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LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY (SANITATION) BYE-LAWS, 2017

IN EXERCISE of the powers conferred on the La Nkwantanang-Madina Municipal Assembly by Section 181 of the Local Governance Act, Act 936 of 2016 these Bye-laws are made this 20th day of April, 2017.

REFUSE DISPOSAL**Dumping of Refuse at Unauthorized Place Prohibited**

1. (1) A person shall not dump refuse at an unauthorized place within the jurisdiction of the Assembly.
- (2) If any offender under sub-section (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.
- (3) Where in any community or dwelling place, there is an accredited contractor assigned for waste collection, residents shall register with the accredited waste management company for waste collection services.
- (4) Where a client who has received service for refuse collection fails to pay monthly subscription fees the assembly shall resort to prosecute in order to recover such amount for the contractors.

Provision of Waste Bin

- (5) A household, an owner or occupier of a premise shall provide a waste bin for which the owner shall pay a fee to the Assembly's approved Contractor for the collection of waste or garbage. A person who without lawful justification or excuse, proof of which shall be on him, refuses or willfully neglects to pay for refuse collection services commits an offence.

PROVISION OF TOILET FACILITIES**Approved Toilet Facilities**

2. (1) A landlord or a person in charge of a house shall construct toilet facilities that have been approved by the Assembly.
- (2) Requirement; a minimum of between 12 to 20 persons to one toilet facility.

Defecating at Unauthorized Place

3. A person shall not defecate at the banks of rivers and water sources or other similar areas.

Penalty

A person who contravenes the preceding laws 1-3 commits an offence and is liable on summary conviction to pay a fine of one hundred penalty units converted to Ghana Cedis forty per cent (40%) of which fine shall, on payment, be ceded to the Assembly or in default one month imprisonment or both.

11. In these Bye-laws unless the context otherwise requires;
"Assembly" means the La Nkwantanang-Madina Municipal Assembly;

Category of Wastes

The following categories of waste shall be covered under these Bye-laws:

- (1) Waste of the descriptions set out in these Bye-laws shall be treated as household waste for the purposes of all the provisions of the Environmental Sanitation Bye-laws.
- (2) Waste of the following descriptions shall not be treated as household waste for the purposes of clause 1
 - a. any mineral or synthetic oil or grease;
 - b. asbestos; and
 - c. clinical waste
- (3) Waste of the descriptions set out in these Bye-laws shall be treated as industrial waste for the purposes of the provisions of the Urban Environmental Sanitation Bye-laws.
- (4) Waste of the descriptions set out in this Schedule shall be treated as commercial waste for the purposes of the provisions of the Urban Environmental Sanitation Bye-laws.

12. In these Bye-laws unless the context otherwise requires;
"Assembly" means the La Nkwantanang-Madina Municipal Assembly;
"Toilet" means a sanitation fixture used for the storing or disposal of human urine and faeces.
'Approved toilet' means acceptable, environmentally friendly and sanitary fixture

HON. ISMAILA BRAIMAH BLAY
Presiding Member

CHARLES ASHALLEY DJANE
Secretary

**LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY
(ABATEMENT OF LITTER) Bye-laws, 2017**

IN EXERCISE of the powers conferred on the La Nkwantanang-Madina Municipal Assembly by Section 181 of the Local Governance Act, Act 936 of 2016 these Bye-laws are made this 20th day of April, 2017.

Littering the Environment

1. A person who litters the environment commits an offence.

Deposit of Litter

(a) A person shall not place, deposit, throw, leave or cause to be placed, any waste, otherwise than in a receptacle or place provided by the Assembly for that purpose.

Rubbish not to be Swept into Streets or Specified Places

2. A person shall not;

(a) Sweep rubbish from any shop, house or vehicle into any street or road, park, recreation ground or other public or open space or median of a road, ditch, water course, gutter or drain abutting any street.

(b) Throw down and leave or cause or permit to be thrown down and left in any street or road, park, recreation ground or other public or open space for the purpose of advertising any bill, placard or other substances.

Removal of Falling Rubbish

2. A person who conveys filth, dust ashes, refuse or litter or a noxious or offensive matter or liquid under this clause shall cover the receptacle with a net, tarpaulin or a suitable material to prevent the rubbish from falling into or upon the street or any drain or gutter.

Penalty

A person who contravenes the preceding laws commits an offence and is liable on summary conviction to pay a fine of one hundred penalty units converted to Ghana Cedis forty percent (40%) of which fine shall, on payment, be ceded to the Assembly or in default one month imprisonment or both.

13. Interpretation

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

"Litter" means small pieces of rubbish, garbage such as paper, cans and bottles that people have left lying in a public place.

HON. ISMAILA BRAIMAH BLAY
Presiding Member

CHARLES ASHALLEY DJANE
Secretary

**LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY
(NOTICE TO ABATE NUISANCE) Bye-laws, 2017**

IN EXERCISE of the powers conferred on the La Nkwantanang-Madina Municipal Assembly by Section 181 of the Local Governance Act, Act 936 of 2016 these Bye-laws are made this 20th day of April, 2017.

1. Definition of Nuisances

For the purposes of this Act, the following are nuisances liable to be dealt with in the manner provided:

(a) an animal so kept as to be a nuisance or injurious to health;

(b) the growth of weeds, prickly pear, long grass, or wild bush of any sort;

(c) the keeping or harbouring of an animal in any premises in a manner, or in any premises so constructed or so situated, as to cause or to be likely to cause the keeping or harbouring to be a nuisance or injurious to health;

(d) a house or part of a house so overcrowded as to be dangerous or injurious to the health of the inmates;

(e) a pool, ditch, gutter, an eaves-gutter, a watercourse, well, pond, tank, privy, urinal, cesspool, drain, or an ashpit, which is, or is in a state as to be offensive or injurious or dangerous to health, or likely to be so;

- (f) an accumulation or a deposit of articles or things which are detrimental to the amenities of the place, or in respect of which it is certified by a health officer that by reason of its character or situation it is or is likely to be injurious or dangerous to health;
- (g) any street, house, or premises in a state as to be a nuisance or injurious to health;
- (h) a work, manufactory, trade, or business, injurious to the health of the neighbours, or dangerous, or so conducted as to be dangerous or injurious to health;
- (i) a well, pond, or tank, the water of which is so tainted with impurities or otherwise unwholesome as to be injurious to the health of persons using it;
- (j) a rat-infested house or premises, or a rat-infested part of any house or premises, or a rat-hole in any part of any house or premises;
- (k) the keeping of swine.

(2) As regards swine, the provisions of this Act relating to nuisances shall apply only to the towns and within the limits prescribed by a legislative instrument made under section 1. 43

2. Inspector of nuisances

An inspector of nuisances shall make from time to time inspection of the district, with a view to ascertain the existence of nuisances calling for abatement under this Act, and enforce the provisions of this Act.

3. Information of Nuisances

Information of a nuisance may be given by an aggrieved person or by a policeman.

4. Notice to Abate Nuisance

(1) Where an inspector of nuisances or health officer or the relevant local government authority receives information of, or otherwise has reason to suppose the existence of, a nuisance, the authority shall or by an authorized person, visit the premises where the supposed nuisance exists, and shall serve a notice on the person by whose act, default, or sufferance the nuisance arises or continues, or the occupier or owner of the premises, requiring the abatement of the nuisance; and in the case of a nuisance falling within the purview of paragraph (c) of section 29, the notice may require the occupier or owner of the premises concerned to remove the animal concerned from the premises.

(2) Where the person on whom the notice is served defaults, in complying with any of its requisitions within the time specified by the notice, or within five days if the time was not specified, or fails to satisfy the inspector of nuisances or health officer or the relevant local government authority that due diligence has been used to carry out the requisitions, or if the nuisance, although abated since the date of the notice, is in the opinion of the inspector of nuisances, health officer, or the relevant local government authority likely to recur on the same premises, the health officer, inspector or authority shall take proceedings before a Court.

(3) Where the court is satisfied that the alleged nuisance exists, or that although abated it is likely to recur on the same premises, the court shall make;

(a) an order on the person in default, requiring that person to comply with all or any of the requisitions of the notice, or otherwise to abate the nuisance within the time specified in the order, or a sufficient time determined by the court, or

(b) an order prohibiting recurrence of the nuisance, or

(c) an order both requiring abatement and prohibiting the recurrence of the nuisance.

(4) The Court may impose a fine of one hundred penalty units on the person on whom the order is made in respect of the nuisance existing previously to the order.

(5) A person who disobeys an order requiring abatement or prohibiting the recurrence of the nuisance is liable if that person fails to satisfy the Court that due diligence had been used to carry out the order, to a fine of one hundred penalty units for each day during the default.

(6) A person who acts knowingly, and willfully contrary to an order of prohibition is liable to a fine of five hundred penalty units per day during the contrary action.

(7) The inspector of nuisances or health officer or the relevant local government authority may enter the premises to which the order relates and abate the nuisance, and do whatever may be necessary in execution of the order, and recover the expenses incurred as a debt from the person on whom the order is made.

5. Power to Abate Nuisance

Where it appears to the satisfaction of the Court that the person by whose act or default the nuisance arises, or the owner or occupier of the premises is not known or cannot be found, the necessary work for abating the nuisance may be executed by the inspector of nuisances or health officer or the relevant local government authority.

- (1) Where the Court is satisfied that the alleged nuisance exists, or that although abated it is likely to recur on the same premises, the Court shall make
- (a) an order on the person in default, requiring that person to comply with all or any of the requisitions of the notice, or otherwise to abate the nuisance within the time specified in the order, or a sufficient time determined by the Court, or
 - (b) an order prohibiting recurrence of the nuisance, or
 - (c) an order both requiring abatement and prohibiting the recurrence of the nuisance.

6. Powers of Entry to Abate Nuisances

- (1) An inspector of nuisances, health officer, or the relevant local government authority or a person or persons authorised in writing by any of them together with an assistant bearing the official badge or token, may enter and inspect any premises at any time between six in the morning and six in the evening, for the purpose of ascertaining the existence or continuance of a nuisance, or of abating a nuisance.
- (2) Where the admission to premises for any of the purposes of this section is refused, the District Chief Executive may, require the person having custody of the premises to admit any of the persons referred to in subsection (1) into the premises during the specified hours.
- (3) Where a person is not found on the premises, the District Chief Executive may authorise any of the person referred to in subsection (1) to break and enter the premises.
- (4) The authority of the District Chief Executive remains in force until the nuisance is abated or the work for which the entry was necessary had been done.
- (5) A person who refuses admission to an inspector or any of the persons referred to in subsection (1) or obstructs or hinders any of them in making the entry or inspection or abatement of nuisance or disobeys the order is liable to a fine of one thousand penalty units.

HON. ISMAILA BRAIMAH BLAY
Presiding Member

CHARLES ASHALLEY DJANE
Secretary

LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY (ENVIRONMENTAL SANITATION DAY) Byc-laws, 2017

IN EXERCISE of the powers conferred on the La Nkwantanang-Madina Municipal Assembly by Section 181 of the Local Governance Act, Act 936 of 2016 these Bye-laws are made this 20th day of April, 2017

Environmental Sanitation Day

1. (1) An able person shall on an "Environmental Sanitation Day" between the hours of 6:00 a.m. and 10:00 a.m. on the third Saturday of each month undertake clean-up activities and specific exercises as the Assembly may direct.
- (2) On that day, the Assembly, Zonal Councils and Unit Committees in all the communities of the Municipality shall undertake cleaning exercises in their environment and public places of convenience and sanitary facilities.
- (3) Barkeepers, restaurants (chop bars), market traders and shop-keepers shall not operate their business and shall undertake cleaning activities using their own resources in their communities during the period stated in 1 (1) above.

GPRTU, PROTOA and Others

2. The Ghana Private Road Transport Union, Private Road Transport Owners Association and other similar unions or organized bodies shall use their own resources to undertake cleaning activities at lorry parks and stations in their communities.

Office Workers To Participate In Activities

3. On "Environmental Sanitation Day", workers in offices and commercial houses shall undertake cleaning activities in their offices and premises.

No Vehicular Movement

4. There shall be no vehicular movement on "Environment Sanitation Day" except for emergencies, urgent errands, vehicles bringing sanitation tools, equipment and Governmental vehicles serving humanitarian purposes or bringing essential items to the community like ambulances, fire service, and utility services.

Communal Labour

5. (1) A person who is 18 years and above shall take part in communal labour organized by the Assembly or its authorized agents.

Offence

5. It is an offence for a person or group of persons to contravene the provisions of these Bye-laws and the Assembly shall by a resolution determine the quantum of penalty units, but the minimum penalty shall not be less than one hundred penalty units and the maximum not more than two hundred and fifty penalty units. Forty percent (40%) of the fine imposed shall on payment, be ceded to the Assembly.

Interpretation

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

“Assembly” means the La Nkwantanang-Madina Municipal Assembly;

‘Environmental sanitation day’ means a day set aside by law for general cleanliness

‘Communal labor’ means a gathering to provide manual work.

HON. ISMAILA BRAIMAH BLAY
Presiding Member

CHARLES ASHALLEY DJANE
Secretary

LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY
(WASTE WATER) Bye-laws, 2017

IN EXERCISE of the powers conferred on the La Nkwantanang-Madina Municipal Assembly by Section 181 of the Local Governance Act, Act 936 of 2016 these Bye-laws are made this 20th day of April, 2017

Duty to provide Linkage Drain

1. (1) The owner of a household or occupier of premises shall connect a linkage of waste water after the main storm drain or culvert, except sewerage wherever available.
(2) The linkage drain shall be made of concrete and shall also be covered.
(3) Domestic waste water shall be contained in a soak-away pit.

Application

2. These Bye-laws apply to premises such as dwelling houses, industrial or commercial houses, structures or sheds whether or not permanently occupied within the Assembly’s area of jurisdiction.

Penalty

3. A person who contravenes any of the provisions of these Bye-laws commits an offence and is liable on summary conviction to a minimum fine of one hundred penalty units to be converted to Ghana Cedis forty percent (40%) of which shall, on payment be ceded to the Assembly or in default one month imprisonment or both.

The equivalent of an applicable penalty unit will be indicated in the relevant Fee Fixing Resolution or fixed by the Court.

