

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. 53.

THE BUSIA MUNICIPAL COUNCIL (MARKETS) BYE-LAWS, 2015.

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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. 53.

The Busia Municipal Council (Markets) Bye-laws, 2015.

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

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 may be cited as the Busia Municipal Council (Markets) Bye-laws, 2015.

2. Application.

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

3. Interpretation.

In these Bye-Laws unless the context otherwise require—

“council” means Busia Municipal Council;

“currency point” has value attached to it in Schedule 1 to these Bye-Laws;

“market authority” means the Busia Municipal Council;

“pitch” means a portion of the ground or floor of a market allocated to a vendor for the purpose of exposing goods for sale;

“stall” means a portion of a market upon which any structure has been erected by or with the approval of the market authority for purpose of exposing goods for sale by a vendor.

4. Purpose of these Bye-Law.

The purpose of these Bye-laws is to control, regulate and manage the markets in Busia Municipal Council to ensure smooth operations and effective revenue collection and to provide for other related matters.

PART II—BUSINESS OF MARKETS.

5. Designation of markets in the Council.

The markets in the council are designated as man markets and small markets as specified in Schedule 2 of these Bye-Laws.

6. Market days and hours.

(1) Markets shall be open from monday to saturday between 7.00am and 6.30pm.

(2) Markets shall not be open on sundays and public holidays.

(3) A person shall not be allowed in a market at anytime when a market is closed, except if authorized by the council.

7. Goods to be sold in markets.

(1) A person shall not sell, offer or expose for sell, goods in a market except as prescribed by the council for that purpose.

(2) The Goods that shall be sold in markets have been specified in the Third Schedule and Forth Schedule to these Bye-laws.

(3) Any person in the small market selling goods specified for the main market commits an offence and shall be liable on conviction to a fine of two currency points or imprisonment for 3 months.

PART III—PROHIBITED OR RESTRICTED GOODS IN A MARKET

8. Goods prohibited or restricted in a market.

(1) The following goods shall not be sold in a market—

(a) hides and skins;

(b) animals, except poultry and fish which shall be within pitches or stalls provided for that purpose; and

- (c) fresh meat and offals, except within a meat stall provided for that purpose.

9. Meat.

(1) A person shall not slaughter, dress or clean any animal, bird or fish in a market, except as permitted by the council.

(2) A person shall not sell meat in a market, except where the meat is approved for sale by an authorized officer.

10. Clothing for people selling meat.

A person who sells meat in a market shall wear a white overcoat and white shoes.

PART IV—PROHIBITED PERSONS AND ACTS IN MARKETS

11. Drunkenness, idleness and disorderliness.

Any person who is found drunk or conducts himself in a disorderly manner in the market commits an offence.

12. Disfigurement of apparatus.

Any person who cheats by disfiguring any apparatus or measurement for selling of goods in the market commits an offence.

13. Bicycles.

A person shall not ride, cause, allow or permit, a bicycle to be brought inside a market except with the permission from the market authorities.

14. Spiting etc.

A person shall not spit on the market grounds or commit any act that is a nuisance, in the market.

15. Pouring waste.

A person shall not pour waste material on the market ground except in areas clearly marked for waste disposal.

16. Playing games etc.

A person shall not within the precincts of a market—

- (a) play a game; or
- (b) gamble, shout, whistle, sing, fight or play a musical instrument which may be a nuisance to other persons unless otherwise authorized by the council.

PART VI—GENERAL PROVISIONS

17. Pitches and stalls.

(1) The stalls and pitches in a main market shall be provided by the council.

(2) A person shall not own or occupy more than one stall or space in a main market.

(3) The occupation of stalls and pitches shall be permitted on payment of the market dues as may be prescribed by the market authority.

(4) The payment of market dues shall be made in advance.

18. Loading and offloading fees.

(1) The Council shall prescribe the fees to be paid by the vehicles that load or offload goods for sale in the market

(2) A driver of a vehicle shall not load or offload goods for sale in a market without payment of the prescribed fees.

19. Storage in the markets.

A person, other than the market authority shall not store within a market, any goods which are not for sale in the market.

20. Exhibition of the Bye-law

A copy of these bye laws shall be exhibited in every market managed by the Council in the Council.

21. Offences and Penalties.

Any person who contravenes these Bye- laws commits an offence and is on conviction liable to a fine not exceeding two currency points or imprisonment not exceeding six months or both.

22. Expulsion from a market.

The market authority may expel from a market, an occupier of any stall or pitch his or her servant, who is convicted of a breach of these bye-laws and may prevent that person from occupying any pitch or stall in the market.

23. Attachment of goods.

The market authority may in addition to the penalty in paragraph 22, attach any goods or property on a stall or pitch within which the occupier of the stall or pitch does not pay any money that is due under these Bye laws and may unless the sum is paid, dispose of the goods or property and apply the proceeds towards the payment of the sum due and the balance shall be paid to the stall or occupier of the stall or pitch.

FIRST SCHEDULE

CURRENCY POINT

A Currency point is equivalent to twenty thousand Uganda shillings

SECOND SCHEDULE

MAIN AND SMALL MARKET

(1) The main markets in the Council.

- (a) the market situated at the main market square;
- (b) the market situated at the Dembe tree, east south of the market, Kasovo area west south of the market stretching to the market lanes of Tororo gate and Jinja gate;
- (c) the market situated within the gates in Solo “A” North Parish; and
- (d) the market lanes leading to the main market including Jacob Ariada road, Ogema road and Jinja road reserve, not beyond the ICD road link.

(2) The small markets in the Council are sofia market, Arubane: shall include Sofia market, Arubaine market, Equator market, Nangwe market and Mawero market.

THIRD SCHEDULE

GOODS TO BE SOLD IN THE MAIN MARKET

The goods that may be sold in the main market of the Council.

- (a) groundnuts;
- (b) maize;
- (c) simsim;
- (d) soya;
- (e) beans;
- (f) cow peas;
- (g) fish;
- (h) second hand clothes;
- (i) matooke;
- (j) water melon;
- (k) passion fruits;
- (l) sorghum;
- (m) millet;
- (n) tomatoes;
- (n) meat;
- (o) fish; and
- (p) chicken

FOURTH SCHEDULE

GOODS TO BE SOLD IN SMALL MARKETS

The goods that may be sold in the other markets in the Council-

- (a) onions;
- (b) fish;
- (c) tomatoes;
- (d) water melons;
- (e) second hand clothes; and
- (f) other goods in the first schedule to be sold in quantities to be determined by Council.

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



MUGENI MICHAEL,
His Worship The Mayor.