

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. 51.

**THE BUSIA MUNICIPAL COUNCIL (SOLID WASTE MANAGEMENT)
BYE-LAWS, 2015**

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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. 51.

The Busia Municipal Council (Solid Waste Management) 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 made this 26th day of May, 2015.

PART I—PRELIMINARY

1. Citation.

These Bye-Laws shall be cited as the Busia Municipal Council (Solid Waste Management) 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—

“Council” means Busia Municipal Council;

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

“occupier” means a person in physical occupation of premises, regardless of the title under which he or she occupies the premises;

“road verge” includes any area immediately bordering any street, road, lane, foot path pavement and open space not being the property of a private owner;

“skip” means a container owned by the Council and made available to the public for their use as part of the Councils refuse collection system;

“special waste” means solid waste which is hazardous and includes but not limited to medical and industrial wastes;

“solid waste” means any solid substance which constitutes scrap material or other unwanted surplus substance arising from application of any process and also includes any substance or article which requires to be disposed of or discarded as being broken, worn out, contaminated or otherwise spoilt and includes dust, refuse, garbage, decaying animal matter or vegetable matter.

PART II—WASTE MANAGEMENT

4. Occupier or owner to maintain premises.

Every owner or occupier of any premises is responsible for the sanitary condition of his or her premises and for the proper placement or collection of solid waste.

PART III—WASTE DISPOSAL

5. Deposit of solid waste.

(1) Solid waste that is not managed at the premises shall be disposed of at approved solid waste disposal sites.

(2) A producer of solid waste shall not throw, deposit or burn or cause to be thrown, deposited or burnt, any solid waste, in or upon any street or road verge or any other place within the council except in an approved solid waste disposal site.

(3) It shall be the duty of an occupier or an owner of premises adjacent to a street or public place to ensure that all solid waste is removed from the street or public places and disposed of in accordance with these Bye-Laws.

6. Provision of dustbins.

(1) The owner or occupier of the premises where solid waste accumulates shall ensure that a sufficient number of suitable, approved dustbins or containers for receiving and storing solid waste are provided at the premises.

(2) The owner or occupier shall provide and maintain dustbins of a size and shape approved by the Council.

7. Removal of carcasses.

Any owner or person responsible for any animal or an owner or occupier of property where a dead animal is found, shall within four hours of the death of the animal or if the animal dies at night within four hours after day light or four hours from the time the death of the animal is discovered, inform the Council to remove and bury the carcass of this animal in a manner prescribed or approved by the Council.

8. Industrial and commercial solid waste.

(1) Solid waste generated by commercial and industrial establishments shall only be deposited into skips set aside for that purpose.

(2) Where the Council agrees to provide facilities for the disposal of social waste, it may levy a special fee for the service.

PART IV—OFFENCES AND PENALTIES

9. Offences and penalties.

Any person who—

- (a) fails or neglects to manage his or her solid waste or fails to deposit it at an approved solid waste collection site;
- (b) fails or neglects to pay the prescribed waste disposal fee;
- (c) contravenes any provision 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 one month, or both.

SCHEDULE

CURRENCY POINT

A currency point is equivalent to twenty thousand shillings.

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

A handwritten signature in black ink, appearing to read 'Mugent Michael', written in a cursive style.

MUGENT MICHAEL,
His Worship The Mayor.