Interpretation

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

“Assembly” means the La Nkwantanang-Madina Municipal Assembly

HON. ISMAILA BRAIMAH BLAY
Presiding Member

CHARLES ASHALLEY DJANE
Secretary

**LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY
(CEMETERIES) Bye-laws, 2017**

IN EXERCISE of the powers conferred on the La Nkwantanang-Madina Municipal Assembly by Section 181 of the Local Governance Act, Act 936 of 2016 these Bye-laws are made this 20th day of April, 2017

Control of Cemeteries

1. (1) The Assembly shall have the control and management of all cemeteries within the area of its jurisdiction.
(2) The Health and Sanitation Unit of the Assembly shall ensure that all cemeteries under the control of the Assembly are kept neat and tidy at all times.
(3) No person shall keep and manage a cemetery unless a permit for that purpose has been obtained from the Health and sanitation Unit of the Assembly.

Plan of Cemetery

2. The Assembly shall cause a plan of each cemetery to be prepared by a licensed surveyor or the Municipal Engineer;
(a) the plan shall delineate the position of all grave spaces and pathways.
(b) the plan shall be kept by the Assembly's Municipal Environmental Health Officer; and
(c) a copy of the plan shall be kept in the office of the sexton in charge of the cemetery.

Burial Certificate

3. A person who buries a dead person without a death certificate and a burial permit is liable on summary conviction to a fine of thirty penalty units or a month of imprisonment or both. Forty percent (40%) of which fine shall, on payment, be ceded to the Assembly.

Infant Burials

4. (a) each cemetery shall have separate places for infant burials and there shall be no free burials;
(b) Each infant grave space shall be 1.2 metres by 0.9 metres.

Grave Space

5. (a) each adult grave space in every cemetery shall be 2.4 metres by 1.2 metres;
(b) No grave in a cemetery shall be less than 2.4 metres deep; and
(c) Each grave space delineated and plotted in the plan under paragraph 2 of these Bye-laws shall be consecutively numbered.

Head Stone

6. The foundation of head stone or other memorial in a cemetery shall not extend more than 0.6 metres below the surface of the ground.

Fees

7. (a) the Assembly shall in accordance with its Fee-Fixing Resolution, stipulate fees payable for graves, grave space and vaults.
(b) There shall be no free burial without the authorization of the Assembly.
(c) The authority given under paragraph 6 (b) shall be in writing and the reasons for free burial shall be stated therein.

Burial Application

8. The Assembly shall issue a burial permit before burial is done.
(a) No burial shall be allowed without a permit and a death certificate issued by the Assembly;
(b) An application for a grave space for the burial of a person in a stool cemetery or royal meuseleum shall also be channeled to the Assembly;
(c) An application shall be accompanied with a written consent of a Head of Stool or a head of a Royal Family.
(d) A grave space shall not be allocated in respect of infants without consent of the head of the Stool.
(e) Where there is no head under 7 (c) above.

Burial Hours

9. (a) Burial shall take place in a public cemetery between the hours of 7:00 am and 6:00pm
(b) A burial conducted outside the stipulated hours shall be with the written consent of the Assembly.

Registration of Burials

10. The sexton in charge of a cemetery shall keep a register of all burials.

Nuisance

11. A person shall not create any nuisance in a cemetery.

Penalty

12. Any person who contravenes any provision of these Bye-laws commits an offence and is liable on summary conviction to a fine of one hundred and fifty penalty units forty per cent of which fine shall, on payment, be ceded to the Assembly or in default one month imprisonment.

Interpretation

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

“Assembly” means the La Nkwantanang-Madina Municipal Assembly;

“Sexton” means an Environmental Health Officer who supervises burials at the cemetery.

HON. ISMAILA BRAIMAH BLAY
Presiding Member

CHARLES ASHALLEY DJANE
Secretary

LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY
(CONTROL OF STRAY ANIMALS) Bye-laws, 2017

IN EXERCISE of the powers conferred on the La Nkwantanang-Madina Municipal Assembly by section 181 of the Local Governance Act, Act 936 of 2016 these Bye-laws are made this 20th day of April, 2017

Pigs, Cattle, Goats to be kept by Permit

1. (1) No person shall keep any pigs, cattle, sheep, goats, grass cutters and other domesticated animals within the area of administration of the Assembly without a permit issued by the Assembly for that purpose
- (2) Notwithstanding paragraph 1 (1) above a person may keep animals within the area of administration of the Assembly for domestic, religious or customary purposes upon the conditions that the animals-
 - a. Are kept in pens, sty or kraals which are well maintained.
 - b. Do not constitute a nuisance to neighbors; and
 - c. Are attended to by veterinary officers, and that owners are to ensure that sanitary rules specified by the Municipal Environmental Health Officer are maintained.

Number of Goats and Sheep to be kept in a Dwelling House

2. The number of goats, grass cutter, sheep and other animals to be kept in any dwelling house shall not exceed twenty.
 - (1) Subject to paragraph 2 above, no person shall keep pigs, cattle, etc in any premises except at designated places as may be approved by the Assembly.

Inspection of Premise

3. (1) An authorized officer, or agent of the Assembly, may enter at any reasonable time and inspect any premises where pigs, cattle, sheep, goats, etc are kept.
- (2) Any animal found in excess of the permitted number may be impounded by the officer or agent under paragraph 3 (1).

Detention of Animals

4. (1) Any officer or agent of the Assembly may impound any pigs, cattle, sheep, goats etc found in a public place without any person being in charge of it.
- (2) The Assembly shall not be liable for any swine, cattle, sheep, goat etc that may die after it has been impounded.
- (3) The owner of any impounded goat, sheep etc may retrieve it on conditions as may be determined by the Assembly.

Penalty

4. Any person who contravenes any provision of these Bye-laws commits an offence and shall be liable on conviction to a fine not exceeding one hundred penalty units per animal or in default a term of imprisonment not exceeding six months or both. Forty percent (40%) of the fine imposed shall, on payment, be ceded to the Assembly.

Interpretation

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

‘Assembly’ means the La Nkwantanang-Madina Municipal Assembly;

‘Authorized officer’ means any person giving the official permission to act on behalf of the Assembly

‘Agent’ means authorized bodies like unit committee members, traditional chiefs and people who closely work with the assembly

‘Reasonable time’ varies from nuisance to nuisance. It refers to the minimum time required to abate a nuisance without creating a health hazard

HON. ISMAILA BRAIMAH BLAY

Presiding Member

CHARLES ASHALLEY DJANE

Secretary

**LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY
(CONTROL OF POULTRY IN DWELLING HOUSE) Bye-laws, 2017**

IN EXERCISE of the powers conferred on the La Nkwantanang-Madina Municipal Assembly by section 181 of the Local Governance Act, Act 936 of 2016 these Bye-laws are made this 20th day of April, 2017

Limitation of Poultry to be kept in dwelling houses

1. (1) Subject to the provisions of these Bye-laws, the maximum number of poultry that may be kept in a dwelling-house, where poultry is permissible, within the Assembly’s Administrative area shall not exceed 50 birds.
- (2) Whenever the sanitary condition of the poultry causes nuisance, the Assembly shall order its closure.

Impounding of poultry

2. (1) An officer of the Assembly duly authorized to impound excess poultry may at any reasonable time during the day enter and inspect any premises where poultry are kept and may request the owner or keeper of the poultry to dispose of the poultry which is in excess of the permitted number within fourteen days.
- (2) Where the owner or keeper of the poultry fails to dispose of the excess poultry within the stipulated fourteen days upon request, the authorized officer of the Assembly may seize or impound and put them in a pound.

Housing of Poultry

3. Poultry shall be kept in deep-litter or hatchery cage or in any cage or other suitable housing, the floor of which shall be spread with a suitable absorbent material such as saw dust or wood shavings to minimize the smell of droppings.

Size of Housing

4. The size of the housing for poultry shall be as specified in the schedule to these Bye-laws, unless the Assembly in its discretion determines otherwise.

Disposal of Droppings

5. (1) Litter or droppings cleared from deep litter or battery cages or any other structure housing poultry shall be disposed of in accordance with any law governing sanitation in the Municipality and in a manner as the Assembly’s Environmental Health Officer may, by notice in the Local Government Bulletin direct.
- (2) Any such litter or droppings shall not be disposed of in a manner that constitutes a nuisance to residents in the area.

Stray Poultry Disallowed

6. (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 Assembly duly authorized, may impound any stray or straying poultry, which he finds in a public place and put them in a pound.

Surrender of Stray Poultry

7. An owner or occupier of any premises into which poultry stray, may impound them and he shall within 24 hours, surrender them to the Assembly or arrange for the Assembly or its Environmental Health Officer to take possession of them, and the expenses incurred borne by the owner of the strayed animal(s).

Redemption of Impounded Stray Poultry

8. The owner of any impounded stray poultry may redeem them after paying 1 penalty unit per bird for each day that the poultry was kept.

Failure to Pay Expense of Stray Poultry

9. (1) Where the expenses of keeping the poultry are not paid by the owner within fourteen days after being impounded, the keeper or other person(s) appointed by the Municipal Environmental Health Officer shall sell them by Public Auction and may pay the proceeds therefore to the Municipal Finance Officer of the Assembly after deducting the expenses incurred for keeping the poultry.
- (2) The Finance Officer of the Assembly shall pay the owner of the poultry the amount realized from the sale less any expenses incurred by the Assembly for keeping and selling same upon demand from owner within fourteen days after such sale.

Power of Environmental Health Officer to Inspect

10. A duly authorized officer of the Assembly may at any reasonable time during the day, enter any house in which he has reason to believe that poultry are being kept for the purpose of:-

- (1) Advising on, 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
- (2) Finding out if the conditions under which poultry are being kept meet the requirements of these Bye-laws.

Discretionary Powers of Assembly

11. Notwithstanding the provisions of these Bye-laws, the Assembly 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 to such conditions relating to sanitation as it may be reasonably necessary in the public interest.

Penalty

12. A person who contravenes the provisions of these Bye-laws commits an offence and shall be liable on summary conviction to a fine not exceeding two hundred and fifty penalty units and not less than one hundred penalty units per bird or in default a term of imprisonment not exceeding six months or to both. Forty percent (40%) of the fine imposed shall, on payment, be ceded to the Assembly.

Interpretation

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

14. "Poultry" includes domestic fowls, turkeys, eggs, ducks, guinea fowls and pigeons etc.

SCHEDULE (Paragraph 4)

The minimum area occupied by poultry (unless kept in battery, cages) shall be as follows:-

- (a) Housing for 50 birds of poultry 7.5 sq. metres.
- (b) Housing for poultry between 50 and 100 birds 152sq metres.
- (c) Housing for poultry between 100 and 200 birds 304 sq. metres.
- (d) In each case the housing shall have a roof not less than 1.8 metres from the floor level.

HON. ISMAILA BRAIMAH BLAY
Presiding Member

CHARLES ASHALLEY DJANE
Secretary

**LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY
(CONTROL OF DOGS) Bye-laws, 2017**

IN EXERCISE of the powers conferred on the La Nkwantanang-Madina Municipal Assembly by section 181 of the Local Governance Act, Act 936 of 2016 these Bye-laws are made this 20th day of April, 2017.

Dog license

1. (1) A person who keeps a dog within the area of authority of the Assembly shall obtain a license from the Municipal Environmental Health Officer of the Assembly in respect of the dog.
(2) No dog license shall be issued by the Assembly unless the owner produces an inoculation certificate.

Duration and Licensing Fee

2. (1) A dog license shall be valid for a period of one year from the date of issue.
(2) The Assembly shall by a resolution determine the fee for a dog license.

Badges

3. A person to whom a dog license is issued shall, while the license remains in force, keep on the dog a metal or plastic badge supplied by the Assembly.

Power to Seize and Destroy Dog

4. An officer of the Assembly, duly authorized may seize and detain dog found in a public place which is not wearing a badge or which appears to be a stray dog.

Notice of Seizure

5. (1) Where the owner of the dog is known, the officer shall cause a notice of seizure to be served on that owner as soon as practicable.
(2) A dog seized and detained under these Bye-laws shall be released to its owner if the owner produces a valid license in respect of the dog and pays a detention fee of 1 penalty unit for each day that the dog has been detained. Forty percent (40%) of such fee shall, on payment, be ceded to the Assembly.
(3) Where a dog is detained under this paragraph for more than fourteen days and its owner cannot be found or where notice of the detention is given to the owner and the owner does not claim the dog within fourteen days after notice is served or the owner fails to pay the impoundment fee, the Municipal Environmental Health Officer may cause the dog to be destroyed or disposed of.

Seizure of Diseased Dog by Assembly Officer

6. The Assembly or an officer authorized on the behalf of the local government may seize a dog which is suffering or which the officer reasonably believes to be suffering from mange, rabies or other diseases within the meaning of Section 9 of Act 851 and Section 302 of Act 29/60

Licence to be Produced on Demand

7. A person who has a dog license in force shall produce it within twenty-four hours on request by an officer of the Assembly.

Inoculation of Dogs

8. A person who keeps a dog shall have it inoculated once every year against rabies at the District Veterinary Office and obtain a certificate to that effect.

Penalty

9. A person who contravenes any of the provisions of these Bye-laws commits an offence and is liable on summary conviction to a fine not exceeding two hundred and fifty penalty units and not less than one hundred penalty units or in default of payment, to a term of imprisonment not exceeding three months or both. Forty percent (40%) of the fine imposed shall, on payment, be ceded to the Assembly.

Interpretation

10. In these Bye-laws unless the context otherwise requires
"Assembly" means the La Nkwantanang-Madina Municipal Assembly;

HON. ISMAILA BRAIMAH BLAY
Presiding Member

CHARLES ASHALLEY DJANE
Secretary

**LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY
(CONTROL OF SLAUGHTERHOUSES) Bye-laws, 2017**

IN EXERCISE of the powers conferred on the La Nkwantanang-Madina Municipal Assembly by section 181 of the Local Governance Act, Act 936 of 2016 these Bye-laws are made this 20th day of April, 2017

Use of Public Slaughterhouse

1. (1) A person shall not slaughter an animal for human consumption within the jurisdictional area of the Assembly other than in the public slaughter-house or other places appointed for that purpose by the Assembly.
(2) A person shall not sell or offer or expose within the jurisdiction of the Assembly the flesh of domestic animals not killed in a slaughterhouse or other places appointed for the slaughter of animals.

Not to Cause Pain or Harm to Animals for Slaughter

2. (1) The person in charge of animal(s) awaiting slaughter shall provide it with sufficient food and water, and protect it from being harassed by insects and from any act that turns to unnecessarily cause it pain or harm.
(2) All animals slaughtered shall be killed by cutting the throat after stunning, or by means of a "captive bolt" pistol (the latter to be used only by a person authorized by the Municipal Environmental Health Officer)
(3) An animal shall not be slaughtered within the sight of another living animal.
(4) Subject to the provisions of the foregoing paragraph of this Bye-Law, an Environmental Health Officer or any person employed by the Assembly to exercise control over a slaughterhouse or other places designated for the slaughter of animals shall have power to direct the manner in which an animal shall be slaughtered so as to prevent unnecessary cruelty.

