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## **Abuakwa South Municipal Assembly (Push Trucks) Bye-law, 2022**

In exercise of the powers conferred on the Abuakwa South Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby made this Bye-law:

### **Title**

1. This Bye-law may be cited as Abuakwa South Municipal Assembly (Push Truck) Bye-law, 2022.

### **Licence**

2. (1) The owner or person in possession of any vehicle having wheels not propelled by mechanical means in use for commercial purposes in the Municipality shall take out a licence for such vehicle.
- (2) A licence issued under this Bye-law shall expire on the 31st December, of the year in which it was issued.

### **Fees**

3. The Abuakwa South Municipal Assembly shall by a resolution fix the fees payable for the issuance of the licence.
4. A vehicle issued with a licence shall display it on the vehicle.

### **Condition of Vehicle**

5. Before the issuance of a licence, a testing officer of the Assembly or a person directed to do so by the Assembly shall certify that the condition of the vehicle does not endanger the life of persons or property.

### **Prohibition**

6. (1) A person below the age of 18 years shall not push any vehicle within the area of jurisdiction of the Assembly.
- (2) A person driving the vehicle and those helping the driver shall not sit on the vehicle while it is in motion.

### **Rules of the Road**

7. The user of any such vehicle which is subject to this Bye-law shall use the pedestrian walkway and where no pedestrian walkways exist, it shall move in the opposite direction.

### **Restrain on use of vehicle**

8. (1) A vehicle licenced under this Bye-law shall not obstruct and endanger road users.
- (2) A vehicle licensed under this Bye-law shall not ply on streets within the residency, the Regional Co-ordinating Council and highways.

### **Enforcement**

9. Municipal Guards, the Transport and other relevant departments of the Assembly are vested with power to ensure compliance with the provisions of this Bye-law.

### **Monitoring**

10. A monitoring team from the Assembly shall monitor the operations of the push truck to ensure compliance with these Bye-laws.

### **Offence**

11. A person who contravenes any of the provisions of these Bye-laws commits an offence and shall on conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment.

### **Application**

12. This Bye-law shall apply within the area of authority of the Assembly.

### **Interpretation**

13. In this Bye-law, unless the context otherwise requires,  
“ASMA” means Abuakwa South Municipal Assembly.  
“Vehicle” means push truck.

### **Revocation**

14. Any Bye-laws on Push Trucks in the existence in the area of operation of the ASMA before the coming into force of these Bye-laws are hereby revoked.

Made at a meeting of the Assembly held on the .....

#### **SIGNED**

*Presiding Member*  
Abuakwa South Municipal Assembly

#### **SIGNED**

*Municipal Co-ordinating Director*  
Secretary of ASMA

Approved by the Regional Co-ordinating Council, Eastern Region on behalf of the Ministry of Local Government.

#### **SIGNED**

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

### **Abuakwa South Municipal Assembly (Control of Manufacture of Charcoal) Bye-laws, 2022.**

In exercise of the powers conferred on the Abuakwa South Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby made this Bye-law:

#### **Prohibition of Manufacture of Charcoal**

1. (1) A person shall not burn for purposes of the manufacture of charcoal in the area of authority of the ASMA unless the ASMA grants a licence after inspecting the premises designated for the burning.  
(2) Since the burning of charcoal is harmful and produces air pollutants which overtime may cause and aggravate respiratory diseases, damage lung tissue, the Environmental Health Department of the ASMA shall take into consideration these factors in designating a place safe for burning of charcoal.

#### **Licence**

2. The A.S.M.A. may grant such licence subject to such condition as the Assembly may deem fit for the purpose of making the burning environmentally safe having regard to Bye-law 1(2).

#### **Fees**

3. A licence shall be issued after the payment of the requisite fees approved by a resolution of the Assembly and such a licence shall expire on the 31st December, of the year in which it was issued

## **Collaboration and Monitoring**

4. (1) The Assembly shall collaborate with the Environmental Protection Agency on ways to safeguard the environment and inhabitants by allotting special places for purposes of burning charcoal.
- (2) The Assembly shall through the Environmental Health Department monitor the activities of the licencees.
- (3) The Environmental Health Department shall assess the impact of the operation of the licencees and advise the A.S.M.A. on actions to be taken regarding safety of the environment and the inhabitants.

## **Restriction on the sale of Charcoal**

5. (1) A person shall not sell charcoal in the area of authority of the A.S.M.A. unless the person obtains from the ASMA a licence to do so.
- (2) The Assembly shall have a standing committee comprising the Security, the Environmental Health Department and Environmental Protection Agency which shall visit sites of production to ensure compliance with guidelines given in accordance with Section 4 of the Bye-law.

## **Renewal of Licence**

6. The standing committee's recommendations shall indicate whether a licence of a charcoal burner should be renewed or not and whether the site is conducive for continued burning of the charcoal.

## **Offence**

7. A person who contravenes any provision of this Bye-law commits an offence and shall on conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment.

## **Enforcement**

8. The Environmental Health and Security departments of the A.S.M.A. shall enforce the provisions of this Bye-law.

## **Title**

9. This Bye-law may be cited as Abuakwa South Municipal Assembly (Control of Manufacture of Charcoal) Bye-laws, 2022.

## **Application**

10. These Bye-law shall apply within the area of authority of the Assembly.

## **Interpretation**

11. In this Bye-law, unless the context otherwise requires, "A.S.M.A." means Abuakwa South Municipal Assembly.

## **Revocation**

12. Any Bye-law on control of manufacture of charcoal in existence in the area of authority of the ASMA before the coming into force of this Bye-law is hereby revoked.

Made at a meeting of the Assembly held on ....

## **SIGNED**

*Presiding Member*  
Abuakwa South Municipal Assembly

## **SIGNED**

*Municipal Co-ordinating Director*  
Secretary of ASMA

Approved by the Regional Co-ordinating Council, Eastern Region on behalf of the Ministry of Local Government.

## **SIGNED**

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

In exercise of the powers conferred on the Abuakwa South Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby made this Bye-law:

### **Licence**

1. (1) A person shall not distill or sell any intoxicating liquor either as a wholesale or retailer in any part of the Municipality without a licence issued by the A.S.M.A. for that purpose.
- (2) The A.S.M.A. shall issue separate licences for distillation and retailing of intoxicating liquor.
- (3) Hotels, restaurants, bars and food joints that sell intoxicating liquor shall apply for a licence before selling intoxicating liquor at the premises.
- (4) The A.S.M.A. shall fix the fees payable for the licence so issued and such a licence shall expire on the 31st December of the year in which the licence was issued.
- (5) The A.S.M.A. shall grant a licence after the Environmental Health Department of the A.S.M.A. and the Police have conducted a survey certifying the suitability of the premises for either the distilling or sale of the intoxicating liquor.

