

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

2008 No. 13.

THE LOCAL GOVERNMENTS (FORT PORTAL MUNICIPALITY)
MISCELLANEOUS BYELAWS, 2008.

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STATUTORY INSTRUMENTS

2008 No. 13.

The Local Governments (Fort Portal Municipality) Miscellaneous Byelaws, 2008.

(Under section 39 of the Local Governments Act, Cap. 243)

IN EXERCISE of the powers conferred upon Fort Portal Municipality Council by section 39 of the Local Governments Act these Byelaws are made this 31st day of August, 2007.

PART I—PRELIMINARY

1. Title.

These Byelaws may be cited as the Local Governments (Fort Portal Municipality) Miscellaneous Byelaws, 2008.

2. Application.

These Byelaws apply to the area of jurisdiction of Fort Portal Municipal Council.

3. Interpretation.

In these Byelaws, unless the context otherwise requires—

“Act” means the Local Governments Act;

“council” means the Fort Portal Municipal Council;

“currency point” has the value assigned to it in the Schedule to these Byelaws;

“a financial year” means a period of twelve months ending on 30th day of June of each calendar year.

PART II—BUILDINGS.

4. Compliance with Byelaws.

A person who erects a building within the jurisdiction of the council shall comply with the requirements of these Byelaws and any other law.

5. Construction of buildings without permit.

(1) A person shall not construct a building within the jurisdiction of the council unless the plans of the proposed building have been approved by the council.

(2) The fees for the approval of the plan shall be 1% of the estimated total cost of the construction.

(3) A person, developer, agent, contractor or mason whose materials, tools or equipment have been impounded shall pay impounding fees.

(4) Where materials, tools or equipment have been impounded and not claimed after three months, the council shall sale them by auction and the proceeds after removing council expenses shall be forfeited to council.

(5) A person who contravenes this byelaw commits an offence and is liable on conviction to a fine not exceeding two currency points or imprisonment not exceeding two months or both.

(6) In addition to the fine under this byelaw, the council may impound materials, tools or equipment found at the site without approved plans or permit.

6. Alterations to building plans.

A person who intends to make alterations to a building plan shall submit the altered plan to the council for approval.

7. Advertising on buildings.

(1) A person, company or its authorized agent who paints a building for purposes of advertising in the Municipality shall pay an advertising fee on each building.

(2) The fee for the advertisement shall be determined by the council from time to time.

8. Construction of houses in certain places.

A person shall not construct a house on a site which is used as a deposit of garbage, excremental matter or carcass.

9. Roads etc to be managed, maintained and controlled by the Council.

All water storm drainage channels in and out side the lay out, proposed roads, existing channels, road reserves, sanitary lane or side lane in the Municipality shall be managed, maintained and controlled by council.

10. Building on road reserves, etc. prohibited.

A person shall not erect a building or a structure on a road reserve, proposed road, sanitary lane, water storm drainage channels in or out side the lay out, sanitary lanes, existing channels or side lane without authority from council.

11. Depositing materials on a road.

(1) A person shall not deposit any building material, pole, log, garbage, excavated soil or any other material on a road, road reserve, street, drainage channel, sanitary lane, and side lane or in any place prohibited without permission of the council.

(2) A person who contravenes this byelaw may be ordered to remove the materials from the road reserve or the council shall remove the materials and recover expenses incurred as a result.

12. Survey or subdivision of plot.

A person shall not survey or subdivide a plot within the jurisdiction of the council, without the express permission of the council.

13. Erection of signposts, posters, etc.

(1) A person shall not erect a sky-high signpost, poster, or inscription on a building without written permission from the council.

(2) Noncompliance with this byelaw may result in confiscation, erasing or destruction of the signpost, poster or inscription.

14. Certificate of suitability of new building.

A person who intends to occupy a building after its completion shall submit to the council a certificate duly signed by an architect or health inspector confirming that the building is fit for habitation.

15. Occupation permit.

A person shall not occupy a new building within the jurisdiction of the council unless he or she procures a written permit of occupation from the council.