Cleaning of Slaughterhouse after Use

3. A person who slaughters an animal in a slaughterhouse or other places approved for the slaughter of animals shall keep the slaughterhouse clean and shall, before leaving, clean blood and wash the slaughterhouse to the satisfaction of the Environmental Health Officer or any person employed by the Assembly to exercise control over slaughterhouses or other places approved for the slaughter of animals.

Fee for Using Slaughterhouse

4. The Assembly shall charge fees as shall be fixed by a resolution of the Assembly for the use of the slaughterhouse.

Penalty

A person who contravenes any of the provisions of these Bye-laws commits an offence and is liable on summary conviction to a fine not exceeding two hundred penalty units and not less than one hundred penalty units or in default of payment, to a term of imprisonment not exceeding three months or both. Forty percent (40%) of the fine imposed shall, on payment, be ceded to the Assembly.

Interpretation

5. In these Bye-laws unless the context otherwise requires'
"Assembly" means the La Nkwantanang-Madina Municipal Assembly;

HON. ISMAILA BRAIMAH BLAY
Presiding Member

CHARLES ASHALLEY DJANE
Secretary

**LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY
(RESTAURANTS AND EATING HOUSES) Bye-laws, 2017**

IN EXERCISE of the powers conferred on the La Nkwantanang-Madina Municipal Assembly by section 181 of the Local Governance Act, Act 936 of 2016 these Bye-laws are made this 20th day of April, 2017

Licensing of Eating Places

- (1) Every place where food is prepared or cooked or refreshment offered for sale to the public for consumption on the premises shall be considered to be a restaurant or eating-house for the purpose of these Bye-laws, and shall be approved and licensed by the Assembly.

Sale of Food and Alcoholic Beverages

2. (1) No person shall cook, prepare, bake, handle or sell any food without a health certificate of fitness obtained from the Public Health Department of the Assembly.
(2) A health certificate of fitness obtained in paragraph 8 (1) above shall be renewed annually.

Washing of Plates and others

3. An operator of an eating house shall have a suitable arrangement for the washing of plates and utensils. In the absence of a dish washer, the operator shall constantly replace the water used for washing.

Permit to be Monthly

2. (1) Every application for a permit conditions as the Assembly may impose and a permit shall be a monthly and shall take effect from the day on which it is granted and shall terminate on the last day of each month.
(2) The fee for a monthly permit shall be determined by the Assembly at the end of each month.

Set-up of Premises for Cooking and or Selling Food

3. (a) a separate room which shall be used solely as a public eating room; and
(b) separate kitchen which shall be used solely for cooking and for the preparation of food and liquid refreshments for use in the restaurant.

Dimension of Eating Rooms

4. (1) a public eating-room in any restaurant or eating-house shall not be less than 15 feet long and 12 feet wide.
(2) The floor of every public eating-room shall be of concrete or other impervious materials and the walls shall be capable of being washed.
(3) There shall be provided in every public eating-room, adequate lighting and ventilation.
(4) In every public eating-room a restaurant shelves or cupboards shall be provided for the storage of plates and other utensils, and suitable tables and chairs or benches shall be provided.
(5) A public eating-room or a restaurant shall not be a living or sleeping-room and a living or sleeping-room shall not open directly into a restaurant or a public eating room.

Structure of Kitchen

5. (1) Each kitchen in a restaurant or eating-house shall be the approved type with a concrete floor, and in every such kitchen, suitable fly-proof storage for foodstuffs shall be provided, together with one or more tables for the preparation of food.
(2) Each kitchen shall be adequately provided with receptacle for the disposal of refuse and shall be maintained by the operator of the restaurant.
(3) An operator for a restaurant or eating-house shall provide suitable washing plates and utensils.

Hygiene of Eating-Houses

6. (1) A proprietor of a restaurant or eating-house or person in charge shall not allow a person suffering from an infectious or contagious disease to take part in the preparation or serving of food in connection with the restaurant or eating-house.
(2) No animal or fowl likely to cause a nuisance shall be kept in the compound of any restaurant or eatinghouse.

Free Access of Eating-Houses to Officers of the Assembly

7. A person shall not obstruct or resist an officer or a person appointed by the Assembly who is acting or purporting to act in the performance of any duty relating to any of the purposes of these Bye-laws in any restaurant or eating-house.

No Alteration after Approval

4. The Assembly may withdraw a permit granted under these Bye-laws if an alteration is made to any premises after the permit has been granted.

Penalty

6. (1) A person who contravene the provision of these Bye-laws is liable to a fine of two hundred and fifty penalty units and not less than one hundred penalty units or imprisonment or both forty percent (40%) of which fine shall, on payment, be ceded to the Assembly.
(2) The equivalent of an applicable penalty unit will be indicated in the relevant Fee Fixing Resolution or fixed by the Court.

unless the context otherwise requires
the La Nkwantanang-Madina Municipal Assembly;

ILIA BRAIMAH BLAY
residing Member

CHARLES ASHALLEY DJANE
Secretary

LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY
(CONTROL OF BAKERIES AND SALE OF BREAD) Bye-laws, 2017

The powers conferred on the La Nkwantanang-Madina Municipal Assembly by section 181 of the Act, Act 936 of 2016 these Bye-laws are made this 20th day of April, 2017.

Baking

shall be used for the preparation or baking of bread from flour for sale unless or until the Assembly has issued a permit on the payment of requisite fee determined by the Assembly.

Bread Baking Premises

A permit for the preparation or baking of bread shall have separate and suitable rooms for the

storage of flour and other materials to be used.

mixing and kneading of the flour and other materials, and
display of the finished bread or other products of the bakery.

Bread Materials for Baking

Storage shall be properly lighted and ventilated. Materials stored in the rooms shall be kept from
the floor and the walls.

Mixing and kneading rooms shall be rodents-free.

Floors and walls shall be capable of being easily cleaned.

Water shall be supplied direct from the town main supply by means of a tap.

Shelves shall be provided.

Equipment used in the process shall be capable of being dismantled and cleaned, and

There shall be direct access from the mixing and kneading room to the oven used for baking.

Sale of Bread and Materials

Rooms used for the storage or display or sale of bread shall be provided with sufficient shelves, benches

Bread stored or offered for sale shall be protected from contamination by being kept in suitable cupboard
or in wrapping materials approved by the Municipal Environmental Health Officer.

Living Rooms

Rooms shall be used as a living or sleeping-room.

Sanitary Facilities

Sanitary facilities shall be provided for the use of persons employed in the bakery and there
shall be facilities for washing of hands.

Persons employed in the mixing and kneading room shall be supplied with sufficient quantity of aprons
capable of being washed.

There shall be suitable and adequate arrangements for the disposal of refuse.

Approval of Environmental Health Officer

9. A proprietor or manager of the bakery who becomes aware of any sickness in an employee shall not permit that person to handle bread or flour or any other materials or equipment used in the bakery until that person has been cured by the Municipal Environmental Health Officer for the person to continue working in the bakery.

Inspection by Health Officer

10. The Medical Officer of Health or Municipal Environmental Health Officer or any person authorized by the Assembly shall have power to enter a bakery for the purpose of inspection in the performance of his duties.

Revocation of Permit

11. The Assembly may revoke any permit granted under these Bye-laws if the operator is convicted for contravening any of the provisions of these Bye-laws.

Penalty

12. (1) A person who contravene the provision of these Bye-laws or the conditions in a permit granted shall be liable on summary conviction to a fine of not more than two hundred and fifty penalty units and not less than one hundred penalty units or in default one month imprisonment or both forty percent (40%) of which fine shall, on payment, be ceded to the Assembly.

Interpretation

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

"Assembly" means the La Nkwantanang-Madina Municipal Assembly;

"Flour" means wheat flour and flour containing non-wheat substances such as cassava or corn;

"Bread" means loaves, rolls cakes, pastries and flour confectionery of any kind.

HON. ISMAILA BRAIMAH BLAY

Presiding Member

CHARLES ASHALLEY DJANE

Secretary

**LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY
(CONTROL OF MILLS) Bye-laws, 2017**

IN EXERCISE of the powers conferred on the La Nkwantanang-Madina Municipal Assembly by section 181 of the Local Governance Act, Act 936 of 2016 these Bye-laws are made this 20th day of April, 2017.

Building and Development Permit to be Obtained

1. No person shall operate a mill within the Assembly's area of Authority without first obtaining: -
- (1) A Development Permit for the site from the Development Planning Committee of the Assembly and
 - (2) A Building Permit from the Development Planning Committee of the Assembly.

License Fee and Duration

2. No person shall operate a mill without a license from the Assembly.
- (1) The permit fee for operating a mill shall be determined in accordance with the Fee Fixing Resolution of the Assembly.
 - (2) The permit shall expire on the 31st day of December of the year of issue.

Specifications for Floor and Wall of Mill

3. No person shall use a room or structure as a mill if;
- (1) It is less than 4.2 metres long and 3.6 metres wide and less than 3metres high from the floor level; and
 - (2) The floor is not made of concrete or other approved impervious materials; and
 - (3) The walls are not fly-proof.

Use of Mill

4. No person shall use a mill as a living or bedroom

Times of Operation

5. A mill shall be opened to the public only between the hours of 5 am and 7 pm

erson in charge of a mill shall allow any person suffering from an infectious disease to be present

avenes any provisions of these Bye-laws commits an offence and is liable on summary
two hundred and fifty penalty units and not more than one hundred penalty units or in default
ment not exceeding 6 months or to both. Forty percent (40%) of the penalty imposed shall, on
the Assembly.

nless the context otherwise requires

ding or structure with machinery for grinding corn, pepper, cassava, groundnuts or other

LA BRAIMAH BLAY
Residing Member

CHARLES ASHALLEY DJANE
Secretary

LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY
(GROWING AND SALE OF CROPS/FOOD STUFFS) Bye-laws, 2017

powers conferred on the La Nkwantanang-Madina Municipal Assembly by section 181 of the
Act 936 of 2016 these Bye-laws are made this 20th day of April, 2017.

Registration

grow crops at a place other than on land within his premises unless he has registered with the
Municipal Health Officer or Municipal Agricultural Officer. The person shall furnish the name, address
the site where the crops are to be grown.

Water

atered or irrigated with water or effluent from a drain.

discharging wound or sore or the symptoms of any infectious disease shall not take part in the
sale of food stuffs.

sell, offer or display for sale at any other place than in a market, stall, store or kiosk approved

Ground

stuffs shall be displayed for sale on the ground, along a road, pavement or sidewalk.

Environmental Health Officer /Agricultural Officer may, where necessary, in the interest of public
health, declare food stuff unfit for human consumption.

Food declared unfit for human consumption shall be sold, offered or displayed for sale as food for

"Crops" include lettuce, tomatoes, radishes, onions, cucumber, water melon, oranges, bananas to be eaten in an uncooked state.
 "Nkontomire" or any other agricultural produce likely to be eaten in an uncooked state "Food stuff" means foods that are eaten in a cooked or raw state. These Bye-laws unless the context otherwise requires

"Assembly" means the La Nkwantanang-Madina Municipal Assembly;

HON. ISMAILA BRAIMAH BLAY
Presiding Member

CHARLES ASHALLEY DJANE
Secretary

LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY (SALE OF PALM WINE, CORN BEER OR AKPETESHIE AND OTHER ALCOHOLIC BEVERAGES) Bye-laws, 2017

IN EXERCISE of the powers conferred on the La Nkwantanang-Madina Municipal Assembly by section 181 of the Local Governance Act, Act 936 of 2016 these Bye-laws are made this 20th day of April, 2017.

Place to Sell and Grant Licence

1. (1) A person shall not sell palm wine or corn beer (pito) or Akpeteshie or other alcoholic beverages except on premises which have been approved and licensed by the Assembly.
 (2) The Assembly shall not approve a licence to enable a sale take place near any worship centre or any place declared holy or in any health facility or within a radius of 300 metres from a health facility.

Application for Licence

2. (1) An application for a licence (which in every case may be subject to conditions as the Assembly may impose) shall be in writing to the Assembly.
 (2) A permit may be granted half-yearly and every licence shall, unless forfeited, continue in force from the date of issue until the 30th day of June or the 31st day of December, whichever ever occurred first.

Fees

3. The fee for a half-year licence shall be determined by a resolution of the Assembly.

Condition of Premises to be Used for Sale

4. (1) A room used for the sale of and or consumption of palm wine, corn beer or Akpeteshie in a premises shall not be less than 6 metres long, nor less than 4 metres wide and no part of such room shall be less 5 metres than high.
 (2) The floor of any of the room shall be of concrete or other impervious material and the walls shall be capable of being washed.
 (3) In every such room adequate lighting and ventilation shall be provided.
 (4) A room used for the sale or consumption of palm wine or corn beer (pito) or Akpeteshie in a premises licensed under these Bye-laws shall not be used as a living or bed room nor shall it open directly into a room or into a latrine, bathroom or kitchen.
 (5) In every room used for the sale of palm wine or corn beer or Akpeteshie in a premises under these Bye-laws, fly-proof storage shall be provided for stocks not in immediate use.
 (6) There shall be shelves for the storage of drinking and other utensils and sufficient chairs; or forms and tables for the accommodation of customers.

Prohibition of Persons with Infectious Diseases from Premises

5. (1) A licence or person in charge of the premises licensed for the sale of palm wine, corn beer (pito) or Akpeteshie shall not allow any person suffering from an infectious disease to take part in the serving or sale or consumption of drinks or to remain on the premises.
 (2) Likewise, a person of unsound mind (e.g. lunatic) shall be kept away from the premises.

Provision of Sanitation Facilities on Premises

6. (1) The Municipal Environmental Health Officer or any officer authorized by him may approve a suitable arrangements for the cleaning of drinking glasses and storage of utensils.
 (2) The Assembly shall ensure that there are sanitary conditions available for cleaning and washing of glass.

Prohibition of Sale of Alcoholic Beverages at Lorry Parks and within 100 metres from Lorry Parks, and at Health Facilities

7. A person shall not under any circumstance sell palm wine, corn beer (pito) or Akpeteshie or any other alcoholic beverage at a lorry park or within a radius of 100 metres from a lorry park and worship centers, and 300 metres from a health facility.