### **Application to be in writing**

2. (1) An applicant for a licence under this Bye-law shall submit an application in writing to the A.S.M.A. and shall contain the name, the address, the place and type of liquor the applicant intends to sell or is selling.
- (2) The report of the Environmental Health Department and other relevant departments and agencies if it certifies the place as suitable for the activity shall allow the issuance of the licence.
- (3) In issuing the licence, the distillers or retailers shall submit themselves and their workers for medical examinations conducted by the Medical Officer of A.S.M.A. or other designated health facility approved by the A.S.M.A. who shall issue a health certificate of all persons who shall work in the distillery or selling at a hotel, restaurant, bars and food joints as fit and proper persons with no health problems which may have an adverse effect on the people they serve.
- (4) The A.S.M.A. shall not issue a licence to a distiller or seller who operates with children under 18 years of age.
- (5) Where a person issued with a licence operates with children under 18 years, the licence shall be revoked and shall only be restored after the A.S.M.A. has satisfied itself that the breach shall not continue.

### **Condition and Duration of Licence**

3. A licence issued under this law:-
  - (a) shall abide by the provision in the Liquor Licensing Act of 1970, and
  - (b) shall expire on the 31st December, of the year in which it was issued.

### **Fees**

4. The A.S.M.A. shall by a resolution fix the fees payable for the issuance of the licence.

### **Powers of Collection of Fees**

5. (1) An officer of the revenue department duly authorised by the A.S.M.A. shall, at all reasonable times take steps to recover the approved fees,
- (2) Where a party operates without the requisite licence, the A.S.M.A. shall impose a penalty to be fixed by the Assembly on the person in addition to the payment of the approved fees.

### **Revocation of Licence**

6. The A.S.M.A. may revoke any such licence where the proprietor or any person acting in that capacity
  - (a) has refused to pay the approved fee;
  - (b) is acting in a manner repugnant to the Assembly's interest;
  - (c) is acting in a way injurious to public interest; or
  - (d) does not use the place for the purpose for which it was originally intended.
7. A person shall not obstruct or otherwise interfere with any officer of the ASMA or other persons authorized by the ASMA in the performance of any duties assigned to them under this Bye-laws.

### **Offence and Penalty**

8. A person who contravenes these Bye-law commits an offence and shall on conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment

### **Inspection**

9. (1) An officer from the Environmental Health department of the A.S.M.A. may enter upon the premises of the distiller or seller of liquor for purposes of inspecting the premises used for distilling or selling of the intoxicating liquor in respect of;
- a) whether the licensee is complying with the terms of the licence,
  - b) randomly test samples of the intoxicating liquor for analysis.

### **Prohibition**

10. (1) A licensee shall not allow any person who has not attained 18 years to distill, buy or sell intoxicating liquor at the premises of the licensee.
- (2) The licensee shall demand a proof of age and identity where the person seems not to have attained 18 years.
- (3) A licensee shall not sell intoxicating liquor to a drunken person and shall ensure that the premises are not used for any disorderly activities.
- (4) A licensee who contravenes any of the provisions of these Bye-laws commits an offence and is liable on conviction to a fine of between 100-250 penalty units and in default to a term of imprisonment not less than six months and not more than twelve months or both.
- (5) Where the default continues the licence shall be revoked by the A.S.M.A.

### **Interpretation**

11. In this Bye-law, unless the context otherwise requires,
- “Liquor” means any distilled alcoholic drink or any liquor produced by boiling/fermenting of food substance for example from malt, millet, sugar and sugar cane.
- “A.S.M.A.” means Abuakwa South Municipal Assembly.

### **Title**

This Bye-law may be cited as Abuakwa South Municipal Assembly (Sale of Intoxicating Liquor) Bye-law, 2022

### **Revocation**

12. All existing Bye-laws on sale of intoxicating liquor are hereby revoked.

Made at meeting of the Assembly held on .....

### **SIGNED**

*Presiding Member*  
Abuakwa South Municipal Assembly

### **SIGNED**

*Municipal Co-ordinating Director*  
Secretary of ASMA

Approved by the Regional Co-ordinating Council, Eastern Region on behalf of the Ministry of Local Government.

### **SIGNED**

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

In exercise of the powers conferred on the Abuakwa South Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby made this Bye-law:

### **Prohibition & Permit**

1. (1) A person shall not cut down any economic tree in the Municipality unless the person first obtains a permit in writing to do so from the department of natural resources conservation, forestry, game and wildlife division of the A.S.M.A. or with the written permit of the Lands Commission in the case of timber concessions.
- (2) An application shall be made in writing to the environmental department of the ASMA and shall state the reason for cutting down such economic tree(s).

### **Duration and Conditions of Grant**

2. (1) A permit granted under this Bye-law shall expire immediately that economic tree has been cut.
- (2) The permit granted shall include a provision on replanting of an economic tree at the spot where it was cut and supervised by a designated officer from the department of natural resources conservation, forestry, game and wildlife division from A.S.M.A. who shall report the planting of the tree to a committee to be appointed by the the Assembly

### **Trees to be replanted**

3. A person granted a permit under this Bye-law to cut an economic tree shall replant a tree of the same or similar stock within 30 days at the spot or in the vicinity where the tree is cut.

### **Fees**

4. The ASMA shall by a resolution fix the fees payable for the issuance of the permit.

### **Offences**

5. A person who contravenes any provision of this Bye-law commits an offence and shall on conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment

### **Interpretations**

6. In this Bye-law unless the context otherwise requires;  
“Economic tree” means any tree which provides any form of benefit to the Assembly examples; cocoa tree, mahogany tree, cassia tree, coconut tree etc.  
“A.S.M.A.” means Abuakwa South Municipal Assembly.

### **Title**

This Bye-law may be cited as Abuakwa South Municipal Assembly (Control of Economic Trees) Bye-laws, 2022

### **Applications**

7. This Bye-law shall apply within the area of authority of the Abuakwa South Municipal Assembly.

### **Revocation**

8. A Bye-law on control of economic trees in existence within the area of authority of the ASMA immediately before the commencement of this Bye-law is hereby revoked.

