

STATUTORY INSTRUMENTS SUPPLEMENT

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S T A T U T O R Y I N S T R U M E N T S

2015 No. 56.

**THE BUSIA MUNICIPAL COUNCIL (PUBLIC HEALTH AND
ENVIRONMENT PROTECTION) BYE-LAWS, 2015.**

ARRANGEMENT OF SECTIONS

Section

PART I—PRELIMINARY

1. Citation.
2. Application.
3. Interpretation.

PART II—GENERAL

4. Urinating, spitting or defecating in public places.
5. Smoking in public places.
6. Grass to be kept short.
7. Pit latrines in peri-urban areas.
8. Disposal of water and waste into the street.

PART III—ENVIRONMENT PROTECTION

9. Noise pollution.
10. Bush burning.
11. Quarry to be restored environmentally.
12. Offences and penalties.

SCHEDULE

CURRENCY POINT

S T A T U T O R Y I N S T R U M E N T S

2015 No. 56.

The Busia Municipal Council (Public Health And Environment Protection) Bye-Laws, 2015

(Under Section 39(1) of the Local Government Act, Cap. 243)

IN EXERCISE of powers conferred upon the Busia Municipal Council by Section 39(1) of the Local Government Act, these Bye-laws are enacted this 26th day of May, 2015.

PART I—PRELIMINARY

1. Citation.

The Bye-Laws may be cited as the Busia Municipal Council (Public Health and Environment Protection) Bye-Laws, 2015.

2. Application.

These Bye-laws shall apply to all areas within the jurisdiction of Busia Municipal Council.

3. Interpretation.

In these Bye- Laws unless the context otherwise requires—

“bush” means wild, uncultivated grass or shrub on land;

“currency point” has the value assigned to it in the Schedule of these Bye-laws;

“council” means Busia Municipal council;

“NEMA” means National Environmental Management Authority;

“noise” means a series of loud unpleasant sound;

“peri-urban area” means areas out of the town centre but within the jurisdiction of the Municipal council;

“pit latrine” includes any facility constructed for the purpose of human waste;

“premises” means a dwelling house or any other building whether used for purposes of residence, commerce, sports , religious or any other similar function;

“public place” means the area within the municipality used by people generally for public good and not allocated to a particular person or group of persons;

“occupier” means a person in occupation of premises or having charge, management or control of a building, but does not include a lodger;

“required depth” means seventeen feet deep.

PART II—PUBLIC HEALTH

4. Urinating, spitting or defecating in public places.

A person shall not urinate, spit or defecate on any part of the street, Lane or open space within the Council.

5. Smoking in public places.

A person shall not smoke in any public place within the Council.

6. Grass to be kept short.

An occupier of premises shall keep the grass on the premises and on the road verge short and clean.

7. Pit-latrines in peri-urban areas.

Every homestead in peri-urban areas within the jurisdiction of the Council shall have a well build pit-latrines of the required depth.

8. Disposal of waste into the street.

A person shall not let any water-waste, filth or any waste product to run or flow into or upon any street, road, passage lane or footpath within the Council.

9. Noise pollution.

No person shall produce sound beyond the agreeable noise levels prescribed by NEMA.

10. Burning of materials.

(1) A person shall not burn grass or any material within the Council other than within his or her own premises

(2) These Bye-laws do not apply to the burning of bush if proper precautions are taken and the burning causes no nuisance.

11. Quarry to be restored environmentally.

A person permitted to quarry stones or excavate sand, murrum or other building materials within the Council shall in addition to any other conditions imposed by the Council restore the land to as much of possible to the level it was or at before it was excavated.

12. Offences and penalties.

(1) Any person who contravenes any of the provisions of these Bye-laws commits an offence and is liable on conviction to a fine not exceeding two currency points or to a term of imprisonment not exceeding six months, or both.


(2) In addition to the penalties prescribed in sub paragraph (1), any expenses incurred by the Council as a result of a breach of the provisions of these Bye- Laws, shall be paid to the Council by the person in breach.

SCHEDULE

CURRENCY POINT

A currency point is equivalent to twenty thousand shillings.

PASSED BY THE Busia Municipal council this 26th day of May, 2015.



MUGENI MICHAEL,
His Worship The Mayor.