Disposal of Adulterated Alcohol

8. (1) A person who has in his possession any quantity of adulterated alcoholic beverages of whatever kind shall at the commencement of these Bye-laws dispose of them from the shop within seven days.
 (2) The Assembly shall dispatch authorized persons to shops in search for adulterated alcoholic beverages that have been kept in that shop and confiscate such stock and destroy them without payment of compensation.

Obstruction of Assembly Officers in the Performance of Duties

9. A person shall not obstruct or resist an officer authorized by the Assembly acting or purporting to act in the performance of any duty related to any of the provisions of these Bye-laws

Assembly's Discretionary Powers to Withdraw Licence

10. The Assembly may withdraw any licence granted if any alteration is made to a licensed premises (after the licence has been granted) or where the licence is convicted for a breach of any provision of these Bye-laws.

Display of Signboards at Entrance of Premises

11. The holder of a permit shall conspicuously keep it suspended or fixed at the entrance of the licensed premises a signboard with the holder's name, licence number and the inscription "Licensed to sell palm wine, corn beer (pito) or "Akpeteshie"

Penalty

12. A person who contravenes any of the provisions of these Bye-laws commits an offence and shall be liable on summary conviction to a fine not more than two hundred and fifty penalty units and not less than one hundred penalty units forty percent (40%) of which fine shall, on payment be ceded to the Assembly.

Interpretation

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

"Assembly" means the La Nkwantanang-Madina Municipal Assembly;

HON. ISMAILA BRAIMAH BLAY

Presiding Member

CHARLES ASHALLEY DJANE

Secretary

**LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY
 (SAND, STONE AND GRAVEL WINNING) Bye-laws, 2017**

IN EXERCISE of the powers conferred on the La Nkwantanang-Madina Municipal Assembly by section 181 of the Local Governance Act, Act 936 of 2016 these Bye-laws are made this 20th day of April, 2017.

Application for Permit

1. (1) A person who wins or desires to win sand, stone or gravel within the jurisdiction of the Assembly shall apply to the Development Planning Committee of the Assembly for permit to win sand, stone or gravel.
 (2) **An Applicant shall;**
 (a) state the name and address,
 (b) enclose a site plan of the area of the intended operation,
 (c) state the mode of winning, namely, excavation by mechanical means or by manual means,
 (d) state the duration of winning operation and the application shall be countersigned by the Assembly and the landowners of the area.
 (3) When all due processes have been satisfied, the Development Planning Committee shall recommend that the permit/license be granted to the applicant by the Assembly. The Assembly, when satisfied by the recommendation of the Development Planning Committee shall grant the

Requirements of Permit

2. (1) The conditions in the permit;
 - (a) The permit shall contain the name and address of the operator,
 - (b) The hours of operation which by these Bye-laws shall be 5:00 a.m. to 6:00 p.m. and a special permit from the Assembly after 6:00p.m.
 - (c) The duration of the permit or license,
 - (d) The fee to be paid for the permit by these Bye-laws shall be determined by the La Nkwantanang Madina Municipal Assembly periodically, and
 - (e) The specified deposit to be determined by the Assembly which is refundable upon successfully reclaiming the land.
- (2) No person shall win sand, stone and gravel for commercial purpose within the area of authority of the Assembly without a permit.
- (3) A permit issued by the Assembly shall be produced on demand at the site at all times to an authorized Officer of the Assembly.
- (4) A person who violates paragraph 1 of these Bye-laws is liable to a fine of 250 penalty units.

Payment of Loading Fee

3. (1) A driver or a person in charge of a truck loaded with sand, stone or gravel shall pay a loading fee which the Assembly determines, and shall be issued with a receipt by the Assembly.
- (2) Defaulters shall pay a fine of 10 penalty units and the sand, stone or gravel confiscated to the Assembly. Forty per cent (40%) of the penalty imposed shall, on payment, be ceded to the Assembly.
- (3) A holder of a permit shall not assign, sell or part with it operator without the prior consent of the Assembly.

Withdrawal of Licence

4. A holder of a permit who violates this bye-law will have the permit withdrawn.

Reclamation of Land

5. (1) A person who does not reclaim the land after winning the sand, stone or gravel will be blacklisted in addition to the payment of a fine of 500 penalty units forty percent (40%) of which fine shall, on payment be ceded to the Assembly.
- (2) The Assembly shall be under no liability for any loss or damage to the site or any sand, stone or gravel that is due to the breach of these Bye-laws or any other cause whatsoever.

Unauthorized Operation

6. (1) A driver or a person in charge of a vehicle caught within an unauthorized pit winning sand, stone or gravel commits an offence punishable by a fine of 50 penalty units, or in default 6 months imprisonment or both. Forty percent (40%) of the fine imposed shall, on payment, be ceded to the Assembly.
- (2) A driver or a person in charge of any truck loaded with sand, stone or gravel working outside the working hours commits an offence and upon liable to a fine of 50 penalty units of which forty per cent (40%) shall, on payment, be ceded to the Assembly.

Interpretation

7. In these Bye-laws unless the context otherwise requires
"Assembly" means the La Nkwantanang-Madina Municipal Assembly;

HON. ISMAILA BRAIMAH BLAY
Presiding Member

CHARLES ASHALLEY DJANE
Secretary

LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY
(EXCAVATION ON STREETS) Bye-laws, 2017

IN EXERCISE of the powers conferred on the La Nkwantanang-Madina Municipal Assembly by section 181 of the Local Governance Act, Act 936 of 2016 these Bye-laws are made this 20th day of April, 2017

Permit to Excavate Road

1. (1) No person shall within the Assembly's area of jurisdiction undertake any cutting across any road without obtaining a permit from the Assembly.
- (2) Where with such permit a person undertakes any excavation in street that person shall
 - (a) at his own expense cause it to be sufficiently fenced.

- (b) maintain sufficient light or a reflective device in a proper place on or near it at all times until the work for which the excavation was made is completed; and
- (c) re-fill the excavated area to the satisfaction of the Assembly within such time as the Assembly may specify.

Application for Permit

- 2. (1) An application for a permit to carry out an excavation exercise in any street shall be made in writing addressed to the Municipal Roads Engineer for approval before work begins.
- (2) The application for the permit shall be in the form specified in the schedule to these Bye-laws and shall only be signed by the Urban or Feeder Roads Engineer or any other competent officer when the application is approved.
- (3) A permit issued under these Bye-laws may be granted subject to rules and regulations as the Assembly determines in the interest of public safety.

Permit Fee

- 3. A permit fee determined by the Assembly is payable at the issuance of permit to carry out excavation exercise.

Creation of Nuisance Prohibited

- 4. A person who is granted a permit under the provisions of these Bye-laws shall not construe it as a power to commit nuisance.

Failure to Observe Conditions

- 5. The Assembly shall recover the expenses reasonably incurred where the operator fails to perform the obligations under these Bye-laws as a debt.

Permanent Reinstatement Fee

- 6. The Assembly shall be solely responsible for permanent reinstatement of all excavations exercise undertaken within the Municipality. The proponent shall solely bear the cost of works to the contractor for the reinstatement before the issuance of the permit.

Assembly not Liable for Injuries

- 7. The Assembly shall not be liable under the provisions of these Bye-laws for any damage or injury sustained by any person during and after the time that the process of excavation is in progress.

Penalty

- 8. A person who contravenes any of the provisions of these Bye-laws or the conditions in any permit issued commits an offence and is liable on summary conviction to a fine not exceeding two hundred and fifty penalty units and not less than one hundred penalty units forty per cent (40%) of which shall, on payment be paid into Assembly coffers.

Interpretation

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

“Assembly” means the La Nkwantanang-Madina Municipal Assembly

HON. ISMAILA BRAIMAH BLAY
Presiding Member

CHARLES ASHALLEY DJANE
Secretary

LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY
(ROAD BARRIER) Bye-laws, 2017

IN EXERCISE of the powers conferred on the La Nkwantanang-Madina Municipal Assembly by section 181 of the Local Governance Act, Act 936 of 2016 these Bye-laws are made this 20th day of April, 2017.

Barriers

- 1. The Assembly may mount barriers in roads within its jurisdictional area to check and monitor the activities of vehicles in the area as and when appropriate.

Tolls

2. (1) A person shall not be permitted to convey goods on his vehicle to cross any barrier unless that person paid to an authorized officer of the Assembly in-charge of the barrier the appropriate toll and obtained receipt.
(2) No person shall mount a road barrier or block any road within the jurisdiction of the Assembly for the purposes of ceremonies or any other form of activity without taking a permit from the Assembly.

Duration of Permit

4. (1) A permit so granted in respect of item 2 (2) above shall last for the period indicated in the permit.
(2) A person shall not burn or cause to be burnt tyres or any form of material on the road within the jurisdiction of the Assembly.
(3) A person shall not break or do any damage to a duly authorized barrier.

Damage to Authorized Barrier

5. A person in-charge of a vehicle which breaks or causes damage to a barrier shall be responsible for the repairs of the damage cause.

Penalty

6. (1) Any person who contravenes any of the provisions of these Bye-laws commits an offence and is liable to a fine of not more than two hundred and fifty penalty units and not less than one hundred penalty units forty per cent (40%) of which fine shall, on payment, be ceded to the Assembly.
(2) In addition the offender is liable to the payment of the cost of any damage caused.

Interpretation

7. In these Bye-laws unless the context otherwise requires .
"Assembly" means the La Nkwantanang-Madina Municipal Assembly;

HON. ISMAILA BRAIMAH BLAY
Presiding Member

CHARLES ASHALLEY DJANE
Secretary

LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY
(VEHICLE DEALERS) Bye-laws, 2017

IN EXERCISE of the powers conferred on the La Nkwantanang-Madina Municipal Assembly by section 181 of the Local Governance Act, Act 936 of 2016 these Bye-laws are made this 20th day of April, 2017.

Application to Operate as a Vehicle Dealer

1. A person shall not operate as a vehicle dealer or keep vehicles in an enclosure or open space for sale by himself or on behalf of others in the jurisdiction of the Assembly without applying to the Assembly for a permit.

Vehicle dealer's Permit

2. An applicant for a vehicle dealer's permit shall comply with the following conditions.
 - (a) the premises on which the vehicles are displayed shall be suitably fenced; and
 - (b) there is a conspicuous sign board advertising the sale; and
 - (c) the premises is adequately equipped with firefighting mechanisms.

Submission of Site Plan

3. An application submitted to the Assembly, shall be accompanied with (3) site plans of the area where the premises is located.

Sitting of Office

4. A site for the sale or display of vehicles shall have an office from which receipts of sales of vehicles are issued.

Dimensions

5. Any premises used for the purpose of dealing in the sale of vehicles shall not be less than 61 metres by 30 metres.

Discretion to Withdraw Dealer's License

6. Despite any sanction, which may be applied, the Assembly may withdraw a vehicle dealer's license for stated reasons upon giving the dealer 30 days' notice where there is a continuous contravention of these Bye-laws.

Individual Vehicle

7. For the avoidance of doubt these Bye-laws shall not apply to any disposal of only one vehicle by an individual.

Penalty

8. A person who contravenes any provisions of these Bye-laws commits an offence and is on summary conviction be liable to a fine not exceeding two hundred and fifty penalty units and not less than one hundred penalty units per vehicle or in default to a term of imprisonment of not more than six months or to both. Forty per cent (40%) of the fine imposed shall, on payment, be ceded to the Assembly.

Interpretation

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

“Assembly” means the La Nkwantanang-Madina Municipal Assembly;

“Dealer” means a person who sells vehicles in any place other than in a shop.

HON. ISMAILA BRAIMAH BLAY

Presiding Member

CHARLES ASHALLEY DJANE

Secretary

**LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY
(REGULATION ON COMMERCIAL OR PRIVATE PARKING LOT) Bye-laws, 2017**

IN EXERCISE of the powers conferred on the La Nkwantanang-Madina Municipal Assembly by section 181 of the Local Governance Act, Act 936 of 2016 these Bye-laws are made this 20th day of April, 2017.

Paying Fees

1. Each motor vehicle shall pay a parking fee which shall by resolution be payable to the Assembly.

Tickets to be Issued For

2.
 - (1) A driver of a vehicle shall pay the prescribed fee to the Assembly who shall issue an official receipt.
 - (2) A driver who fails to produce a ticket upon demand shall be considered to have used a parking space without paying the prescribed fee.
 - (3) The Assembly shall issue an official ticket in respect of each payment specifying the amount paid, the date of issue and the registered number of the vehicle. Such a ticket is valid only for the vehicle indicated on it and shall not be transferable.
 - (4) The ticket so issued by the Assembly is valid for the day of issue time of operation.

3. These Bye-laws shall be in force from 6:00 am to 6:00 pm each day of the week.

Parking Lot

4. A driver of a vehicle using a parking place shall;
 - (a) park his vehicle in the space as may be indicated to him by the Assembly;
 - (b) ensure that the parked vehicle remains stationary.
 - (c) ensure that all the car locks have been locked up as the Assembly shall not in any way be held liable for any damage caused to the car or any items removed from or on the vehicle.
 - (d) not execute any substantial repairs on his vehicle except such as may be absolutely necessary.

Unauthorized Parking

7. A person shall not park or leave a vehicle at a place not designated by the Assembly as a parking lot.

Nuisance

6. A driver or a person in charge of a vehicle shall not park or leave a vehicle at a place in such a manner as to constitute a nuisance to the public.

Access to Premises

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

Clamping of vehicles

8. A vehicle at a place in contravention of these Bye-laws shall be clamped by the Assembly or its authorized agents.

Spot Fine

9. An owner or a driver of the clamped vehicle shall pay a spot fine in accordance with the fee fixed by the Assembly before the vehicle is released to its owner or agent.

Towing of Vehicles

10. The Assembly or its authorized agents in charge shall tow any vehicle parked at an unauthorized place upon the following conditions.

- (1) The vehicle being towed shall be deposited at a place to be decided by the Assembly.
- (2) The driver or the person in charge of the towed vehicle shall pay a spot fine in accordance with the Fee Fixed by the Assembly before the vehicle is released to him.
- (4) The Assembly shall not be responsible for any damage caused to a vehicle being towed.

Penalty

11. A person who contravenes any of the provisions of these Bye-laws commits an offence and shall be liable on summary conviction to a fine of not more than one hundred and thirty penalty units and not less than two hundred and fifty penalty units and not less than one hundred penalty units or in default to a term of imprisonment not exceeding three months or both. Forty percent (40%) of the fine imposed shall, on payment, be ceded to the Assembly.

Interpretations

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

"Assembly" means the La Nkwantanang-Madina Municipal Assembly;

"Driver" means any person who is the owner or has charge or control over a vehicle.

"Motor Vehicle" means

- (1) Any mechanically propelled vehicle intended or adopted for use on roads.
- (2) A hand push or animal drawn carriage.

"Place" includes street, pathway, pavement or an open space.

HON. ISMAILA BRAIMAH BLAY
Presiding Member

CHARLES ASHALLEY DJANE
Secretary

LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY
(REGULATION ON COMMERCIAL CAR PARKS) Bye-laws, 2017

IN EXERCISE of the powers conferred on the La Nkwantanang-Madina Municipal Assembly by section 181 of the Local Governance Act, Act 936 of 2016 these Bye-laws are made this 20th day of April, 2017.

Lorry Park Permit

1. A person or group of persons shall not establish and operate a commercial car park within the area of jurisdiction of the Assembly without a permit from the Assembly.

Car Park Overseers Permit

2. Each commercial car park overseer (Bookman) within the Assembly's Jurisdiction shall obtain a permit from the Assembly to operate Vehicle Park.

Payment of Vehicle Tolls

3. Each commercial vehicle driver who operates within the jurisdictional area of the Assembly shall pay a daily toll determined by the Assembly and shall obtain an official ticket/receipt in respect of the payment.

Drivers Unions

4. An owner or drivers of commercial vehicles who operate in the jurisdiction of the Assembly shall belong to a union of one's choice.

Floating Vehicles

5. A commercial vehicle driver who operates within the Assembly's area of jurisdiction without belonging to a union (floating driver) commits an offence.

ng of Passengers

of commercial vehicles within the area of jurisdiction of the Assembly shall load and
engers only at designated vehicle parks approved by the Assembly.
ial vehicle operator within the Assembly's area of authority shall not load or discharge
the road or by the side of the road unless it is designated for that purpose.

r on Taxis

r of a taxi shall not operate within the area of jurisdiction of the Assembly without having an
per from the Assembly or other sister Assemblies embossed visibly on the car.
r of a taxi working within the jurisdiction area of the Assembly shall not operate without
proved uniform of the Assembly or other sister Assemblies.

n Cars

of a commercial vehicle who operates within the Assembly's area of jurisdiction shall provide
their vehicles for the purpose of dumping rubbish or waste by passengers while in the vehicle.

enes any provision of these Bye-laws commits an offence and is liable on summary
xceeding two hundred and fifty penalty units and not less than one hundred penalty units or
prisonment of not more than 3 months or both. Forty percent (40%) of the fine imposed
led to the Assembly.

less the context otherwise requires.

a Nkwantanang-Madina Municipal Assembly;

BRAIMAH BLAY
MEMBER

CHARLES ASHALLEY DJANE
SECRETARY

LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY
(PUSH TRUCKS) Bye-laws, 2017

wers conferred on the La Nkwantanang-Madina Municipal Assembly by section 181 of the
ct 936 of 2016 these Bye-laws are made this 20th day of April, 2017.

\$
in possession of a vehicle having four wheels not propelled by mechanical power referred to
or the carriage of goods within the area of authority of the Assembly shall obtain a license for

termine the fee which will be fixed by a resolution.

k for which a licence is issued shall have affixed on it a number plate assigned by the
; authorized agents.
shall not be issued under regulation 1 in respect of a push truck which in the opinion of the
a condition which poses danger to persons or property

Penalty

6. A person who contravenes or fails to comply with any of the provisions of these Bye-laws shall be guilty of an offence and is liable on summary conviction to a fine of not more than two hundred and fifty penalty units and not less than one hundred penalty units or in default to imprisonment for a term of not more than four months. Forty per cent (40%) of the fine imposed shall, on payment, be ceded to the Assembly.

Interpretations

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

“Assembly” means the La Municipal Assembly

HON. ISMAILA BRAIMAH BLAY
Presiding Member

CHARLES ASHALLEY DJANE
Secretary

LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY
(LICENSING OF BICYCLES) Bye-laws, 2017

IN EXERCISE of the powers conferred on the La Nkwantanang-Madina Municipal Assembly by section 181 of the Local Governance Act, Act 936 of 2016 these Bye-laws are made this 20th day of April, 2017

License for Bicycles

1. (1) A person who owns a bicycle within the area of authority of the Assembly shall obtain from the Assembly or its authorized agents, in respect of the Bicycle a license referred to as “Bicycle License”.
(2) A bicycle license shall be in a form as the Assembly may determine.
(3) A bicycle license shall be valid as from the date of issue and is valid for one year.

Bicycle Register

2. The Assembly shall keep a register of all bicycle license issued by it and shall specify in the register, the name and address of each person to whom a bicycle license has been issued and the number of bicycles each person allowed to own.

Ownership of Bicycle

3. For the purpose of these Bye-laws, any person in whose custody, charge or possession or in whose house or premises a bicycle is found or seen shall unless the contrary is proved be deemed to be the person who owns that bicycle.

Production of License on Demand

4. It is the duty of a person who has a bicycle license to produce it upon demand for examination by either a Police Officer or an officer of the Assembly.

Badge for Bicycle

5. A person to whom a bicycle license has been issued shall, while the license remains in force, keep on the bicycle a badge of a type approved by the Assembly for use during the year in which the license was issued.

Penalty

5. A person who contravenes any of the provisions of these Bye-laws commits an offence and on summary conviction liable to a fine not exceeding two hundred and fifty penalty units and not less than one hundred penalty units or in default to imprisonment for a term not more than three months or both. Forty per cent (40%) of the fine imposed shall, on payment, be ceded to the Assembly.

Interpretations

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

“Assembly” means the La Nkwantanang-Madina Municipal Assembly;

HON. ISMAILA BRAIMAH BLAY
Presiding Member

CHARLES ASHALLEY DJANE
Secretary

**LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY
(BUSINESS OPERATING PERMIT) Bye-laws, 2017**

IN EXERCISE of the powers conferred on the La Nkwantanang-Madina Municipal Assembly by section 181 of the Local Governance Act, Act 936 of 2016 these Bye-laws are made this 20th day of April, 2017

Permit

1. A person shall not carry on a business, in or around any premises within the area of authority of the Assembly without a Business Operating Permit duly granted by the Assembly.

Period of Validity

2. A Business Operating permit granted under these Bye-laws shall expire on the 31st December of each year of issue.

Permit not Transferable

8. A Business Operating permit once granted is not transferable.

Display of permit

4. A Business Operating Permit granted under these Bye-laws shall be displayed in a conspicuous part of the premises on which the business is operated.

Fee

5. There shall be a charged fee for each Business Operating Permit granted under these Bye-laws as shall be prescribed by the Assembly in accordance with its Fee Fixing Resolution.

Liability to Pay property Rate

6. An owner of a ratable property who is required to pay property rate, under any existing law shall in addition be required to apply for a business operating permit under these Bye-laws.

Powers of Entry

7. (1) Subject to the provisions of these Bye-laws an officer or a person duly authorized by the Assembly may, during business hours enter into or upon any building premises or land within the area of authority of the Assembly for the purpose of carrying out an inspection, enquiry or any other duties authorized by the Assembly.
(2) A person shall not obstruct or interfere with an officer or a person authorized by the Assembly in the performance of any duties assigned to the authorized person under these Bye-laws.

Withdrawal of Permit and Closure of Business

8. (1) The Assembly may withdraw or revoke any Business Operating Permit granted if the person granted the permit contravenes any provisions of these Bye-laws.
(2) The Assembly may close down a business or suspend its activities or seize the items on sale until the permit fee is paid.

Liability of Officers

9. (1) The Assembly or an officer working on behalf of the Assembly shall not be liable for any damage, misplacement or otherwise of seized items in the event of contravention of sub-regulation 2 (b) of paragraph 8.
(2) The Assembly shall dispose of by public auction or by any other means, any seized items if the owner fails to claim them within 14 days after the seizure.
(3) Perishable items seized shall be disposed of within 24 hours.

Winding Up

9. (1) Where for any reason a company winds up its business entirely or suspends its operations, the Assembly shall be informed immediately about such a closure or suspension of activities.
(2) A company that fails to comply with paragraph 9 (1) of these Bye-laws shall continue to be billed by the Assembly for its fees for Business Operating Permit.

Failure to Pay Business Operating Permit Fees

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

Penalty

11. A person who contravenes any provision of these Bye-laws commits an offence and is liable on summary conviction to a fine of two hundred and fifty penalty units and not less than one hundred penalty units or in default to a term of imprisonment of not more than six months or both. Forty per cent (40%) of the fine imposed shall, on payment, be ceded to the Assembly.

Interpretations

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

“Assembly” means the La Nkwantanang-Madina Municipal Assembly;

“business” includes occupation, profession or trade;

“perishable items” means goods that go bad within a short period. (e.g. Tomato, yam, fish, meat etc).

HON. ISMAILA BRAIMAH BLAY
Presiding Member

CHARLES ASHALLEY DJANE
Secretary

LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY
(PUBLIC MARKETS) Bye-laws, 2017

IN EXERCISE of the powers conferred on the La Nkwantanang-Madina Municipal Assembly by section 181 of the Local Governance Act, Act 936 of 2016 these Bye-laws are made this 20th day of April, 2017

Hours of Operation

1. A market shall be open to the public every day of the week that is from Monday to Saturday, from 6 O'clock in the morning to 6 O'clock in the evening and on Sundays from 6 O'clock in the morning to 4 O'clock in the evening.

Tenancy Agreement with Assembly

2. The Assembly shall enter into a Tenancy Agreement with all successful applicants for a store in a market.

Allotment of Stalls, Spaces and Stores

3. (1) A stall, store or space shall be allotted to an applicant for sale of items or articles as the Assembly may from time to time direct.
(2) Applications for the use of a stall, store or space shall be made to the Assembly.
(3) The period of allotment shall as a rule, be on terms and conditions as the Assembly may determine.
(4) The grant of a store, stall or space shall be made by the Assembly.

Discontinuance of Occupancy

9. Where the rent of any store in a market is payable monthly the occupier of that store shall give notice of his intention to discontinue its use at least seven days before the last day of the month for which rent has been paid, otherwise he shall be liable for rent for the succeeding month.

Notice of Intention to Discontinue

5. Where the rent of a stall in a market is payable quarterly, the occupier of that stall or store shall give notice of his intention to discontinue the use of the store or stall at least seven days before the last day of the month, in addition to the period of the occupancy.

Rent

6. The rent for a stall in the markets shall be as specified by a Rent resolution of the Assembly which shall be published annually.

Payment in Advance

7. Rent shall be paid in advance and where the rent is payable monthly or quarterly any part of the month or quarter shall count as entire month or quarter.

Receipt of Rent Paid

9. Whenever rent is paid an official receipt shall be issued in respect of the period for which it is paid.

Liability for Ejection

9. (1) The failure to produce a receipt on demand shall render the occupier liable for ejection from the stall or pay an interest.

(2) 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.

Assembly Under no Liability for Loss or Damage

10. The Assembly shall not be liable for any loss or damage to the property of an occupier of a store or stall under any circumstance.

Insurance Policy

11. Tenants at the markets shall take an insurance policy against fire, theft, burglary or other unforeseeable contingencies.

Sub-letting Stores Without Consent

12. An occupier of a store or stall, in a market shall not sublet or share it, except with the written consent of the Assembly.

Sale Restricted to Allotted Store etc.

13. (1) A person shall not sell at any place in a market other than the store or stall allotted to that person.
(2) A person shall not sell or purchase goods or stock goods near an established Market.

Only Specified Articles to be Sold

14. An occupier of a stall, in a market shall not sell or expose for sale any goods other than those permitted to be sold at that area.

Cleaning of Stores

15. (1) An occupier of a store or stall, in a market shall be responsible for the cleanliness of it at all times.
(2) Before leaving the market at the close of the day each occupier shall thoroughly clean the store or stall and its surroundings and therefore placed in dustbins provided for the purpose.
(3) Stains from oil, fat or other articles shall be thoroughly washed away by the occupier.

Articles of Food to be Raised from the Ground

16. An occupier of a store or stall in a market shall not expose for sale bread, fish, prepared grain food or any other articles of food unless the items are placed on a table or on a support raised at least half a metre from the ground.

Food to be Protected

17. An item which is likely to be used for human consumption in the state in which it is exposed for sale, shall be adequately protected from dust, flies or other insects.

Obstruction of Access Ways

18. A seller shall not sell or place any box, basket or other containers in any access way or avenue at a market.

Prohibited Persons

19. The Assembly shall refuse a right of entry into a market to any person who has previously been guilty of misconduct in or about the market.

Designated Areas for Sale of Goods in the Market

20. A person shall not sell any article, animals or any other goods in any place in the market unless the place has been designated by the Assembly for that purpose.

Children

21. A person in charge of a child in a market shall be responsible for the cleanliness and orderly conduct of the child and shall at the request of any authorized officer of the Assembly remove any nuisance the child may create.

No Admittance of Public at Night

22. Only scheduled officers of the Assembly shall on any occasion be in the market at hours other than the stated times in paragraph 1 of these Bye-laws.

Orders

23. (1) A person using a market shall obey all reasonable directions, instructions and requests of the officers of the Assembly given for the preservation of cleanliness, order and regularity in the market or for facilitating the dispatch of business in the market.
(2) The Assembly may suspend for such period as it may decide and determine the tenancy of any seller who willfully disobeys any of the provisions of these Bye-laws.

Categorization of Market

24. Markets in the Municipality shall be divided into categories and assigned facilities as the Assembly may determine.

Penalty

25. A person who contravenes these Bye-laws commits an offence and is liable on summary conviction to a fine of two hundred and fifty penalty units and not less than one hundred penalty units or in default to a term of three months imprisonment or both. Forty per cent (40%) of the fine imposed shall, on payment, be ceded to the Assembly.

Interpretations

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

"Assembly" means the La Nkwantanang-Madina Municipal Assembly;

HON. ISMAILA BRAIMAH BLAY
Presiding Member

CHARLES ASHALLEY DJANE
Secretary

LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY
(STREET MARKET PERMIT)
Bye-laws, 2017

IN EXERCISE of the powers conferred on the La Nkwantanang-Madina Municipal Assembly by section 181 of the Local Governance Act, Act 936 of 2016 these Bye-laws are made this 20th day of April, 2017.

Gazette Notification

1. The Assembly shall publish in the Gazette a notification to the effect that a street market has been established specifying the name of the street and notify the La Nkwantanang-Madina Municipal Association of Chiefs.

Days Specified for Street Market

2. A street market shall be opened to the public only on days specified by the Assembly for the purpose.

Restriction on Street Market

3. (1) A person shall not at any time in any street market place or leave or cause to be placed or left in a street market, furniture, equipment, merchandise or goods or any articles whatsoever whether of a description herein enumerated or of any other description except on the days and during the hours as are provided for in these Bye-laws.
- (2) Any item left in a Street Market in contravention of sub-paragraph (1) of paragraph three, shall be removed by officers of the Assembly and the goods may be sold or destroyed or otherwise disposed of as the Assembly may think fit.

Demarcation of Spaces and Selling Sites

4. Spaces and selling sites in Street Market shall be demarcated as the Assembly may determine.

Street Market Reserved Only for Permitted Hawkers

5. (1) No person other than a person who holds hawker's Permit shall occupy a selling space or site in a street.
- (2) A Hawker's permit shall be valid and current and must be produced on demand to any officer appointed by the Assembly to supervise the Street Market.
- (3) A space or selling site may not be occupied by more than one person.

Specific Items not Allowed to be Sold

6. A person shall not offer for sale in a Street Market any palm wine, corn wine or any other alcoholic beverage, or any other article the sale of which may at any time be prohibited by the Assembly, except where the Assembly may at any time otherwise directs.

Only Space or Selling Sites Allocated to be Used

7. A person shall not offer for sale or sell any article in a Street Market other than the space or selling site allocated to him by the Assembly

Responsibility for Maintaining the Place Clean

8. 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 space of selling site, and sweep all rubbish from the space of selling and its surroundings, and place the rubbish in the dustbin provided for the purpose and thoroughly wash away all stains and marks whether of fat, oil, grease or any other kind.

Food for Sale to be Raised from the Ground

10. An occupier of a space or selling site shall not 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 half a metre from the ground.

Food to be Protected from Dust and Flies

10. An article which is likely to be used for human consumption shall not be exposed either to dust or flies and shall be disposed of in a manner as will satisfy the sanitation rules imposed by the Assembly's Environmental Health Officers.

Prohibited Persons at Street Market

11. The Assembly has the power to prohibit entry into a Street Market any person who has previously been found guilty of a conduct in or about any market as in the opinion of the officer, justifies the prohibition.

Persons with Contagious or Infectious Diseases

12. (1) A person of unsound mind, any leper or person suffering from vermin or from any contagious or infectious diseases shall be prohibited entry into a street Market.
- (2) An occupier of a space or selling site who brings to any street Market any box, basket or other containers shall desist from placing them in the access ways or avenues of the market.

Animals, Alcoholic Drinks not Allowed at Street Markets

13. A person shall not under any circumstances bring or cause to be brought into a Street Market any of the following.
- (a) dogs, sheep, goats, pigs, cattle etc
 - (b) the offal of any animal; or
 - (c) the skin of any animal, unless such skin has been properly cured or dressed.

Responsibility Towards Children

14. A person in charge of a child in a market shall be responsible for the neat and responsible conduct of the child, and shall, at the request of any officer from the Assembly or Police Officer, remove any nuisance the child may create.

Respect for Directives of Assembly

15. A person who uses a Street Market either as a seller or purchaser shall obey the directives of officers of the Assembly for the preservation of cleanliness; order in the market or for facilitating the dispatch of business in the market.

Ejection of Non-compliant Persons

16. The Assembly reserves the right to eject from a Street market a person who disobeys the directives or to take measures to ensure compliance as may be lawfully exercised by the Assembly.

Liability of Assembly

17. The Assembly shall be under no liability whatsoever for any loss or damage caused to the property of any occupier of any space or selling site whether due to fire or theft or any other cause whatsoever.

Traffic in street market

18. Vehicular traffic shall not be allowed in a Street Market during market hours.

Penalty

19. A person who contravenes any provision of these Bye-laws commits an offence and is liable on summary conviction to a fine of two hundred and fifty penalty units and not less than one hundred penalty units or in default to a term of imprisonment not exceeding three months or to both forty per cent (40%) of the fine shall, on payment, be ceded to the Assembly.

Interpretation

20. In the Bye-laws unless the context otherwise requires

“Assembly” means the La Nkwantanang-Madina Municipal Assembly;

“Hawker” includes both sedentary and roving persons who carry goods about for sale;

“Street Market” means a market organized by the Assembly on specific roads within the jurisdiction of the Assembly.

HON. ISMAILA BRAIMAH BLAY

Presiding Member

CHARLES ASHALLEY DJANE

Secretary

**LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY
(KIOSK KEEPERS) Bye-laws, 2017**

IN EXERCISE of the powers conferred on the La Nkwantanang-Madina Municipal Assembly by section 181 of the Local Governance Act, Act 936 of 2016 these Bye-laws are made this 20th day of April, 2017

Fee for kiosk

1. A person is not permitted to keep a Kiosk in the Assembly's area of authority for the sale of anything to the public unless the person pays to the Assembly fees fixed by resolution of the Assembly.

Penalty

2. Any person who contravenes section 1 of these Bye-laws is on summary conviction liable to a fine of one hundred and fifty penalty units or in default of payment to a term of imprisonment of not more than three months. Forty per cent (40%) of the fine imposed shall, on payment, be ceded to the Assembly.

Interpretation

3. In the Bye-laws unless the context otherwise requires

“Assembly” means the La Nkwantanang-Madina Municipal Assembly;

HON. ISMAILA BRAIMAH BLAY

Presiding Member

CHARLES ASHALLEY DJANE

Secretary

**LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY
(ENTERTAINMENT LICENCE) Bye-laws, 2017**

IN EXERCISE of the powers conferred on the La Nkwantanang-Madina Municipal Assembly by section 181 of the Local Governance Act, Act 936 of 2016 these Bye-laws are made this 20th day of April, 2017.

Entertainment Licenses

1. (1) A person shall not organize any form of entertainment within the jurisdiction of the Assembly without first obtaining a license for that purpose and on the payment of a fee as the Assembly may determine.
(2) Despite sub-section (1) of this paragraph, a fee shall not be required for;
(i) an entertainment devoted to charity;
(ii) free entertainment.
(3) A licence issued under subparagraph (1) of this paragraph shall.
(i) not be transferable;
(ii) valid only for the day and or year in which it is issued.

Activities for which Licenses Shall be Obtained

2. The Assembly shall issue a license for;
(a) concerts, theatrical performances, video shows, cinemas, fairs, circuses, dances, discotheques and other entertainments to which money or reward is given; and
(b) billiards, horse racing, soccer and lawn tennis unless these activities are being devoted to charity or are organized for free.

Hours of Operation

3. (1) A license issued under these Bye-laws shall permit an activity for which the license was issued to take place at the specified time on the license.
(2) The Assembly may by a resolution grant an exception from the payment of fees as it may consider appropriate.

Right of Entry

4. (1) An officer of the Assembly duly authorized has the right of entry to any premises of entertainment for the purposes of inspection.
(2) A person shall not obstruct or prevent any officer acting under sub-paragraph (1) of paragraph 4 of these Bye-laws.

Power to Revoke License

5. The Assembly may revoke an entertainment licence if the licensee is convicted of an offence against any provision of these Bye-laws.

Penalty

6. A person who contravenes any provision of these Bye-laws commits an offence and is liable on summary conviction to a fine of not more than two hundred and fifty penalty units and not less than one hundred penalty units or to a term of imprisonment of not more than six months or both. Forty per cent (40%) of the fine imposed shall, on payment, be ceded to the Assembly.

Interpretation

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

“Assembly” means the La Nkwantanang-Madina Municipal Assembly;

HON. ISMAILA BRAIMAH BLAY

Presiding Member

CHARLES ASHALLEY DJANE

Secretary

**LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY
(ABATEMENT OF NOISE) Bye-laws, 2017**

IN EXERCISE of the powers conferred on the La Nkwantanang-Madina Municipal Assembly by section 181 of the Local Governance Act, Act 936 of 2016 these Bye-laws are made this 20th day of April, 2017.

Place for Sale of Records

1. A person shall not use any place for the sale of records or other recorded music unless the place has been inspected, approved and licensed by the Assembly.

Application for Licence

2. (1) An application for a licence shall be made in writing to the Assembly.
(2) A licence may be issued subject to conditions as may be prescribed by the Assembly.

Duration of Validity of Licence

3. (1) Licence issued under paragraph 2 shall be an annual one and be effective from the date on which it is issued.
(2) The license so issued shall expire on the 31st of December of the year in which it is issued.

Withdrawal of Licence

4. (1) The Assembly may withdraw a license issued under these Bye-laws where the owner of the premises
(a) makes an unauthorized alteration to any sound-proof design for listening; or
(b) is convicted of an offence under these Bye-laws or any existing bye laws or laws still in force.
(2) A person shall not make noise within the jurisdiction of the Assembly beyond.
(a) 55 dB in residential areas between 6:00 am and 10:00 pm, and 48 dB between 10:00 pm and 6:00 am,
(b) 55 dB in Educational and Health institutions and facilities, between 6:00 am and 10:00 pm, and 50 dB between 10:00 pm and 6:00 am,

- (c) 60 dB in commercial areas or light industry, between 6:00 am and 10:00 pm, and 55 dB between 10:00 pm and 6:00 am,
- (d) 65 dB in areas with light industry, place of entertainment or public assembly and place of worship like churches and mosques, between 6:00 am and 10:00 pm, and 60 dB between 10:00 pm and 6:00 am,
- (e) 75 dB in predominantly commercial areas, between 6:00 am and 10:00 pm, and 65 dB between 10:00 pm and 6:00 am,
- (f) 70 dB in light industrial areas, between 6:00 am and 10:00 pm, and 60 dB between 10:00 pm and 6:00 am,
- (g) 70 dB in predominantly heavy industrial areas, between 6:00 am and 10:00 pm, and 70dB between 10:00 pm and 6:00 am.

Facilities for Listening

4. (1) 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 for Advertisement Spots

5. A person shall not play or cause to be played any recorded music in public for advertising purposes so as to cause a nuisance to the public.

Music Played in Entertainment

6. (1) A proprietor or person in charge of a night club, restaurant or drinking bar or other place of refreshment or entertainment, church or worship centre shall not play music at the place so as to cause a nuisance to the public or residents in the area.
- (2) Any music played in any place must be heard only within the confines of that place and within permissible noise level.

Music that can be Played up to Midnight

7. A person may play music at a reasonable pitch up to midnight when.
 - (a) A wake is being kept; or
 - (b) A party or a public function permitted by the Assembly is being organized.

Religious Institutions

8. (1) A person conducting a religious service shall not play or cause to be played music beyond the recommended pitch in regulation 4 (2) and 7.
- (2) A person may play music in an institution or in an entertainment hall or make an address through a public address system so as to be heard only within the confines of the institution or entertainment hall within the permissible noise level.
- (3) A person conducting a religious service where music is to be played before 6 am or after 12.00 pm shall seek permission from the Assembly in writing.

Penalty

9. (1) A person who contravenes any provisions of these Bye-laws commits an offence and is liable on summary conviction to a fine of two hundred and fifty penalty units or a term of imprisonment not exceeding 3 months or both. Forty per cent (40%) of the fine imposed shall, on payment, be ceded to the Assembly.
- (2) In the case of a continuing offence, the offender is liable to an additional fine of 1 penalty unit in respect of each day on which the offence continues. Forty per cent (40%) of such accumulated fine shall, on payment, be ceded to the Assembly.

Interpretations

10. In these regulations unless the context otherwise requires.

“Assembly” means the La Nkwantanang-Madina Municipal Assembly;
 “d” means decibel which is the measure of loudness of sound.

HON. ISMAILA BRAIMAH BLAY
Presiding Member

CHARLES ASHALLEY DJANE
Secretary

**LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY
(BUSH FIRE) Bye-laws, 2017**

owers conferred on the La Nkwantanang-Madina Municipal Assembly by section 181 of the
ct 936 of 2016 these Bye-laws are made this 20th day of April, 2017.

Volunteer Squad

be the establishment in every Town Area or Unit a fire volunteer squad.
shall be assisted by the chiefs, Assembly members and Unit Committee members and the
Fire Service to enforce the Bye-laws.

rt a bush fire for any purpose whatsoever without a permit from the Assembly.

Fire

1 fire is to be set for any purpose the Ghana National Fire Service or volunteer squads shall
o supervise the burning.
etting up fire for any purpose shall put off the fire immediately after usage.

Offences

enes any of these Bye-laws commits an offence and shall be arrested and tried by a court of
r by any of the following;

oly member or any officer of the Assembly;
ittee Chairman or members for the Area;
olunteer Squad; or
National Fire Service.

who contravenes the provisions of these Bye-laws commits an offence and is liable on
a fine of forty penalty units or in default to a term of six months imprisonment or to both.
(40%) of the fine imposed shall, on payment, be ceded to the Assembly.

who is aware and refuses to report to the appropriate authority another person who sets a bush
n offence and is liable on summary conviction to a fine of not less than 10 penalty units or to
isonment for three months or to both. Forty per cent (40%) of the fine imposed shall, on
eded to the Assembly.

less the context otherwise requires

La Nkwantanang-Madina Municipal Assembly;
uncontrolled burning of any farm, forest, grassland

A BRAIMAH BLAY
Residing Member

CHARLES ASHALLEY DJANE
Secretary

Fee

2. The fee payable to the Assembly for any license issued under these Bye laws shall be specified by the Assembly's Fee Fixing Resolution.

Penalty

3. A person who contravenes the provisions of these Bye-laws commits an offence and is liable on summary conviction to a fine not more than fifty penalty units or in default to imprisonment for a term of not more than three months or both. Forty per cent (40%) of the fine imposed shall, on payment, be ceded to the Assembly.

Interpretation

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

"Assembly" means the La Nkwantanang-Madina Municipal Assembly;

"Firewood Dealer" means a person who trades in firewood whether collected or stocked up for sale to the public.

HON. ISMAILA BRAIMAH BLAY
Presiding Member

CHARLES ASHALLEY DJANE
Secretary

LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY
(OPERATION OF HERBALISTS) Bye-laws, 2017

IN EXERCISE of the powers conferred on the La Nkwantanang-Madina Municipal Assembly by section 181 of the Local Governance Act, Act 936 of 2016 these Bye-laws are made this 20th day of April, 2017.

Licence

1. A person shall not practice as a herbalist within the Assembly's area of authority unless that person.
- (a) registers with the Ghana Psychic and Traditional Healers' Association; and
 - (b) obtains a permit from the Assembly.

Duration of Permit

2. A permit issued under these Bye-laws shall expire on the 31st December of each year of issue, and a fee determined in accordance with the Fee Fixing Resolution of the Assembly shall be paid by the licensee.

Sanitary Conditions of Herbalist's Premises

3. A herbalist shall
- (a) keep his premises and surroundings clean at all times; and
 - (b) keep his stock under hygienic conditions;
 - (c) take all reasonable precautions in cases of infectious and contagious diseases; and
 - (d) refer cases beyond his competence to a hospital with reasonable dispatch.

Inspection of Premises by Assembly Official

4. An officer duly authorized by the Assembly shall enter and inspect the sanitary conditions of a herbalist's premises and may request him at any time to produce his licence for inspection.

Revocation of License

5. The Assembly may revoke a herbalist's license.
- (a) where the herbalist has been convicted on two occasions of an offence involving dishonesty or improper conduct as a herbalist; or
 - (b) where the herbalist repeatedly fails to maintain good sanitary conditions in his premises.

Penalty

6. (1) A person who contravenes any provision of these Bye-laws commits an offence and is liable on summary conviction to a fine of not more than one hundred and fifty penalty units and not more than one hundred penalty units or in default to a term of imprisonment not exceeding six months or to both. Forty per cent (40%) of the fine imposed shall, on payment, be ceded to the Assembly.

(2) For each day an offence is continued, after a written notice has been served on the offender, a further penalty of one penalty unit shall be imposed. Forty per cent (40%) of the accumulated fine imposed shall, on payment, be ceded to the Assembly.

Interpretation

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

“Assembly” means the La Nkwantanang-Madina Municipal Assembly;

“Herbalist” means a person who uses plants and other natural substances to improve health, promote healing, prevent and treat illness.

HON. ISMAILA BRAIMAH BLAY
Presiding Member

CHARLES ASHALLEY DJANE
Secretary

LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY (CONTROL OF SELF-EMPLOYED ARTISANS) Bye-laws, 2017

IN EXERCISE of the powers conferred on the La Nkwantanang-Madina Municipal Assembly by section 181 of the Local Governance Act, Act 936 of 2016 these Bye-laws are made this 20th day of April, 2017.

Licence to Practice Trade

1. (1) An artisan, handicraftsman or mechanic shall not practice his trade or profession in any area of the Assembly unless he has obtained a licence from the Assembly to do so.
(2) A licence issued under these Bye-laws shall expire on the 31st December of each year of issue, and a fee determined in accordance with the fee fixing resolution of the Assembly shall be paid by the licensee, and satisfying conditions as the Assembly may from time to time impose.

Penalty

2. A person who contravenes these Bye-laws is liable on summary conviction to a fine not more than two hundred and fifty penalty units and not more than one hundred penalty units or to a term of imprisonment not more than three months or to both. Forty per cent (40%) of the fine imposed shall, on payment, be ceded to the Assembly.

Interpretation

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

“Assembly” means the La Nkwantanang-Madina Municipal Assembly;

“Artisan” includes Druggist, Sprayers, Painters, Leather Works, Soap makers, Cobblers, Poultry Farmers, Plumbers, Wood-carvers, Motorized Hand Saw Operators, Vulcanizers, Fitters, Tailors, Seamstresses, Mattress Makers, Welders, Masons, Mechanics, Photographers, Carpenters, Repairers, Hairdressers, Block makers, Weavers, Spare Parts Dealers, Washer men, Letter-writers who are not employed in a Government Department, State Corporation or any registered company.

HON. ISMAILA BRAIMAH BLAY
Presiding Member

CHARLES ASHALLEY DJANE
Secretary

LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY (PROTECTION OF CHILDREN UNDER EIGHTEEN YEARS) Bye-laws, 2017

IN EXERCISE of the powers conferred on the La Nkwantanang-Madina Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) these Bye-laws are made this 20th day of April, 2017.

Protection for Children

1. The Assembly shall provide protection and supervise the control of children under eighteen years of age in all towns and villages within the area of the Assembly to ensure equal opportunity of development.

Unaccompanied Children

2. A child under eighteen years of age shall not be allowed to roam about after 8:00 p.m. unaccompanied by an adult, parent or guardian.

Prohibition from Functions and Acts

3. (1) Children under eighteen years of age shall not
- (a) attend commercial concerts, dances, videos and wake keepings or funerals after 8 p.m.
 - (b) be allowed to engage in any trading activities; or
 - (c) patronize drinking places.
- (2) Despite sub-regulation (1) the Assembly may allow children below eighteen years of age to attend.
- (a) information service film shows;
 - (b) religious functions;
 - (c) organized night studies under the supervision of a school;
 - (d) organized school entertainment and sporting programme; or
 - (e) vigils, bonfires, under the supervision of the Assembly or Chief(s).

Responsibility of Parents or Guardians

4. (1) A parent or guardian is responsible for keeping indoors children under 18 years after 8:00 p.m.
- (2) A person shall not engage a child of less than eighteen years to undertake any trading activity.

Penalty

5. A person who contravenes the provisions of these Bye-laws, commits an offence and is liable on summary conviction to a fine of one hundred and fifty penalty units or in default a term of three months imprisonment or to both. Forty per cent (40%) of the fine imposed shall, on payment, be ceded to the Assembly.

Interpretation

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

“Assembly” means the La Nkwantanang-Madina Municipal Assembly;

HON. ISMAILA BRAIMAH BLAY
Presiding Member

CHARLES ASHALLEY DJANE
Secretary

LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY
(USE OF PUBLIC CLASSROOM BY RELIGIOUS BODIES) Bye-laws, 2017

IN EXERCISE of the powers conferred on the La Nkwantanang-Madina Municipal Assembly by section 181 of the Local Governance Act, Act 936 of 2016 these Bye-laws are made this 20th day of April, 2017.

1. (1) A person or religious body shall not use a public classroom for the observance or celebration of a religious function within the area of jurisdiction of the Assembly unless that person obtains approval from the Assembly.
- (2) An application for approval is subject to the following
- (a) the religious body applying to use a school site should be well established and interested in providing facilities for the enhancement of education in the area of jurisdiction of the Assembly;
 - (b) the religious body should be financially sound and capable of undertaking building projects for schools in accordance with specifications as the Assembly may direct; and
 - (c) payment of a fee every month to the Assembly in accordance with the fee fixing resolution.

Period of Operations

2. A religious body which has been given approval under these Bye-laws to use a Public classroom shall benefit from such approval only for the period specified and under the conditions as shall be determined by the Assembly.

Assembly's Contribution

3. The Assembly may contribute technically to a building project under sub-regulation (2) (b) and a religious body shall co-operate with the local communities for the establishment of such schools.

us body may provide furniture for newly established schools initiated by the religious body.
built by a religious body shall be in the public system under the Assembly's education unit.
ious body shall be represented on the school committee, which shall be formed to run the school.
ment shall be executed between the religious body and the Assembly vesting the property in the

orized by the Assembly to conduct inspection may enter and inspect the conditions of the
ny person/group of persons to produce the relevant license for inspection.

ous bodies who contravenes any of the provisions of these Bye-laws commits an offence and is
viction to a fine not exceeding two hundred and fifty penalty units and not less than one
or in default to a term of imprisonment not exceeding six months or to both. Forty per cent
sed shall, on payment, be ceded to the Assembly.

nless the context otherwise requires

La Nkwantanang-Madina Municipal Assembly;

s an entity that establishes or directs, controls or administers, an educational or other charitable
o be, and is conducted in accordance with religious doctrines, beliefs and principles.

LA BRAIMAH BLAY
Assisting Member

CHARLES ASHALLEY DJANE
Secretary

LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY
(NUMBERING OF HOUSES) Bye-laws, 2017

powers conferred on the La Nkwantanang-Madina Municipal Assembly by section 181 of the
Act 936 of 2016 these Bye-laws are made this 20th day of April, 2017.

ause all premises to be numbered in all or any of the towns and villages within the area of
ly, and may appoint persons referred to as Enumerators for the purpose of numbering of

enumerators
enter any premises between the hours of 6:00 am and 6:00 p.m for the performance of duties
of the occupants to obtain information as required.

enumerators
make a mark on any premise that is sufficient for the identification of the premises.

Interpretation

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

"Assembly" means the La Nkwantanang-Madina Municipal Assembly;

"Premises" means any house, hut, shed, structure or roofed enclosure, whether used for the purpose of human habitation or otherwise.

HON. ISMAILA BRAIMAH BLAY
Presiding Member

CHARLES ASHALLEY DJANE
Secretary

LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY
(MAINTENANCE OF PREMISES) Bye-laws; 2017

IN EXERCISE of the powers conferred on the La Nkwantanang-Madina Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) these Bye-laws are made this 20th day of April, 2017.

White Washing and Painting of Premises

1. An owner or occupier of premises within the area of administration of the Assembly shall keep the house clean, whitewashed and painted on regular basis at least once in every two years.

Surcharge of Owner, Occupier

2. Where an owner or occupier fails to comply with sub-paragraph (1) the Assembly shall undertake the painting and charge the owner or occupier with the expenses incurred in undertaking the painting.

Inspection of Authorized Officer

3. An officer of the Assembly duly authorized may inspect the state of maintenance of any premises and its state of cleanliness within a prescribed period as it may determine.

Powers of Assembly

4. The Assembly may direct an owner or occupier of premises to white-wash, paint or put the premises in a state of cleanliness within a prescribed period as it may determine.

Extension of Time

5. The Assembly may extend the prescribed period for the painting of premises upon an application by the owner or occupier of the premises in reasonable circumstances.

Offence for Uncleanliness

6. After the expiration of the extended prescribed period, a person who refuses to comply with the request to white-wash, paint or put the premises in a state of cleanliness commits an offence.

Premises in Disrepair

7. A house owner or occupier of premises who refuses to repair any premises which is in a state of disrepair, dilapidation, collapse or poses a threat to life and property shall be deemed to have contravened these Bye-laws after reasonable warning or notice by the Assembly.

Abandoned Premises

8. Where a premises is abandoned and in a total state of disrepair, dilapidation or collapse and poses a threat to life and property the Assembly shall serve notice to the owner or occupier of the premises to demolish it within a period of eight days.

Demolition of Premises after Eight Days' Notice

9. The Assembly shall demolish the premises and charge the owner or occupier of the premises with the cost of demolishing after the expiration of the period of eight days notice.

Uncompleted Dangerous Property

10. The Assembly shall serve notice on the owner of an uncompleted premises which poses a threat to life and property to either complete or demolish it within a specified period of time.

Penalty

11. A person who contravenes any of these Bye-laws commits an offence and is liable on summary conviction to a fine not exceeding two hundred and fifty penalty units and not less than one hundred penalty units or in default of payment to a term of imprisonment not exceeding six months or to both. Forty per cent (40%) of the fine imposed shall, on payment, be ceded to the Assembly.

Interpretation

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

“Assembly” means the La Nkwantanang-Madina Municipal Assembly;

“premises” means any house, hut, shed, structure or roofed enclosure, whether used for the purpose of human habitation or otherwise.

HON. ISMAILA BRAIMAH BLAY

Presiding Member

CHARLES ASHALLEY DJANE

Secretary

**LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY
(REMOVAL OF NIGHT-SOIL/SEPTAGE) Bye-laws, 2017**

IN EXERCISE of the powers conferred on the La Nkwantanang-Madina Municipal Assembly by section 181 of the Local Governance Act, Act 936 of 2016 these Bye-laws are made this 20th day of April, 2017.

Control of Private Latrines

1. In all communities under the jurisdiction of the Assembly the removal of night-soil/septage from all premises in which private toilets are kept shall be under the control of the Assembly and no person other than a person authorized by the Assembly shall remove night-soil/septage from such private latrines.

Use of Pan Latrines

2. The use of pan latrines within the jurisdiction of the Assembly is hereby abolished. Premises with such facilities shall convert them to an approved toilet facility.

Notice to Assembly

3. The owner or occupier of any premises in which private toilets are kept shall give notice of the keeping of any such toilets to the Assembly which shall provide services for the dislodging of same. The Assembly may also provide such services through its accredited agents.

Fees payable to Assembly

4. There shall be payable to the Assembly or its accredited agents by the owner or occupier in respect of the services for which provision is made by the Assembly under these Bye-laws, a fee as may be fixed from time to time by resolution of the Assembly and approved by or on behalf of the Ministry of Local Government.

Penalty

5. Any person other than a person authorized by the Assembly who dislodges toilet from any premises to which the provisions of these Bye-laws apply, and every owner or occupier who permits any unauthorized person to dislodge same or who fails to notify the Assembly as required by the provisions of paragraph 3, shall be guilty of an offence and on summary conviction thereof and shall be liable to a fine not exceeding two hundred and fifty penalty units and not less than one hundred penalty units or in default to imprisonment for a term not exceeding 3 months. Forty per cent (40%) of the fine imposed shall, on payment, be ceded to the Assembly.

Interpretation

6. In these Bye-laws unless the context otherwise requires ;

“Premises” does not include Government premises or Assembly premises

“A private toilet” means a toilet installed for the use of the person living within a single house or premises connected to a septic tank capable of being dislodged without nuisance.

HON. ISMAILA BRAIMAH BLAY

Presiding Member

CHARLES ASHALLEY DJANE

Secretary

**LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY
(PERMANENT AND TEMPORARY STRUCTURES) Bye-laws, 2017**

IN EXERCISE of the powers conferred on the La Nkwantanang-Madina Municipal Assembly by section 181 of the Local Governance Act, Act 936 of 2016 these Bye-laws are made this 20th day of April, 2017.

1. A person shall not mount a permanent or temporary structure including a house, kiosk or container within the area of jurisdiction of the Assembly unless that person has been issued with a permanent or temporary structure permit.

Unauthorized Structure

2. A permanent or temporary structure constructed within the jurisdictional area of the Assembly without a permit shall be classified as an unauthorized structure.

Structures in Public Right of Way

3. The Assembly may demolish or remove such unauthorized structure located in a public right of way or poses a danger to life and/or property with or without notice and surcharge the owner with any costs it incurs during the demolishing and/or removal of the offending structure.

Notice to be Served in Prescribed Manner

4. (1) Except where an unauthorized structure is sited within a public right of way or has been placed in a manner that poses danger to life and property, the Assembly will serve appropriate summons or removal notice on the owner of the offending structure for a period of three days.
- (2) A notice shall be served any day between the hours of 6:00 am to 6:00 pm.
- (3) Notice shall be served on the owner, agents or persons residing in the house or structure who are above eighteen years and where a person refuses to accept the notice, the notice shall be tendered on that person.
- (4) Where a person is not available to receive the notice, it shall be affixed on the property.

Enforcement in Respect of Non-compliance

5. (1) The Assembly shall confiscate the tools of an unauthorized developer after the expiry of the notice served on him in paragraph 4 above to prevent the developer from continuing with the project.
- (2) The Assembly shall remove or demolish the unauthorized structure after the expiry of the notice, and his continuous development after the action in paragraph 5 (1), and the owner shall pay a penalty of fifty penalty units or a prison term not exceeding three months or both. Forty per cent (40%) of the fine imposed shall, on payment, be ceded to the Assembly.

Fine

6. (1) Where the structure is removed, it shall be deposited at a safe site for 14 days and shall only be released to the owner after the payment of a fine of thirty penalty units per two metres square. Forty per cent (40%) of the fine imposed shall, on payment, be ceded to the Assembly.
- (2) The Assembly shall dispose of by public auction or by any other means, any structure or confiscated tools if the owner fails to claim them within fourteen days after the removal or confiscation.

Validity of Permit

7. Permits for temporary structures shall be valid for one year except where indicated otherwise.

Revocation of Permit

8. A Permanent or temporary structure permit may be revoked by the Assembly and the structure shall be removed from its location at the end of fourteen days.

Penalty

9. A person who contravenes any of these Bye-laws commits an offence and on conviction is liable to a fine of two hundred penalty units or three months imprisonment or both. Forty per cent (40%) of the fine imposed shall, on payment, be ceded to the Assembly.

Interpretation

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

“Assembly” means the La Nkwantanang-Madina Municipal Assembly;

“Tools” means any item used at a construction site to facilitate the construction of any structure.

HON. ISMAILA BRAIMAH BLAY
Presiding Member

CHARLES ASHALLEY DJANE
Secretary

**LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY
(BUILDINGS-MISCELLANEOUS) Bye-laws, 2017**

IN EXERCISE of the powers conferred on the La Nkwantanang-Madina Municipal Assembly by section 181 of the Local Governance Act, Act 936 of 2016 these Bye-laws are made this 20th day of April, 2017.

Buildings Permit

1. (1) A person shall not construct a building or any structure within the Assembly's area of jurisdiction without obtaining a permit from the Assembly.
(2) The Assembly shall stop the development of any structure indicated if the owner fails to obtain a permit from the Assembly.
(3) The Assembly shall confiscate the tools and other items from the construction site of a developer who contravenes paragraph (1) and (2).
(4) The Assembly or an officer working on behalf of the Assembly shall not be liable for any damage, misplacement of confiscated items.
(5) The Assembly shall dispose of by public auction or by any other means, any confiscated items if the owner fails to claim them within fourteen days after the confiscation.
(6) Perishable items shall be disposed of after twenty hours.

Business Premises

2. (1) A person shall not construct a business premises in a residential area unless the building line is 10 metres from the fence line.
(2) Adequate parking space commensurate to the business premises must be provided in order to curtail the incidence of on-street parking.

Building Offsets to be Observed

3. (1) Building offsets in respect to fence lines and for all categories of buildings shall be respected by all persons who are undertaking constructional works.
(2) A person who contravenes paragraphs (1) shall rectify the anomaly within one week of notice of the anomaly.
(3) A person who refuses to rectify the anomaly commits an offence and is liable to a fine of twenty penalty units a term of imprisonment or both. Forty per cent (40%) of the fine imposed shall, on payment, be paid to the Assembly.
(4) In the case of a continuing offence, a fine of four penalty units shall be imposed for everyday that the offence continues and the Assembly shall rectify the anomaly and surcharge the developer with any costs incurred.

Hillside Water Ways

4. A person shall not construct a building on the slope of a hill with gradient of more than forty degrees or on a water way.

Adjoining Premises to be Protected

5. A person constructing a premises in a built up environment shall protect the site against dust and falling debris.

Enforcement

6. A person who contravenes these Bye-laws commits an offence and is liable on conviction to a fine of two hundred and fifty penalty units or six months imprisonment or both. Forty per cent (40%) of the fine imposed shall, on payment, be ceded to the Assembly.

Interpretation

7. In these Bye-laws unless the context otherwise requires.
"Assembly" means the La Nkwantanang-Madina Municipal Assembly;
"Premises" means any house, hut, shed, structure or roofed enclosure, whether used for the purpose of human habitation or otherwise;
"Perishable items" means goods that go bad within a short period.

HON. ISMAILA BRAIMAH BLAY
Presiding Member

CHARLES ASHALLEY DJANE
Secretary

**LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY
(MISCELLANEOUS) Bye-laws, 2017**

IN EXERCISE of the powers conferred on the La Nkwantanang-Madina Municipal Assembly by section 181 of the Local Governance Act, Act 936 of 2016 these Bye-laws are made this 20th day of April, 2017.

No Fitting Shop on or by Street Side

1. A person shall not establish a fitting shop on or by the side of a public street in the Assembly's area of jurisdiction for the repair of car or other machines.

No Person Shall Park Vehicle, Goods etc in Public Pathway

2. (1) A person who
 (a) parks a vehicle; or
 (b) pack goods or other items in a public pathway or pavement commits an offence.
 (2) A person who contravenes paragraphs 2 (1) commits an offence.

No bills or Poster etc.

3. A person shall not affix posters for advertisement on any wall, tree or fixtures, other than;
 (a) the spaces specifically provided or approved by the Assembly for that purpose; or
 (b) the property owned or occupied by the advertiser which shall be approved by the Assembly.
 (c) Permits in respect of Article 3 (a) and (b) shall be renewed annually.

Littering of Refuse

4. A person shall not throw litter, refuse or other matter which may cause nuisance or block the free passage of water in gutters or drains.

Responsibility of Operators

5. (1) A commercial or industrial operator shall clean the business premises and keep it neat at all times.
 (2) Where the commercial or industrial operator fails to undertake the cleaning within twenty hours the Assembly shall undertake the cleaning for an aesthetic purpose and charge the commercial or industrial fee commensurate with the work undertaken.

Health Day

6. Where the Assembly designate a HEALTH DAY, a person who obstructs;
 (a) A pupil or teacher; or
 (b) any other person authorized to clean any area of the Municipality commits an offence and is liable on conviction to a fine not more than twenty penalty units or to a term of imprisonment not exceeding three months or to both. Forty per cent (40%) of the fine imposed shall, on payment, be ceded to the Assembly.

No Parking

7. A person shall not place empty cases, spare parts of vehicles or derelict vehicles and other articles at places where they may;
 (a) cause obstruction to traffic or other users of the road; or
 (b) be an eyesore; or
 (c) otherwise unpleasant to the public.

Frontage of Commercial Premises to be Cemented

8. (1) The owner or occupier of a commercial or industrial building shall ensure that the frontage of the building is concreted or cemented or solidly paved, slabbed, tiled to the satisfaction of the Municipal

Engineer of the Assembly.

- (1) Where the owner or occupier of commercial or industrial premises does not comply with the provisions of sub-paragraph (1) the Municipal Engineer or the Town Planning Officer or any approved agent of the Assembly shall do so and surcharge the owner or occupier of the commercial or industrial building concerned.
 (3) Owners or occupiers of stores, market stalls and market places shall keep their floors and frontages clean of litter, rubbish or filth.
 (4) Where a person is permitted or licensed to trade, work or use for any purpose the frontage of a premises, the owner or occupier of the premises and the licensee are jointly liable for the defaults of that person under this paragraph.

Creation of Nuisance

9. (1) A person who for the purpose of trade, vocation or other business causes smell or other nuisance to the detriment of neighbors or the public commits an offence.
(2) A person authorized by the Assembly to destroy, remove or dispose of anything under these Byc-laws, shall not be liable to any person for any loss sustained.

Washing of Vehicles on Road

10. A person shall not wash a vehicle of any kind on public roads within the area of jurisdiction of the Assembly.

Damage to Public Property

11. (1) A person shall not damage or cause to be damaged any public property within the jurisdictional area of the Assembly.
(2) A person who contravenes paragraph one shall replace or pay for the replacement of the property and in addition pay a fine of forty penalty units or in default three months imprisonment or both. Forty per cent (40%) of the fine imposed shall, on payment, be ceded to the Assembly.

Prohibition Against Sale of Unwholesome, Poisonous or Adulterated Food

12. Any food sold or offered for sale that has in or upon it any poisonous or harmful substance is unwholesome or unfit for human consumption.

Deception of Consumers

13. Any person, who labels, packages, sells or advertises any food in matter that is false, misleading or deceptive as regards its character, nature, value, substance, quality, composition, merit or safety commits an offence.

Sale of Food Under Insanitary Conditions

14. Any person who sells or offers or exposes for sale or has in his possession for sale or deposit with or consigns to any person for the purpose of sale of any food intended for, but unfit for human consumption commits an offence.

Suitability Report Before Commencement of Business

15. All operators in the hospitality industry, factories and or firms, food processing firms and schools shall obtain a suitability report from the Environmental Health Department of the Assembly before commencement of business. The report is renewable annually.

Sanitation Management Plan

16. (1) A person shall not develop an estate, a school or other commercial facilities without a sanitation management plan.
(2) The sanitation management plan should indicate how waste and other sanitation activities will be managed on the premises.

Solid Waste Collection

17. (1) Land lords shall register with accredited waste contractors for door to door solid waste collection services.
(2) They shall pay to these contractors monthly subscription fees in accordance with the Fee Fixing Resolution of the Assembly.

Drain Cleansing

18. (1) Shop owners shall be responsible for desilting and cleansing of drains in front of their shops.
(2) Pavements shall not be used for any trading activities, they shall be used exclusively as pedestrian walkways.

Meat Inspection

19. Environmental Health Officers shall undertake regular inspection of fish and meat.

Washing and Bathing in Public

20. A person shall not wash clothes or take one's bath in public except at public bathing and washing places.

Untidy Property

21. A landlord or landowner or an agent for a landlord or landowner who allows any property to be overgrown with weeds commits an offence.

Obstruction of Environmental Health Officer

22. A person who willfully obstructs an Environmental Health Officer of the Assembly in the execution of his/her duties commits an offence.

Penalty

A person who contravenes any of these Bye-laws commits an offence and is liable to pay a fine of two hundred and fifty penalty units a term of imprisonment or both. Forty per cent (40%) of the fine imposed shall, on payment, be ceded to the Assembly.

Interpretations

In these Bye-laws unless the context otherwise requires.

"Assembly" means the La Nkwantanang-Madina Municipal Assembly;

"Frontage" includes verandah, porches, pavements, drains and roads in front of any premises;

"Goods" includes trucks, cranes, lorries, cars, motor cycles, tricycles, bicycles, carts and wagon;

"Health Day means any day set aside by the Assembly for cleaning up activities within its area of authority;

"premises" means any building, structure whatsoever and includes house, hut, shed, roofed enclosure, kiosk, whether used for the purpose of human habitation or otherwise;

"Roads" includes street, kerb, pavement, sidewalks and footpaths;

"Unauthorized structure" means the erection, construction, mounting etc of any structure without taking a permit from the Assembly or its authorized agents.

HON. ISMAILA BRAIMAH BLAY

Presiding Member

CHARLES ASHALLEY DJANE

Secretary

**LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY
(WATER AND SANITATION SERVICES) Bye-laws, 2017**

IN EXERCISE of the powers conferred on the La Nkwantanang-Madina Municipal Assembly by section 181 of the Local Governance Act, Act 936 of 2016 these Bye-laws are made this 20th day of April, 2017.

1. The Assembly shall connect communities to her pipe scheme through the Water and Sanitation Management Teams.

Connecting to the Scheme

2. An owner of a house or occupier of any premises may be connected to the water scheme upon receipt from him, an application and payment of the appropriate charges.

Customer Service

The Team shall supply potable water to customers within its catchment area and bill them monthly for the services rendered. Payment shall be done within two weeks after receiving the bill.

Washing of Vehicles at Source of Drinking Water

3. (1) A person shall not wash a vehicle at a source of drinking water being a lake, stream or rivulet.

Penalty

4. A person who without lawful justification or excuse, the prove of which shall be on him, refuses or willfully neglect to pay for any bills payable by him after water consumption commits an offence and is liable on conviction to a fine of fifty penalty units including the payment of the said arrears or a term of imprisonment or both. Forty per cent (40%) of the fine imposed shall, on payment, be ceded to the Assembly.

HON. ISMAILA BRAIMAH BLAY

Presiding Member

CHARLES ASHALLEY DJANE

Secretary

**LA NKWANTANANG-MADINA MUNICIPAL ASSEMBLY
(WETLANDS PROTECTION) Bye-laws, 2017**

IN EXERCISE of the powers conferred on the La Nkwantanang-Madina Municipal Assembly by section 181 of the Local Governance Act, Act 936 of 2016 these Bye-laws are made this 20th day of April, 2017.

Establishment of Wetlands

1. (1) The Assembly hereby establishes the Wetlands Protection Bye-law to protect the wetlands, water resources, and adjoining land areas under the jurisdiction of the Assembly.
- (2) For purposes of this Bye-law, the Assembly shall collaborate with the Town and Country Planning, the Lands Commission, Environmental Protection Agency and Water Resources Commission in the Greater Accra Region to collect the data on wetlands, water resources and its adjoining lands.
- (3) Upon ascertaining the areas the Assembly 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 Assembly shall also erect a sign post at the site showing the demarcation of the area on the signpost.
- (5) The Assembly 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 Assembly shall after ascertaining 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 Assembly 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 Assembly 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. The Assembly must be notified at least 72 hours prior to the work being undertaken.
- (2) The Assembly 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 Assembly 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, Environmental Health Departments and Water Resources Commission to ensure the compliance of this Bye-law by the traditional authorities and the prospective developers.
- (2) The Assembly 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 Assembly 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 Assembly shall institute both civil and criminal action to restrain the continuous degradation of the wetlands or the natural resource.
- (6) The city guards of the Assembly, 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

7. Any person who violates any provision of this Bye-law or administrative orders issued thereunder, shall be punished by a fine of two hundred and fifty 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 5 penalty units.

Title

8. This Bye-law shall be cited as the La Nkwantanang-Madina Assembly (Wetlands Protection) Bye-laws, 2017.

Application

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

Interpretation

In this Bye-law, Assembly means La Nkwantanang-Madina 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.

HON. ISMAILA BRAIMAH BLAY
Presiding Member

CHARLES ASHALLEY DJANE
Secretary

Application

1. These Bye-laws shall apply within the area of authority of the La Nkwantanang-Madina Municipal Assembly.

Revocation

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

Made at a meeting of the La Nkwantanang-Madina Municipal Assembly held on the

HON. ISMAILA BRAIMAH BLAY
Presiding Member

CHARLES ASHALLEY DJANE
Secretary

Approved by the Regional Co-ordinating Council on behalf of the Minister of Local Government and Rural Development.

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