16. Undeveloped plots to be kept clean.

A person who owns an undeveloped plot or piece of land within a planned area shall keep the plot or piece of land in a hygienic and sanitary manner to alleviate overgrowth, filth, harbouring of rodents, vermin or any other related danger.

PART III—LICENSING OF TRADING PREMISES.

17. Application for a licence.

(1) A person who intends to operate a business within the jurisdiction of the council shall apply in a prescribed form to the council for the issue of a licence.

(2) The application shall be accompanied by a fee to be determined by the council.

(3) Upon receipt of the application, the council shall determine the fitness of the trading premises before issuing a trading licence.

18. Carrying on business without a licence prohibited.

A person shall not carry on business within the jurisdiction of the council unless he or she has a licence issued by the council.

18. Breaking into locked premises.

A person who breaks into a trading premise or any premise closed and locked by the council commits an offence and is liable on conviction to a fine not exceeding two currency points.

PART IV—DWELLING HOUSES AND COMMERCIAL BUILDINGS

20. Dwelling houses, commercial buildings or premises to be kept clean.

The owner or occupier of a dwelling house, commercial building or premise within the jurisdiction of the council shall keep his or her dwelling house, commercial building or premise clean, well painted and to the required health standards.

21. Renting out dilapidated buildings prohibited.

An owner of premises or his or her agent shall not rent out unhealthy, dilapidated or leaking premises or premises that lack adequate lighting and ventilation.

22. Facilities in dwelling houses.

A dwelling house shall have a dry rack, bathroom, kitchen and a latrine or toilet.

23. Latrine or toilet.

(1) A dwelling house or premise within the jurisdiction of the council shall have a properly kept latrine or toilet which shall be located in an appropriate place.

(2) Every commercial premise or institution shall have separate latrines or toilets for males and females clearly marked as follows—

(a) “For men only”; and

(b) “For women only”.

(3) An owner or occupier of a building whose latrine is in a condition likely to be dangerous to the human health shall repair the latrine or construct a new one within fourteen days.

(4) The council may evict the tenants of an owner who contravenes this byelaw.

(5) The owner of the affected premises under this byelaw shall be ordered to make a refund of the rent for the remaining period to the tenants.

24. Public latrines or toilets.

(1) The council shall provide public latrines or toilets at convenient locations as approved by the council.

(2) A person who uses the latrine or toilet shall pay a prescribed fee.

PART V—MISCELLANEOUS.

25. Market vendors not to be accompanied by children.

A person who sells goods in the market shall not, for the period he or she is selling in the market, be accompanied by a child aged between one year and six years.

26. Duration of permits.

A permit or licence issued by the council under these Byelaws shall expire at the end of the financial year of issue as provided in these Byelaws.

27. Offences and penalties.

(1) A person who breaches any of the provisions of these Byelaws where no penalty has been prescribed in respect of the breach commits an offence and is liable on conviction to a fine not exceeding two currency points or imprisonment not exceeding six months or both.

(2) In addition to any penalty prescribed by these Byelaws, the court or, as the case may be, the council may impose the penalties laid down in the Act, namely—

- (a) forfeiture or destruction of a prohibited article;
- (b) suspension or cancellation of a permit or licence; and
- (c) recovery of expenses incurred as a result of the breach.

28. Offence for non payment of assessment rates, ground rent and property rates.

A person who, without reasonable excuse fails to pay assessment rates, ground rent or property rates under these Byelaws commits an offence and is liable on conviction to a fine not exceeding two currency points or imprisonment not exceeding two months or both.

29. Disobedience of lawful order.

A person who without lawful excuse disobeys a lawful order given by a law enforcement officer or any other officer of the council under these Byelaws, commits an offence and is liable on conviction to a fine not exceeding two currency points or imprisonment not exceeding two months or both.

SCHEDULE

Byelaw 3

CURRENCY POINT

One currency point is equivalent to twenty thousand Uganda shillings.

PASSED by Fort Portal Municipal Council this 31st day of August, 2007.

I HEREBY signify my hand this 31st day of August, 2007.

ASABA E. RUYONGA ADYEERI,
Chairperson, Fort Portal Municipal Council.