Made at a meeting of the Assembly held on the .....

### **SIGNED**

*Presiding Member*  
Abuakwa South Municipal Assembly

### **SIGNED**

*Municipal Co-ordinating Director*  
Secretary of ASMA

Approved by the Regional Co-ordinating Council, Eastern Region on behalf of the Ministry of Local Government.

**SIGNED**

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

### **Abuakwa South Municipal Assembly (Herbalists) Bye-laws, 2022**

In exercise of the powers conferred on the Abuakwa South Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby made this Bye-law:

#### **Licence**

1. A herbalist shall not practice within the area of authority of the Assembly unless the herbalist first-
  - (a) Registers with the Ghana Psychic and Traditional Healers Association; and
  - (b) Obtain a licence from A.S.M.A.'s Medical Officer of Health and complies with conditions which the A.S.M.A. has set under Bye-law 3 below and any other conditions that may become necessary.

#### **Duration of Licence**

2. A licence issued under this bye law shall expire on the 31st day of December, in the year in which it was issued.

#### **Sanitary Conditions of herbalist's premises**

3. A herbalist shall-
  - (a) Keep his premises and surroundings clean;
  - (b) Remove all filth from the premises from time to time and as often as may be necessary to maintain the premises in a state of cleanliness.
  - (c) Keep his stock under hygienic conditions;
  - (d) Take all reasonable precautions in cases of infectious and contagious diseases; and
  - (e) Refer cases beyond his competence to a hospital with reasonable dispatch.

#### **Inspection of premises**

4.
  - (a) An officer from the Environmental Health Department of A.S.M.A. duly authorised shall enter and inspect the sanitary conditions of a herbalist's premises periodically.
  - (b) The said officer shall also make unannounced visits to the premises of the herbalist for purposes of enforcing Bye-law 4 (a) above,
  - (c) The said officer may request the herbalist to produce the licence issued by the A.S.M.A. for inspection,
  - (d) The A.S.M.A. may in a year in conjunction with the Traditional Healers Association and the Foods and Drugs Authority organise seminars for the herbalist on the need to keep clean surroundings and better health practices.

#### **Revocation**

5. The A.S.M.A. shall revoke the licence of a herbalist under the following conditions;
  - (a) Where a herbalist is convicted on two or more occasions of an offence involving dishonest or improper conduct as a herbalist, or
  - (b) Where the herbalist repeatedly fails to keep and maintain good sanitary conditions in his premises.

#### **Restoration**

6. A herbalist whose licence is revoked by virtue of the above Bye-law shall apply for a restoration of the licence after satisfying conditions imposed by the A.S.M.A. in accordance with advice from the health department of the A.S.M.A.

#### **Penalty**

7. (1) A person who breaches any of this Bye-law commits an offence and shall on conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both

the fine and imprisonment

(2) For each day that the commission of the offence continues after notification of conviction, a further one penalty unit shall be imposed on the offender.

### **Application**

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

### **Title**

9. This Bye-law may be cited as Abuakwa South Municipal Assembly (Herbalists) Bye-laws, 2022

### **Revocation**

10. Any (Herbalists) Bye-law in existence immediately before the coming into effect of this Bye-law is hereby revoked.

Made at a meeting of the Assembly held on the .....

### **SIGNED**

*Presiding Member*

Abuakwa South Municipal Assembly

### **SIGNED**

*Municipal Co-ordinating Director*

Secretary of ASMA

Approved by the Regional Co-ordinating Council, Eastern Region on behalf of the Ministry of Local Government.

### **SIGNED**

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

## **Abuakwa South Municipal Assembly (Births and Deaths Registration) Bye-laws, 2022**

In exercise of the powers conferred on the Abuakwa South Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby made this Bye-law:

### **Report of Birth and Death**

1. (a) The birth and deaths registry of the A.S.M.A. shall receive notice of births and deaths occurring within the municipality and to record such reports in books provided for the purpose (hereinafter referred to as the Registration).  
(b) The section shall operate under a Registrar with a supporting staff mandated to undertake such registration.

### **Duties of the Registrar**

2. The Registrar shall-
  - (a) Keep two separate registers to record the details of birth or death received at the office;
  - (b) Subject to the directions of the A.S.M.A., the Registrar shall ensure safe keeping of the registers;
  - (c) Make the registers available at all responsible times for inspection by an authorised member of A.S.M.A. or Medical Officer of Health or the Principal Registrar of Births and Deaths or his representative or for search by any member of the public;
  - (d) Submit returns in such manner and at such times as the Principal Registrar of Births and Deaths shall direct;
  - (e) Otherwise conform to the requirements of this Bye-law.

### **Appointment of Registration Assistants**

3. (1) The ASMA may appoint such number of Registration Assistants necessary to compliment the work of the Registrar;  
(2) Registration Assistant shall perform the same duties as the Registrar but shall report to the Registrar;  
(3) Registration Assistants shall send to the Registrar certified extract of all entries in their registers

during the previous month;

- (4) The Registrar shall keep under lock and key, registers not in use,
- (5) The Registrar in accordance with Bye-law 1(a) shall receive reports in writing from the following persons:
  - (a) birth, by the mother, father or guardian of the child;
  - (b) deaths, by the surviving spouse of the deceased or the head or a principal member of the deceased's family or in his absence by the person finding or taking charge of the body.

### **Fees**

6. The person making the report of birth or death shall pay the necessary fee fixed by the resolution of the A.S.M.A. and approved by or on behalf of Ministry of Local Government.

### **Custody of Registers**

7. The Registrar shall keep registers in the forms provided for register of Birth/Deaths and Burial respectively under the existing law.

### **Issuance of Birth or Death Certificate**

8. The Registrar and the Registration Assistants shall upon registering any birth or death delivered to the reporter and upon payment of a fee fixed by resolution of the A.S.M.A. and approved by or on behalf of the Ministry of Local Government, issue a certificate in accordance with the existing law and regulations;

### **Time for Registration**

9. A person who has to make a report under this Bye-law shall do so as follows;
  - (a) in respect of death within fourteen days, and
  - (b) in respect of a birth within three months.
  - (c) where a person fails to make the report as stated under Bye-law 9 (a) the late report shall attract a penalty determined by a resolution of the A.S.M.A.

### **Inspection of Register**

10. A person shall on payment of an amount fixed by resolution of the A.S.M.A. inspect an entry in the register or to search the register at any reasonable time.

### **Copies as Evidence**

11. A certified copy of a register shall be receivable in evidence in any legal proceedings as evidence of the facts recorded therein.

### **Correction of Register**

12. (1) A clerical error in a register may if discovered at the time of making the entry, be corrected. An alteration detected after the entry in the register shall only be altered on the application of the party supplying the information to the Registrar.
  - (2) No erasure shall be made in any register or certified copy or extract thereof; any such erasure shall render same void.
  - (3) Without prejudice to Bye law 12(2) above, any correction made shall be in respect of the register and not the certified copy. The person effecting the correction shall draw a line of red ink through the word but shall leave the word readable. Any word to be inserted shall be underlined or written in the margin opposite any correction.
  - (4) Where it is desired to change the name of a child whose birth and name have been registered, or recorded but the certified copy has not been issued, the Registrar, may, upon written application by child's parent or guardian made before the issuance of the certified true copy, correct the register accordingly. Where the certified copy has been issued, no change can take place except to do change of name in accordance with the law.

### **Penalty**

13. A person who willfully registers or permits registration of a false statement or who willfully destroys or permits the destruction of an entry in a register commits an offence and shall on conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment.

**Interpretation**

14. In these Bye-laws unless the context otherwise requires;  
“A.S.M.A.” means Abuakwa South Municipal Assembly.

**Title**

15. This Bye-law may be cited as Abuakwa South Municipal Assembly (Births and Deaths Registration) Bye-laws, 2022

**Revocation**

16. Any (Births and Deaths) Bye-law in existence immediately before the coming into effect of this Bye-law is hereby revoked

**Application**

17. This Bye-law shall apply within the area of authority of the ASMA.

Made at a meeting of the Assembly held on .....

**SIGNED**

*Presiding Member*  
Abuakwa South Municipal Assembly

**SIGNED**

*Municipal Co-ordinating Director*  
Secretary of ASMA

Approved by the Regional Co-ordinating Council, Eastern Region on behalf of the Ministry of Local Government.

**SIGNED**

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

**Abuakwa South Municipal Assembly (Food Hygiene and Safety) Bye-laws, 2022**

In exercise of the powers conferred on the Abuakwa South Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby made this Bye-law:

**Licence and Suitability Health Certificate**

1. (a) A person shall not designate a place as a hotel, motel, pub, guesthouse, restaurant, chop bar or food joint unless the premises have been, approved and issued with Suitability Health Certificate by the Environmental Health and Sanitation Department of the Assembly, for that purpose.

(b) A license issued under this Bye-laws, is subject to such conditions as the Assembly shall impose.

(c) A license issued shall take effect from the date on which it is granted and shall determine on the 31<sup>st</sup> day, of December in the year in which the licence is issued.

(d) Every license granted shall be personal to the licensee only and not transferable.

**Provision of separate places for eating, cooking and Lavatory**

2. (a) A hotel, motel, guesthouse, pub, restaurant, chop bar or food joint shall provide the following;

(b) a separate room used solely as a public eating room

(c) a separate kitchen used solely for cooking and for the preparation of food and liquid refreshment for use in the premises aforementioned;

(d) a separate lavatory for male and female:

(e) A separate changing/cloak room for male and female

### **Requirement as to Public Eating Room**

3. (a) A public eating room in the premises aforementioned shall have the minimum dimensions of not less than five meters long' four meters wide and four meters high. The minimum requirements so stated may change having regard to the circumstances of the case.

(b) The floor of every public eating room shall have a minimum of concrete floor, and the wall shall be capable of being washed or painted.

(c) The proprietor of public eating room shall provide adequate lighting, ventilation and shall keep the premises clean at all times.

(d) The eating room shall be fly proof.

(e) A kitchen in the aforementioned premises shall have a concrete floor, a suitable fly-proof storage for food-stuffs, meat, fish and vegetables, together with one or more tables for the preparation of food.

(f) The proprietor shall provide adequately covered receptacles for storage and the disposal of refuse and shall maintain the kitchen to ensure cleanliness of the premises.

(g) The Municipal Environmental Health Department may give directions on standards that are to be maintained by hotels, motels, guesthouses, chop bars and food joints in accordance with scope of their operations.

### **Washing of Plates and others**

4. A proprietor shall have a suitable arrangement for the washing of plates and utensils. Where the proprietor is not using a dish washer, he shall constantly replace the water used for washing.

### **Prevention of Contamination**

5. (a) Food shall be handled to avoid contamination, from biological, chemical and physical contaminants.

(b) Food shall be processed in a manner that protects the food from flies, dirt or other animals.

(c) Utensils, cutlery and other items used in the processing or preparation of food shall be adequately sanitized and kept away from dust, flies or any other contaminants.

(d) A person who sells food shall ensure that the preparation and the venturing area is not situated close to an open drain or sanitary site and is clean at all times.

(e) The Assembly shall, on application, register a food operating premises to ensure adherence to specific standards.

### **Infected Person**

6. A person suffering from;

a. boils

b. discharges from the ear, nose and throat.

c. skin lesions

d diarrhea

e. rhinitis/rhinorrhea/cold

f any other food borne communicable disease are to be excluded from the food premises.

### **Sanitary Conditions to be kept on premises**

7. (a) Solid and liquid waste from premises where food is processed shall be managed in accordance with conditions specified by the Municipal Environmental Health Department.

(b) Sanitary facilities and other necessary facilities may be provided by the proprietor as directed by Environmental Health Department.

### **Personal hygiene by Food Handlers**

8. (a) Any person who handles food for public consumption shall use protective gear that is required to prevent contamination of food.

(b) A food handler for public consumption shall observe good personal hygiene.

### **Food Handler's Certification**

9. (a) All food handlers shall be subjected to screening by service providers contracted by, the Assembly or Accredited by the Municipal Environmental Health Department.

(b) All food handlers who are found fit to handle food shall be issued with valid health certificate by the Municipal Environmental Health Department. This certificate shall be renewed after expiry on yearly basis.

(c) Food handlers shall produce health certificate on demand by an authorized officer of the Assembly or its accredited or contracted service provider.

(d) Legal action shall be instituted against any proprietor or manager of a hotel, motel, guesthouse, pub, chop bar, and food joint who employs the services of a food handler without Health certificate of fitness.

(e) Food handlers may be required to undergo training in basic food hygiene and obtain certificate to that regard from recognised institution.

### **Use of Wholesome Ingredients**

10. (a) A person who is responsible for the preparation of food for sale shall ensure that the food is prepared with wholesome ingredients and potable water.

(b) A food operator shall provide potable running water and detergents for washing of hands and drinking purposes.

### **Food Preservation**

11. Food shall be kept in such a manner to avoid deterioration and spoilage.

### **Nuisance**

12. The licensee shall not keep livestock on the premises of operation.

### **Obstruction**

13. A person shall not obstruct or resist an Officer of health or any other person appointed by the A.S.M.A and acting in the performance of duties relating to any of the purposes of this Bye-law.

### **Withdrawal of Licence**

14. (a) The Assembly in its discretion may withdraw a licence issued under this Bye-law if;

i. An alteration is made to any premises licensed hereunder without the permission of the Assembly or the necessary planning authority;

ii. If the licensee operates contrary to the provisions of this Bye-law

iii. If the licensee is convicted of any of the offences under this Bye-law:

(b) A licensee whose license is withdrawn shall apply for a fresh license to operate the premises as such after satisfying all the conditions of the Assembly in respect of operating premises as a hotel, restaurant, food joint or a chop bar.

(c) A licensee whose license is withdrawn shall pay a penalty fixed by the resolution of the Assembly before a new license is issued.

### **Appeal**

15. (a) A person dissatisfied with the withdrawal of his license shall within 7 days from the day of the decision appeal to the Municipal Chief Executive for a redress.

(b) The Municipal Chief Executive on receipt of same shall constitute a panel of three, comprising the Solicitor of the Assembly, the Heads of the Physical Planning and Environmental Health Departments of the Assembly who shall hear the appeal and report to the Municipal Chief Executive within two weeks with their recommendations.

(c) The Municipal Chief Executive, on receipt of the recommendations shall accept, reject or modify the committee's recommendations and notify the appellant in writing of the decision taken by the Municipal Chief Executive containing the recommendations.

### **Penalty**

15. Any person who contravenes any of these Bye-laws commits an offence and shall on conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment.

### **Interpretation**

16. In this Bye-law unless the context otherwise requires \_

“Assembly” means Abuakwa South Municipal Assembly

"Food" means food-stuffs, crop, meat, fish, fruits, (whether raw or processed), pasteries, confectionary, water, beverage (non-alcoholic and alcoholic), ingredients and food flavour or colour that is for public consumption.

A place where food is prepared or cooked or liquid refreshment is provided for sale to the public for consumption on the premises shall be deemed to be a restaurant or eating-house or chop bar or food joint for the purpose of this Bye-law.

### **Revocation**

17. Any Bye-law on food safety and hygiene in force immediately before the coming into force of this Bye-law is hereby repealed.

#### **SIGNED**

*Presiding Member*  
Abuakwa South Municipal Assembly

#### **SIGNED**

*Municipal Co-ordinating Director*  
Secretary of ASMA

Approved by the Regional Co-ordinating Council, Eastern Region on behalf of the Ministry of Local Government.

#### **SIGNED**

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

**Abuakwa South Municipal Assembly (Porters) By- Laws, 2022**

In exercise of the powers conferred on the Abuakwa South Municipal Assembly by section 181 of the Local

Governance Act,2016 (Act 936) hereby made this Bye-law:

### **Prohibition**

1. A person shall not operate as a porter unless the person obtains a licence after undergoing security and medical screening and wears the uniform prescribed by the A.S.M.A. for that purpose and has attained 18 years or above and is not of a school going age.

### **Registration**

2. The Medical Officer of the ASMA shall examine a prospective applicant and issue a certificate certifying whether the applicant can engage in the business of a porter.

### **Screening**

3. A prospective porter applicant shall undergo security screening with the police who shall upon investigation of the applicant issue a police criminal report on the applicant to the A.S.M.A.

### **Criminal Record**

4. The police shall submit the criminal record to the security department of the A.S.M.A. who shall issue the applicant with the requisite application forms.

### **Processing of Forms**

5. The applicant shall fill the forms and submit it together with two passport size photographs and pay the requisite licence fees approved by the resolution of the A.S.M.A.

### **Vetting of Forms**

6. The security department of the A.S.M.A. shall vet the forms after which the A.S.M.A. shall issue a photo identity card for the applicant with the applicant's name, number and area(s) of operation embossed thereon.
7. A porter after going through this process is deemed to have registered with the A.S.M.A. to operate in a named locality.

### **Uniforms and Proof of Identity**

8. (a) It is unlawful for any porter to operate at any part of the Municipality without the approved uniform and a licence issued by the A.S.M.A.;
- (b) The uniform shall be a brown overall Khaki with the registration number of the porter boldly written in front and at the back thereof and the name of the porter in front or any specified uniform which the A.S.M.A. may approve.
- (c) The porter shall also wear a picture identity provided by the A.S.M.A. at all times. Monitoring and Enforcement
9. The Security department and the Municipal Guards of the A.S.M.A. shall conduct routine inspection of porters to ensure that all porters in the city comply with the provisions of this Bye-law.

### **Withdrawal of Licence**

10. The A.S.M.A. reserves the right to withdraw the licence of any porter who is convicted of a criminal offence in the nature of theft, dishonesty or commits acts of in- subordination or persistently breaches a provision(s) of this Bye-law.
11. It shall be the duty of every porter to keep his overall dress clean and to maintain a general appearance of personal cleanliness.

### **Offence and Penalty**

18. A porter who contravenes any provisions of this Bye-law commits an offence and shall on conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment.

### **Title**

12. This Bye-law may be cited as Abuakwa South Municipal Assembly (Porters) Bye Laws, 2022.

### **Interpretation**

13. In this Bye-law, unless the context otherwise requires,

“a porter” means a carrier of goods or trolley pusher, or carrier at a trading shop, market, lorry stations, taxi ranks and any other place where the work of a porter is carried on.

“ASMA” means Abuakwa South Municipal Assembly.

“M.C.E.” means Municipal Chief Executive.

### **Application**

14. This Bye-law shall apply within the authority of the Assembly.

Made at a meeting of the Abuakwa South Municipal Assembly held on the.....

### **SIGNED**

*Presiding Member*

Abuakwa South Municipal Assembly

### **SIGNED**

*Municipal Co-ordinating Director*

Secretary of ASMA

Approved by the Regional Co-ordinating Council, Eastern Region on behalf of the Ministry of Local Government.

### **SIGNED**

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

## **Abuakwa South Municipal Assembly (Billboards or Sign-Boards and Advertising) Bye-laws, 2022.**

In exercise of the powers conferred on the Abuakwa South Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby made this Bye-law:

### **Licence**

- 1.(1) A person shall not erect, site or hang a billboard or sign-board or paint a building or any open space for purposes of advertising within the area of authority of the Assembly unless the person first obtains a licence from the A.S.M.A. for that purpose.
- (2) The prospective applicant must first present an application to the A.S.M.A. spelling out the kind of billboard, sign-board or the advert to be placed out. The application shall contain a sketch showing the sizes, heights and structural character of the advert.
- (3) The A.S.M.A shall vet the application by considering among others the location, size and its propriety before issuing a licence for the advert after the payment of the appropriate fees fixed by a resolution of the A.S.M.A.
- (4) A licence issued under this Bye-law shall expire on the 31st day of December of the year in which it was granted, but in the case of a banner or a sign-board for an occasion the licence shall expire after the period specified.
- (5) The A.S.M.A. shall grant the licence upon the payment of the fees fixed by the resolution of the A.S.M.A.;
- (6) The prospective applicant shall display the number allotted by the A.S.M.A., failure of which the A.S.M.A. shall notify the owner to display the number within three days. If this is not done the advert shall be removed without any further notice to the person who placed it out and the cost of removal surcharge on the owner.

### **Dilapidated Billboards and Signboards**

2. (1) Bill-boards, sign-boards or any advert that have become dilapidated or expired with time shall either be replaced or removed by the owners thereof.
- (2) Where the owners of dilapidated or expired bill, sign-boards or advert take no steps to either replace

or remove, the same the A.S.M.A. may on its own order its removal and thereafter impose a penalty on the defaulting owners.

### **Designated Locations**

3. (1) The ASMA reserves the right to determine the specific location or area suitable for the erection of one or more reflector directional sign-boards.
- (2) To avoid a cluster of directional sign-boards in an area the Assembly may make provision for one general directional sign-board to accommodate the lot.
- (3) In such a situation the A.S.M.A. shall approve of a recognized individual or company with the requisite know-how after a public invitation to express interest to undertake the provision of the general reflector sign-board based upon a dimension approved by the Urban Roads in conjunction with the relevant Department of Assembly.
- (4) A prospective advertiser shall not choose a site for the erection of a bill or sign-board unless it has been inspected and approved by the department of physical planning of the A.S.M.A.
- (5) The A.S.M.A. shall at a fee to be determined by the resolution of the Assembly provide spaces within the municipality for posters.
- (6) A poster pasted at an unauthorized location shall attract a spot fine of 50 penalty units and the owner of the poster made to remove same failure of which shall attract criminal prosecution.

### **Erection of Boards without Authority**

4. Where a bill or sign-board is erected without a licence from the A.S.M.A., it shall levy the owner as follows-
  - a) The payment of the approved fees and a penalty of 50% of the fees payable shall be imposed on the owner thereof if, in the opinion of the ASMA the bill or sign-board is suitably located. The owner of such a sign shall regularise his application to the A.S.M.A. within seven days of the owner being notified in writing.
  - b) The bill or sign-board shall be removed without notice if in the opinion of the A.S.M.A. it is wrongly located and surcharge the owner with the cost.
  - c) For the purpose of this Bye-law, a house or any open space painted with any product shall constitute an advertisement and the provisions of this Bye-law shall apply to same.

### **Offences and Penalty**

19. Any person who contravenes any provision of these Bye-laws commits an offence and shall on conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment.

### **Prohibition**

4. An advert shall not be erected on any electricity pole. An advert placed there shall be removed and the owner surcharged with the cost of removing the advert.

### **Enforcement and Monitoring**

5. (1) The department of physical planning and the municipal guards shall ensure the compliance and enforcement of the provisions of this Bye-law.
- (2) For purposes of Bye-law 6(1), the enforcement team has power to remove any signboard or billboard wrongly located.

### **Title**

6. This Bye-law may be cited as Abuakwa South Municipal Assembly (Billboards and Sign-Boards) By-Laws, 2022.

### **Interpretation**

7. In these Bye-laws, unless the context otherwise requires  
“a bill, sign-board” or “an advert” includes a banner or placard made from cloth, wood or metal for occasions like funeral, procession, religious or secular activity or a house or store or an open space painted for promoting a product and includes a poster.  
“bill or sign-board” is dilapidated if the message contained thereon has expired or has become

obliterated or it has fallen into a state of disrepair with parts falling into pieces.  
“ASMA” means Abuakwa South Municipal Assembly.

### **Application**

9. This Bye-law shall apply within the area of authority of the ASMA.

Made at a meeting of the Assembly held on the.....

### **SIGNED**

*Presiding Member*  
Abuakwa South Municipal Assembly

### **SIGNED**

*Municipal Co-ordinating Director*  
Secretary of ASMA

Approved by the Regional Co-ordinating Council, Eastern Region on behalf of the Ministry of Local Government.

### **SIGNED**

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

## **Abuakwa South Municipal Assembly (Kiosk-Keepers) Bye-laws, 2022**

In exercise of the powers conferred on the Abuakwa South Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby made this Bye-law:

### **Licence**

1. (1) A person shall not construct or keep a kiosk in the Abuakwa South Municipality for the transaction of business without first applying to the Assembly for a licence to construct and transact business thereon and written consent of the land-lord.
- (2) A licence granted under Bye-law 1(1) is temporary and the A.S.M.A. reserves the right to order the removal of any kiosk if its location is required for a public use.
- (3) An applicant shall attach to the application for a licence to operate a kiosk, three site plans of the area and the location of the kiosk;
- (4) The A.S.M.A. shall in accordance with its fee fixing mechanism determine fee payable for the issuance of the licence;

### **Display of Official Numbers**

2. The owner of a kiosk shall display the official number(s) allocated by the A.S.M.A. on the frontage of the kiosk.

### **Dimension**

3. No kiosk shall exceed 12 sq.m.

### **Monitoring and Enforcement**

4. (1) A delegated officer or officers of the department of physical planning of the A.S.M.A. shall ensure that all kiosk constructed in the city complies with the provisions of this Bye-law;
- (2) The owner of a kiosk erected contrary to the provisions herein shall be notified in a writing specifying the breach and given twenty one days to remedy the breach and failure on the owner's part, the ASMA shall remove the kiosk and surcharge the owner with the cost of the removal.

### **Former Licences**

5. A licence issued in respect of an existing kiosk granted by the A.S.M.A. shall remain valid until it expires.

### **Offence and Penalty**

20. (1) Any person who contravenes any provision of these Bye-laws commits an offence and shall on conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred

and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment.

- (2) Notwithstanding any court action instituted under Bye-law 1, the A.S.M.A. may remove any unauthorized kiosk after giving fourteen days' notice to the owner of the kiosk to remove it and surcharge the owner with the cost of removal if the owner fails to do so.
- (3) Where the removal of the kiosks is due to expansion of a facility and or construction of a public infrastructure, the ASMA shall give six months written notice to the occupants to look for an alternative space.

**Title**

6. This Bye-law may be cited as Abuakwa South Municipal Assembly (Kiosk-Keepers) Bye-laws, 2022

**Interpretation**

7. In these Bye-laws, unless the context otherwise requires,  
“A.S.M.A” means Abuakwa South Municipal Assembly.  
“Public use” means use the premises for the benefit of the public.  
“Kiosk” refers to wooden and metal structures conforming to the specifications given in this bye law.

**Application**

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

Made at a meeting of the Assembly held on the.....

**SIGNED**

*Presiding Member*

Abuakwa South Municipal Assembly

**SIGNED**

*Municipal Co-ordinating Director*

Secretary of ASMA

Approved by the Regional Co-ordinating Council, Eastern Region on behalf of the Ministry of Local Government.

**SIGNED**

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

**Abuakwa South Municipal Assembly (Communal Labour) Bye-laws, 2022**

In exercise of the powers conferred on the Abuakwa South Municipal Assembly by section 181 of the Local Governance Act,2016 (Act 936) hereby made this Bye-law:

**Organisation of Communal Labour**

1. The A.S.M.A. or any town or area Council/Unit Committee or any person authorized by the Assembly (hereinafter referred to as the “Organizing Authority”) may from time to time organize communal labour in any town or village or electoral area within the municipality, as the A.S.M.A. or organizing Authority deems necessary.

**Notice of Communal Labour**

- (2) (1) The ASMA or Organizing Authority shall give adequate notice as to the nature, date, time and place of work or service.
- (3) There shall be no particular mode to announce communal labour and the following options are for the time being the lawful modes; gongong, public announcement, Radio/TV facility, notices put in conspicuous public places and announcement at public gatherings.
- (4) The A.S.M.A. or Organizing Authority may, where the circumstances so require give shorter notice as it

may determine.

### **Qualification**

2. (1) A person of 18 years up to sixty years resident in the relevant town or village or electoral area shall take part in any communal labour organized under Bye-law .1
- (2) The ASMA or Organizing Authority may exempt any person from taking part in a communal labour organised by it if it is satisfied that –
  - (a) the person is sick or
  - (b) the person is required to appear before a Court to give evidence or is to help the police in any investigation;
  - (c) the person is attending the funeral of his relative or of such person as the ASMA or Organizing Authority may approve; or
  - (d) such persons who are sixty-five years and above.
  - (e) Aside sub clause (d), persons coming under any of the clause shall give evidence of their condition.

### **Offence and Penalty**

21. (1) A person who contravenes these Bye-laws commits an offence and shall on conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment.
- (2) A person who, without lawful justification or excuse, the proof of which lies on him incites any person to refuse to take part in any communal labour organized under these Bye-laws commits an offence and shall on conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment.
- (3) Subject to sub-paragraphs (1) and (2) of this paragraph, the Court may, in addition to any punishment impose on the offenders, order the persons to undertake the communal labour, determined by the court and request the person to sign a bond to desist from such act in future.

### **Monitoring and Enforcement**

3. It shall be the duty of the Zonal Councils to ensure that those residents comply with notices given for the undertaking of communal labour.

### **Title**

4. This Bye-law may be cited as the Abuakwa South Municipal Assembly (Communal Labour) Bye-laws, 2022

### **Interpretation**

5. In these Bye-laws, unless the context otherwise requires, “ASMA” means Abuakwa South Municipal Assembly.

### **Revocation**

6. Any Bye-laws on Communal Labour in existence before the coming into force of these Bye-laws are hereby revoked.

Made at a meeting of the Assembly held on the .....

### **SIGNED**

*Presiding Member*  
Abuakwa South Municipal Assembly

### **SIGNED**

*Municipal Co-ordinating Director*  
Secretary of ASMA

Approved by the Regional Co-ordinating Council, Eastern Region on behalf of the Ministry of Local Government.

## **SIGNED**

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

### **Abuakwa South Municipal Assembly (Control of Mills) Bye-laws, 2022**

In exercise of the powers conferred on the Abuakwa South Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby made this Bye-law:

#### **Building and Development Permit**

1. A person shall not operate a mill within the Abuakwa South Municipal Assembly's area of authority without first obtaining-
  - (a) A development permit for the site from the Physical Planning Department of the A.S.M.A , and
  - (b) A building permit from the Physical Planning Department of A.S.M.A.

#### **Licence**

2. A person shall not operate a mill without a licence from the Department of Physical Planning of the A.S.M.A.

#### **Fees**

3. (1) The A.S.M.A. shall by a resolution fix the fees payable for the issuance of the licence.  
(2) A permit issued by the ASMA shall expire on the 31st day of December of the year of issue.

#### **Dimension of Premises**

4. (1) A person shall not use a room or structure as a mill if;
  - (a) It is less than 4.2 meters long 3.6 meters wide and less than 3 meters high from the floor level; and
  - (b) The floor is not made of concrete or other approved impervious material; and
  - (c) The walls are not fly- proofed.

#### **Prohibition**

5. A person shall not use a room used as a mill also as a living or bed room.

#### **Times of Operation**

6. A mill shall be opened to the public only between the hours of 5.a.m and 7p.m

#### **Prohibited Person**

7. (1) A proprietor or person in charge of a mill shall not allow any person suffering from an infectious or contagious disease to operate the mill.  
(2) For purposes of Bye-law 7(1), the Medical Officer of A.S.M.A. or a designated health facility shall examine the operator(s) and certify their health condition suitable to operate the machine which shall form part of the conditions for granting the licence.

#### **Monitoring and Enforcement**

8. The physical planning department and the municipal guards of the A.S.M.A. shall monitor and enforce the provisions of this Bye-law.

#### **Offence and Penalty**

9. A person who contravenes any provisions of these Bye-laws commits an offence and shall on conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment.

#### **Title**

10. This Bye-law may be cited as Abuakwa South Municipal Assembly (Control of Mills) Bye-laws, 2022

### **Revocation**

11. Any Bye-laws on control of mills in force immediately before the passage of these Bye-laws are hereby revoked.

### **Interpretation**

12. In these Bye-laws, unless the context otherwise requires,  
“A.S.M.A means Abuakwa South Municipal Assembly.  
“mill” means any building or structure with machinery for grinding corn, pepper, cassava, groundnut and other foodstuff.

Made at a meeting of the Assembly held on the .....

### **SIGNED**

*Presiding Member*  
Abuakwa South Municipal Assembly

### **SIGNED**

*Municipal Co-ordinating Director*  
Secretary of ASMA

Approved by the Regional Co-ordinating Council, Eastern Region on behalf of the Ministry of Local Government.

### **SIGNED**

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

## **Abuakwa South Municipal Assembly (House Owners and Occupier) Bye-laws, 2022**

In exercise of the powers conferred on the Abuakwa South Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby made this Bye-law:

### **Responsibility**

- (1) Every house owner/occupier shall clear and keep clean all gutters public or private in or around the premises.
- (2) House owner/occupier shall fix an electric bulb or security lights on the four outside corners of the premises.

### **Construction across Public Way**

- (1) A house owner/occupier shall not construct a gutter, drainage or lay a pipeline across a public way such as road or street except with the prior approval of the Urban Roads Engineer.
- (2) The house owner or occupier before undertaking any such construction envisaged under Bye-law 2(1) shall apply to the Urban Roads Engineer in writing stating the reasons for such activity;
- (3) The department on receipt of the application shall proceed to the location to ascertain the facts on the ground and make a determination on the application;
- (4) Where the application is granted, the department shall supervise the construction to suit the specifications so given by the department.

### **Painting**

3. House owners/occupiers shall paint the outer portion of the house once every three years.

### **Undeveloped Plots**

- (1) The owner or occupier of an undeveloped plot shall keep it clear of weeds and refuse at all times;
- (2) Where the area is not kept tidy and becomes weedy, the Environmental Health Officer for the area concerned shall serve a written notice on the land owner or occupier who fails to comply with Bye-law 4 (1) to remedy the situation within seven days of the service of the notice.
- (3) Where the land owner or occupier fails to remedy the wrong, it shall constitute a breach and the Environmental health officer shall issue a criminal summons against the land owner or the occupier for failing to clear the land of any weed, refuse and or rubbish.

**Prohibition**

- 5. (1) A house owners/occupiers shall not create a refuse dump in or immediately outside the premises.
- (2) A house owner or occupier shall not burn refuse irrespective of the nature of the house.
- (3) All house owners/occupiers shall get their cesspit emptied regularly by the Environmental Health and Sanitation Department of A.S.M.A. or by a private waste management company registered with the A.S.M.A to avoid causing nuisance to the neighbourhood.
- (4) A house owner or occupier shall not under any circumstances dispose of effluent or other waste materials into gutters.

**Drainage**

- 6 (1) House owners or occupiers shall provide proper and adequate system of drainage for the discharge of their wastewater.
- (2) Where a house owner or occupier faces a difficulty in effectively discharging waste water, a report of the situation shall be made to the departments of Environmental Health and the Works to offer technical advice to resolve the problem;
- (3) Any cost involved in rectifying the situation shall be borne by the house owner or the occupier.
- (4) disposal of storm water within localities shall be integrated

**Offence and Penalty**

- 7. (1) It shall be an offence for a house owner to construct a house without a place of convenience and a bathroom.
- 22. (2) Any person who contravenes any of these Bye-laws commits an offence and shall on conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment.

**Title**

- 8. This Bye-law may be cited as Abuakwa South Municipal Assembly (House Owners and Occupier) Bye-laws, 2022

**Application**

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

**Interpretation**

- 10. In these Bye-laws, unless the context otherwise requires,
  - “ASMA” means Abuakwa South Municipal Assembly,
  - “Occupier” means any person who acts as a caretaker of any premises or is in occupation of premises.
  - “Around premises” means the area or space immediately outside the main outlay of the premises.

**Revocation**

- 11. All other (House Owners/Occupiers) Bye-laws within the area of authority of the ASMA in existence immediately before the passage of these Bye-laws are hereby revoked.
- Made at a meeting of the Assembly held on the .....

**SIGNED**

*Presiding Member*  
Abuakwa South Municipal Assembly

**SIGNED**

*Municipal Co-ordinating Director*  
Secretary of ASMA

Approved by the Regional Co-ordinating Council, Eastern Region on behalf of the Ministry of Local Government.

**SIGNED**

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

## **Abuakwa South Municipal Assembly (Infectious Disease) Bye-laws, 2022**

In exercise of the powers conferred on the Abuakwa South Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby made this Bye-law:

### **Cleansing and disinfecting premises and articles**

1. (1) Where the A.S.M.A is satisfied upon the certification of a Registered Medical Officer of Health or any legally qualified Registered Medical Practitioner that the cleansing and disinfection of any premises or articles would tend to prevent or check any dangerous or infectious disease;
- (2) The A.S.M.A. may by a notice in writing served on the owner of the premises or article, direct that it will at his cost to do the cleansing and disinfection or destruction unless within 24 hours after the receipt of the notice, he informs the A.S.M.A. within the time specified in the Notice that he will take such measures as are specified therein to the satisfaction of the Assembly.

### **Notification of Infectious Diseases**

2. If a person on whom the Notice is served does not inform the Assembly as required or having informed the A.S.M.A. does not take the steps specified to the satisfaction of the ASMA within the time specified, the ASMA may cause the premises to be cleansed and disinfected and the articles disinfected or destroyed and later recover the expenses reasonably incurred in so doing from the person on whom the Notice was served.
3. Where the evidence exist that the person on whom the notice is served is unable to foot the cost of the exercise, the person shall inform the A.S.M.A. on the service of the notice to enable the ASMA undertake the exercise.
4. The ASMA may serve notice in writing on the owner of any bedding, clothing or other article which has been exposed to infection by any dangerous or infectious disease, requiring the delivering of the articles to an officer of the health department of the Assembly duly authorized within twenty four hours for removal for disinfection or destruction as the case may be.
5. Where the owner fails to comply with this provision, the health officer shall with the help of the security ensure the delivery of the items for removal for disinfection or destruction as the case may be.
6. Without prejudice to Bye-law 2 hereof, any person who fails to comply with any of the requirements of any Notice served on him within the time specified in such notice shall be guilty of an offence.
7. (1) