area of jurisdiction,
- c. invite and evaluate applications for route operating Permits and select from among the applicants,
- d. award route service contracts,
- e. award exclusive operating rights for a route, corridor or area to operators,
- f. restrict or exclude other operators from routes or corridors where route service contracts have been awarded,
- g. attach conditions to an urban passenger transport services permit in accordance with the Procedures,
- h. define and enforce services and vehicle quality standards in accordance with existing national regulations,
- i. establish mechanisms for the operations and management of passenger transport services,
- j. collaborate with any District Assembly for the performance of their respective functions relating to urban passenger transport services,
- k. generally, promote integration of urban passenger transport services.

Offences and penalty

8. (1) A person commits an offence, if that person:

- a) Provides or operates an urban passenger transport service without a Permit. The Task Force established under this bye-law shall impound the vehicle subject to the payment of a fine of between 100-150 penalty units and signing a bond before a judge or magistrate or in addition imprisonment of two months.
- b) Provides or attempts to provide an urban passenger transport service which is not in consonance with the terms and conditions of the permit. These offences shall include but not limited to:
 - (i) operating on a route different from that specified by the Permit, except at the time where there is clear evidence that the route was temporarily inaccessible,
 - (ii) operating beyond the permitted limits of the route,
 - (iii) operating at terminals not authorized under the permit,
 - (iv) stopping to allow passengers to board or alight at places which are not authorized by the Permit, and
 - (v) carrying passengers in excess of the permitted capacity of the vehicle,

Where a person contravenes bye-law 8(1) (b) his vehicle shall be impounded subject to the payment of a fine of 70 penalty units and revocation of the Permit for a period of 14 days or both.

- c) provides false information for the purpose of obtaining an urban passenger transport service Permit,

Where a person contravenes Bye-Law 8(1)(c) he shall be liable to the payment of a fine of 50 penalty units or a revocation of his permit and debarment from applying for or being granted new permit for a period of up to two (2) years.

- d) Operates or attempts to operate or ply for trade at a terminal without authorization from the Assembly in accordance with the approved procedures, amounts to an offence and the offender shall be liable on conviction to the payment of a fine of 50 penalty units.
- e) Obstructs the effective functioning of any urban passenger transport facility or infrastructure, including terminals, access to terminals, designated parking places, designated stopping places, priority lanes or dedicated running ways for passenger transport vehicles, or
- f) Intimidates or unlawfully attempts to persuade any person employed by the Assembly to carry out its functions.

Where a person contravenes bye-law 8(1) (e) and 8 (1) (f), the offender shall be liable on conviction to the payment of a fine 50 penalty units or to a term of imprisonment not exceeding two months or to both.

- (1) The provisions in these Bye-Laws shall not inhibit the Assembly in applying penalties under any existing enactment.
- (2) A person who contravenes any other provision apart from the offences specified in bye-law 9 of these Bye-Laws commits an offence and is liable on summary conviction to a fine of 40 penalty units or to a term of imprisonment of three months.

Revocation

9. Any Bye-law on Urban Passenger Transport Services in existence within the area of authority of the Assembly before the coming into force of these Bye-laws is hereby revoked.

Made at a meeting of the Kwabre East Municipal Assembly held on the ...

SIGNED

SIGNED

*Presiding Member
Kwabre East Municipal Assembly*

*Municipal Co-ordinating Director
and Secretary of K.E.M.A*

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government.

SIGNED

Regional Co-ordinating Director and Secretary to R.C.C.

Kwabre East Municipal Assembly (Building) Bye-Laws, 2018.

IN exercise of the powers conferred on the Kwabre East Municipal Assembly by section 181 of the Local Governance Act, 2016(Act 936) and in addition to the provisions of National Building Regulations, 1996, L.I. 1630, hereby make these Bye-Laws:

Building permit

1. (1) A person who proposes to develop land for any purpose or make changes to an existing building shall apply to the K.E.M.A. for a building permit and shall commence only after obtaining a building permit for its development.

(2) The prospective developer shall purchase a set of application forms and complete same for consideration by the K.E.M.A.

Application

2. (1) An application for a building permit must contain or be accompanied by particulars of the following documentary evidence;

a) Evidence of title to the land to be developed,

b) The drawings of the building to be developed signed by a licensed building surveyor, a qualified architect and a structural engineer where necessary

c) The completed application forms with the annexure shall be submitted to the K.E.M.A. after paying the requisite fee fixed by the Assembly.

Inspection of site

3.(1) On receipt of the application form, the physical planning department of the K.E.M.A. together with the applicant shall proceed to the site of the proposed development within one week and inspect the area earmarked for the development,

3(2) Where the applicant's building will obstruct the flow of water drain or sit in a road or part of it and or for any other reason, the K.E.M.A. shall refuse the granting of the permit and notify the applicant in writing the reason(s) for refusing the application.

3(3) The K.E.M.A shall monitor and ensure that such a person does not develop the proposed site.

3(4) The K.E.M.A where satisfied that the proposed development will not obstruct access and further satisfies all the conditions laid under the law, shall approve same and grant the building permit to the prospective developer who shall commence building

Development without a permit

4. (1) This Bye-law applies if building work to which these bye-laws apply has been carried out without a building permit.

4(2) The K.E.M.A. shall upon finding development without a building permit write to the owner, owner's agent or representative to which the building work relates to stop work and go through the application process before continuing with the development,

4(3) The said applicant shall pay a fine of 60-100 penalty units and purchase the application forms and follow the procedure spelt out above,

4(4) Where the owner of the property ignores the notice to apply for a building permit before continuing, the K.E.M.A. shall issue out a criminal summons before a Law court to compel the owner to procure the building permit,

4(5) Where the building is located at an unauthorized location by virtue of non-conformity to the prescribed zoning in the planning scheme, the K.E.M.A. shall proceed to court for authority to demolish the structure and surcharge the owner of the development for the cost of destruction.

4(6) A building permit is compiled to ensure that the work complies with each relevant requirement of this bye-law and the National Building regulations.

Consideration of factors for the grant

5. (1) For the purposes of granting the building permit the K.E.M.A. shall take into consideration the following factors;

- (a) There are appropriate provisions for the early warning of fire; and the appropriate means of escape in case of fire;
- (b) Waste water discharge from the house;
- (c) Septic tank placement in the house;

(d) Drainage systems and adequate provision for toilets and baths in the house

5(2) The K.E.M.A. shall ensure that the construction of drainage systems shall substantially affect the granting of the building permit.

5(3) The K.E.M.A. shall ensure that no drainage system constructed by a landlord shall flood and cause nuisance to the neighborhood. Where the drainage floods the area, the landlord shall rectify the situation by constructing a soak away to contain his or her wastewater.

Ventilation

6. (1) A building must have adequate ventilation and lighting for people in it.

6(2) Every premises shall be provided with an environmentally friendly toilet eg. Water closet before habitation

6(3) Bye-law 6 (1) does not apply to a building or space within a building that is used solely for storage or is a garage.

Access

7. The K.E.M.A shall ensure that in granting a building permit, there shall be reasonable provision for people including persons with disability to gain access to and to use, the building and its facilities

Penalty

Any person who contravenes any provision of these Bye-laws commits an offence and shall be liable on conviction by the court to a fine of between 100-250 penalty units or in default 3 months of imprisonment or both

Application

8 This Bye-law shall apply within the jurisdiction of the Kwabre East Municipal Assembly.

Title

9. This Bye-law may be cited as the Kwabre East Municipal Assembly (Building) Bye-Laws, 2018.

Revocation

10. Any Bye-law on Building in existence within the area of authority of the Assembly before the coming into force of these Bye-laws is hereby revoked.

Interpretation

11. In these bye-laws, unless the context otherwise requires –

“building” means –

- (a) a permanent or temporary structure with a roof;
- (b) a part of a building;

“building permit” means a permit that authorizes work to be carried out for which authority is required in pursuance of a provision of these bye-laws;

K.E.M.A. means Kwabre East Municipal Assembly; title means an acceptable documentary proof of ownership, which shall include a lease, an allocation notes with a site plan, and a devise in a will among others.

Made at a meeting of the Kwabre East Municipal Assembly held on the

SIGNED

Presiding Member

Kwabre East Municipal Assembly

SIGNED

Municipal Co-ordinating Director

and Secretary of K.E.M.A

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government.

SIGNED

Regional Co-ordinating Director and Secretary to R.C.C.

Kwabre East Municipal Assembly (Slaughter House) Bye-Laws, 2018.

IN exercise of the powers conferred on the Kwabre East Municipal Assembly by section

181 of the Local Governance Act, 2016(Act 936) hereby make these Bye-Laws:

Premises for slaughter house

1. (1) No premises or place shall serve as a slaughter house unless the premises have been approved by the K.E.M.A as such. To that extent the K.E.M.A shall oversee slaughter house in the city of Kwabre East Municipality.

(2) The K.E.M.A shall form a Task Force to check persons operating slaughter houses not approved by the Assembly and cause them to cease operations.

(3) The slaughter-house shall be opened for the slaughter of animals during the hours of 5am and 3pm only as the slaughter house shall stipulate but in special circumstances and on the realization of such, extra fee as the officials may think fit, allow the slaughter of an animal at any other time, under his written permission.

(4) Every slaughter house shall pay a fee to be fixed by a special resolution of the Assembly for the issuance of a permit to operate a slaughter house,

(5) The K.E.M.A before issuing the permit shall be guided by the expert advice from the Veterinary Officer and the Environmental Health Officer of the K.E.M.A.

Operational manual

2. The Veterinary and Environmental Health Officers shall fix at a conspicuous place in the slaughter house a notice showing: -

(i) The hours of working of the slaughter house.

(ii) The fees payable and

(iii) Any other directions that the slaughter house may see fit to issue.

Display of Slaughter house Bye-law

3. A copy of these Bye-Laws and a list of the registered slaughter-men shall be hanged at a conspicuous place in the slaughter-house to enable all persons working therein to know these bye-laws.

Infected person

4. (i) A person infected with tuberculosis, or any other infectious or contagious disease shall not enter / operate in the slaughter house.

(ii) The Veterinary and Environmental Officers shall require any person using the slaughter-house to submit a medical report showing that the person is healthy before working in the slaughter house.

Entry

5. No person other than the Municipal staff on duty, inspecting officers (Environmental Health and Veterinary Officers), butchers slaughter-men and their assistants or bonafide servants shall enter the slaughter house premises during the process of slaughtering, flaying or cutting up of carcasses.

Prohibitions

6. Any person transgressing the provisions of Bye-Laws 4 (i) and 5 shall be removed from the slaughter house summarily under the directions of Veterinary Public Health Officer.

7. (i) No person shall rub or cause to be rubbed the inner sides of the skins upon the ground within any portion of the slaughter house.

(ii) Hides and skins shall not be dragged within the slaughter house premises except on the hairy sides.

8.No gut scrapping trips cleaning manufacture or preparation of articles of food meant for animals, house hold washing or work of any nature, other than is involved in the slaughter house of animals and the dressing of carcasses, shall be permitted in the slaughter house.

Inspection of animals

9. Every animal intended for slaughter shall be brought to the Lairage and presented for inspection to the Veterinary and Environmental Officers.

10. The Veterinary Public Health Officer shall not approve an animal for slaughter, if: -

(i) It is less than 15 months old.

(ii) It is in a febrile condition or is excessively old.

(iii) It is pregnant or is with unweaned young.

(iv) It is deceased or in a dying condition provided that an animal, which has met with an accident, but is otherwise healthy, may be approved.

(v) It shows symptoms of having been treated cruelly by over-trucking, over-driving, or other acts.

(vi) A dog or

(vii) Any animal not meant for slaughter within the slaughter house.

(viii) Any animal brought into the slaughterhouse in contravention of these Bye-Laws shall be summarily removed under the orders of the Veterinary and Environmental Officers.

Maintenance of register

11. The Veterinary and Environmental Officers shall maintain a register in which he shall record:

- (i) The age, class, sex and a brief description of each animal presented for slaughter.
- (ii) Name and address of the owner of the animal.
- (iii) Result of ante-mortem inspection.
- (iv) Result of post mortem inspection and
- (v) Fees recovered.

Rejected animal

12. An animal rejected for slaughter shall not be brought again to the slaughterhouse.

Infectious animal

13 Animal found to be affected by any zoonotic disease or which are reasonably suspected of being so affected shall, if the Veterinary and Environmental Officers so directs, to be quarantined forthwith

Approved animals

14. Animals approved for slaughter shall be branded or marked with a distinctive mark on the ears, hoofs or horns and admitted to the waiting yard, provided that no animal shall be admitted to the lairage, if the prescribed fee has not been paid.

15. While in the kraal the owner or the person in charge of the animal shall be responsible for its security, proper care, feeding and watering provided that the slaughter house may arrange for feeding of animals, while in the lairage and recover the expenses from the owner.

Collection of fees

16. Slaughter house fee will be collected from the owners or person in charge for all the animals to be slaughtered after inspection has been completed. The fee will be fixed by the K.E.M.A from time to time.

Inspection of slaughter materials

17. The Veterinary and Environmental Officers may inspect the instruments and appliances of every slaughter-man and may prohibit the use of any instrument or appliance by a slaughter-man, if in his opinion such instrument or appliance is not in proper working condition.

Place of slaughter

18 The Veterinary and Environmental Officers shall assign a place to each slaughter-man for slaughtering and no animal shall be slaughtered by a slaughter man at any other place than the place assigned to him.

Slaughter of animals

19. Every animal shall be slaughtered immediately over the drain and no blood shall be allowed to flow upon the floor. No animal shall be slaughtered in public view, or in view of another animal.

20. Slaughtered animals shall be disemboweled as soon as possible after slaughter, to the satisfaction of the Veterinary and Environmental Officers.

21. That the offals of the slaughtered animals shall not be washed into the drain or allowed to drop on the floor but shall be emptied into receptacles provided for the purpose by the slaughter house.

Burial of carcass

22. The Veterinary and Environmental Officers may cause to be buried or destroyed any carcass or part of a carcass found to be blown or stuffed.

23. All carcasses shall after flay and cleaning be presented to the Veterinary Public Health Officer for inspection.

24. (i) Veterinary and Environmental Officers, shall have his own knives, wipe and instruments for examining carcasses and parts and organs thereof.

(ii) Knives and other instruments that have been used for cutting or examining any diseased organ, gland or tissue shall not again be used for any purpose until they have been properly disinfected.

Condemned meat

25. All meat examined and condemned shall be destroyed, buried or otherwise disposed off under the orders of the Veterinary Public Health Officer.

Passed meat

26. All carcasses, which have been examined and passed by the Veterinary and Environmental Health Officers as fit for human consumption shall be, marked “Examined and Passed” along with an identifying mark for the kind of meat such as: -

Removal of carcass

27. No person shall remove any carcass from the slaughter house premises until it has been duly examined and passed by the Veterinary and Environmental Health Officers.

28.(1) No person shall remove or cause to be removed from the premises of the slaughter house any carcass or meat except in a clean receptacle and covered in such a manner as to be screened from public view and adequately protected against flies and dust.

28(2) If any carcass or meat is removed from a vehicle the conveyance shall be such that the meat is well ventilated but at the same time invisible. The carcasses shall be hanged on hooks and not dumped on the floor of the vehicle.

Conveyance of meat

29. Every person who conveys or causes to be conveyed meat from the slaughter house:

29(1) Shall cause to be kept clean the inside and covering of the vehicle, the receptacle in which the meat is placed and such parts or any slings or other implements or apparatus used for loading or unloading has come into act with meat or its covering.

29(2) If the vehicle is open at the top, back or sides shall cause the meat to be adequately screened and protected by means of a clean cloth or other suitable material and

29(3) Shall not permit any live animal or any other article to be conveyed in the vehicle at the same time as meat

Precautions

30. Every person engaged in the handling or transport of meat shall take such precautions as are necessary to prevent the meat from coming into contact with the ground of being otherwise or subject to contamination.

Offence and penalty

31. A person who commits a breach of the provisions of any of these bye-laws shall, on conviction be liable to a fine of between 50-150 penalty units or three months imprisonment or both.

Title

32. This Bye-law shall be cited as the Kwabre East Municipal Assembly (Slaughter House) Bye-Laws, 2018.

Application

33. These Bye-laws shall apply within the area of jurisdiction of the Assembly

Interpretation

In this bye-law, K.E.M.A means Kwabre East Municipal Assembly

Made at a meeting of the Kwabre East Municipal Assembly held on the

SIGNED

SIGNED

Presiding Member

Municipal Co-ordinating Director

Kwabre East Municipal Assembly

and Secretary of K.E.M.A

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government.

SIGNED

Regional Co-ordinating Director and Secretary to R.C.C.

Kwabre East Municipal Assembly (Wetlands Protection) Bye-Laws, 2018.

In exercise of the powers on the Kwabre East Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act936) hereby made this Bye-Law:

Establishment of Wetlands

1. (1) The K.E.M.A. hereby establishes the Wetlands Protection Bye-law to protect the wetlands, water resources, and adjoining land areas under the jurisdiction of the K.E.M.A.

(2) For purposes of this bye-law, the K.E.M.A. shall collaborate with the Town and Country Planning, the Lands Commission, Environmental Protection Agency and Water Resources

Commission in the Ashanti Region to collect the data on wetlands, water resources and its adjoining lands.

(3) Upon ascertaining the areas, the K.E.M.A. shall proceed to publish in a paper that circulates in the Municipality, the electronic and print media all the areas concerned and inform the general public that no development shall take place in the designated area.

(4) The K.E.M.A. shall also erect a signpost at the site showing the demarcation of the area on the signpost.

(5) The K.E.M.A. shall indicate on this sign post that under no circumstances shall any person or company undertake any exercise to change the condition of the resource area subject to protection under this bye-law.

(6) Examples of alteration or change include but are not limited to,

i) the changing of pre-existing drainage characteristics, flushing characteristics, sedimentation patterns, flow patterns and flood retention areas;

ii) undertaking an activity that raises or lowers the water level or water table;

iii) the destruction of vegetation;

iv) Reclaiming a wetland for purposes of putting up a structure or undertaking any development in the designated area.

Discussions with traditional authority

2. The K.E.M.A shall after ascertain the various wetlands and displaying the areas, discuss this bye-law with the traditional council in whose jurisdiction these wetlands occur and inform the traditional authorities that such areas shall not be granted for development.

Prohibition

3. The K.E.M.A. shall in conjunction with the Lands Commission refuse to grant permit for development or prepare a lease in respect of such area being demarcated to a prospective developer.

Exception

4. (1) The K.E.M.A. shall however for emergency projects necessary for the protection of the health and safety of the public allow such work to be undertaken provided that the work is to be performed by or has been ordered to be performed by an agency of health has notified the K.E.M.A. at least 72 hours prior to the work being undertaken.

(2) The K.E.M.A during the period of undertaking this work shall supervise the work through its Environmental Protection Agency to ensure that nothing is done to harm the ecology of the area.

Monitoring and enforcement

5. (1) The K.E.M.A shall form a standing committee consisting of the five persons namely the Coordinating Director or his deputy, the Solicitor, the Head of Physical Planning, the head of disaster prevention and management department and one person each from the Environmental Protection Agency and Water Resources Commission to ensure the compliance of this bye-law by the traditional authorities and the prospective developers.

(2) The K.E.M.A shall pay periodic visits to the sites designated as wetlands and natural resources areas to ensure that the areas are not being degraded.

(3) Where a visit reveals any degradation, the standing committee shall inform the legal department in writing with evidence of the activities which seeks to destroy the environment.

(4) The K.E.M.A on receipt of the evidence shall have authority to enforce this bye-law by issuing a violation notice(s) or administrative orders to restore the area to its original position.

(5) Where the violation continues, the K.E.M.A shall institute both civil and criminal action to restrain the continuous degradation of the wetlands or the natural resource.

(6) The Municipal guards of the K.E.M.A, including any police officer or other officer having police powers, shall have authority to assist the committee in terms of bye-law 5(4) and (5) enforcement.

Offence and penalty

6. Any person who violates any provision of this bye-law or administrative orders issued thereunder shall be punished by a fine of 200 penalty units. Each day or portion thereof during which a violation continues, or unauthorized fill or other alteration remains in place, shall constitute a separate offence, and shall attract a fine of 2 penalty unit.

Title

7. This Bye-law shall be cited as the Kwabre East Municipal Assembly (Wetlands Protection) Bye-Laws, 2018.

Application

8. These Bye-laws shall apply within the area of authority of the Assembly.

Interpretation

In this bye-law, K.E.M.A means Kwabre East Municipal Assembly, wetlands means areas where water covers the soil, or is present either at or near the surface of the soil all year or for varying periods of time during the year, including during the growing season.

Made at a meeting of the Kwabre East Municipal Assembly held on the

SIGNED

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Presiding Member

Municipal Co-ordinating Director

Kwabre East Municipal Assembly

and Secretary of K.E.M.A

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government.

SIGNED

Regional Co-ordinating Director and Secretary to R.C.C

Kwabre East Municipal Assembly (Control of Commercial Entertainment Centres for Children) Bye-Laws, 2018.

IN exercise of the powers conferred on the Kwabre East Municipal Assembly by section 181 of the Local Governance Act, 2016(Act 936) hereby make these Bye-Laws:

License

1. (1) Any person or entity operating a commercial entertainment center for children shall take out a license from the K.E.M.A before operating same.
- (2) A prospective operator of an entertainment center shall apply to the K.E.M.A for the issuance of a license to operate the center.
- (3) The K.E.M.A shall issue out licenses to established centers upon a recommendation by the Department of Social Welfare and Community Development of the Assembly after deliberations with the building inspector of the Assembly, and a Fire Officer from the fire service.
- (4) The K.E.M.A shall by a resolution fix the fees for the issuance of the license.

(5) The Social Welfare Officer, the building inspector and the fire service officer who shall examine all applications and advise the Assembly whether to issue the license or not to the applicant.

Safety and security of the Centre:

2(1) In considering the suitability of the location of the center, the Assembly shall take into consideration, the location of the center, the accessibility and security of the premises so used. No center shall operate from a home.

(2) The Assembly shall before grant and or renewing a license to a center, examine the premises to ascertain the suitability in the nature of spacious premises, good ventilation and adequate firefighting equipment to ensure the safety of the premises to be used.

(3) Where there are defects at the centers premises, the officials of K.E.M.A shall inform the operator to remedy whatever defects detected by the inspection team before renewing or granting a new license.

(4) The operator of the center shall not produce excessive noise so as to cause nuisance to the neighborhood. The center shall observe all the rules on abatement of noise provided under K.E.M. A's bye-laws.

Protection of Children

3. (1) An entertainment center shall be used to screen games for children.

3(2) Games depicting gambling, prostitution, smoking, drinking and any other unhealthy and unacceptable behavior shall not be screened to the children to expose them to physical, psychological, emotional and moral dangers.

3(3) A child below the age of sixteen (16) years shall not patronize an entertainment center during school hours except during weekends and holidays and shall be accompanied by a responsible adult.

3(4) A child shall not attend any center after 6.00 pm unaccompanied by a responsible adult.

Monitoring and Enforcement

4. (1) The Social Welfare Officers of the Assembly and officials of the Municipal Guards shall monitor compliance of this bye-law to ensure the safety of the children.

4(2) The Social Welfare Staff and the Municipal Guards shall pay periodic visits to these centers to inspect the premises and also ascertain compliance under this bye-law.

Penalties and Offences

5. (1) Any person who violates any provision of this bye-law or administrative orders issued hereunder commits an offence and is punishable by a fine of 150 penalty units.

(2) The owner after the payment of the fine shall make an undertaking to comply strictly with the provisions of this bye-law in the interest of the children.

(3) A subsequent breach by the center's operator will amount to a revocation of the centers license, which shall only be restored, through a thorough assessment by the team of inspectors named in this bye-law.

Title

6. This Bye-law shall be cited as the Kwabre East Municipal Assembly (Control of Commercial Entertainment Centers for Children) Bye-Laws, 2018.

Application

7. These Bye-laws shall apply within the area of authority of the Assembly.

Interpretation

In this bye-law, K.E.M.A means Kwabre East Municipal Assembly, children means those less than 16 years, Commercial Entertainment Centre means video or game center,

Made at a meeting of the Kwabre East Municipal Assembly held on the

SIGNED

SIGNED

Presiding Member

Municipal Co-ordinating Director

Kwabre East Municipal Assembly

and Secretary of K.E.M.A

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government.

SIGNED

Regional Co-ordinating Director and Secretary to R.C.C.

Kwabre East Municipal Assembly (Bola Taxi) Bye-Law, 2018

In exercise of the powers conferred on the Kwabre East Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby made this Bye-Law:

Title

- 1 This Bye-law may be cited as Kwabre East Municipal Assembly (Bola Taxi) Bye-law, 2018.

License

2. (1) The owner or person in possession of any Bola Taxi having wheels propelled by mechanical means in the Municipality shall acquire a license for such tricycle.
(2) A license issued under this Bye-Law shall expire on the 31st December, of the year in which it was issued.

Fees

3. (1) The Kwabre East Municipal Assembly shall by a resolution fix the fees payable for the issuance of the license.
(2) A Bola Taxi issued with a license shall display it on the side.

Condition of Vehicle

4. Before the issuance of a license, a testing officer of the Assembly or a person directed to do so by the Assembly shall certify that the condition of the tricycle does not endanger the life of persons or property.

Prohibition

5. (1) A person below the age of 18 years shall not ride any Bola Taxi within the area of jurisdiction of the Assembly.
(2) No person shall sit beside the rider while it is in motion.

Rules of the Road

6. The user of any such Bola Taxi which is subject to this Bye-law shall use the main road but not pedestrian walkways or in the middle of the road.

Restrain on use of Bola Taxi

- 7 A Bola Taxi licensed under this Bye-law shall not obstruct and endanger road users.

Removal of falling filth or litter

- 8 The person who uses Bola Taxi to convey refuse shall cover the receptacle with a net, tarpaulin or a suitable material to prevent the litter from falling into or upon the street or any drain or gutter abutting thereon and shall where necessary for that purpose use a cart or other suitable vehicle or receptacle properly and sufficiently covered.

Licence

- 9 (1) A prospective conveyer of any form of waste shall first apply to the K.E.M.A in writing for a license to collect and transport waste;
- (2) The application shall indicate among others the nature of waste to be collected, the individual or company's registration documents among others;
- (3) The K.E.M.A. in considering the application shall seek expert advice from the Environmental Health Department on the suitability of the applicant's Bola Taxi to be used for the collection of the waste, the safety measures in place.
- (4) After considering the application, the K.E.M.A. shall issue a license subject to the payment of the approved fees determined by the resolution of the K.E.M.A and other conditions, which said license, shall expire on the 31st of December of the year in which the license was issued and shall be renewed in the subsequent year.

Failure to comply

- 10 A license issued under these Bye-laws may be revoked by the K.E.M.A. on the advice of the Environmental Health Department where the holder has failed to comply with the provisions of the grant of the license and the provisions of these Bye-Laws.

Notice to offenders

11. (1) A license may be revoked by the K.E.M.A. after a written notice has been served on the defaulting party and given ten days to remedy the wrong but has failed and or refuse to do so.
- (2) Any license so withdrawn shall only be restored after the applicant has complied with all the requirements required under these Bye-laws.

Revision of terms

- 12 The terms of the grant of the license shall be reviewed every year.

Cleaning

- 13 (1) If during the conveyance of filth, dust, ashes, refuse or litter some fall off from the Bola Taxi, the person undertaking such conveyance shall cause same to be removed and clean the place on which such filth, dust, ashes, refuse or litter falls,
- (2) For purposes of this Bye-Law 15(1), a Bola Taxi conveying filth which litters the street or any place shall be surcharged by a task force set up to enforce the provisions of these Bye-laws.

Enforcement

- 14 Municipal Guards, the Environmental Health Department and other relevant

Departments of the Assembly are vested with power to ensure compliance with the provisions of this Bye-law.

Monitoring

15. The Environmental Health Department of the Assembly shall monitor the operations of the Bola Taxis to ensure compliance with these Bye-Laws.

Offence

16. A person who contravenes any of the provisions of these Bye-laws shall be guilty of an offence and shall on conviction be liable to a fine between *50-70 penalty units* or imprisonment for a term not exceeding three months or both.

Application

17. This Bye-law shall apply within the area of authority of the Assembly.

Interpretation

18. In this Bye-law unless the context otherwise requires, K.E.M.A means Kwabre East Municipal Assembly, Bola Taxi (Aboboyaa) means a tricycle for the purposes of conveying refuse from one point to another.

Revocation

19. Any Bye-laws on Bola Taxi in the existence in the area of operation of the K.E.M.A before the coming into force of these Bye-laws are hereby revoked.

Made at a meeting of the Assembly held on the

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Presiding Member

Municipal Co-ordinating Director

Kwabre East Municipal Assembly

Secretary to K.E.M.A

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government.

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Regional Co-ordinating Director and Secretary to R.C.C.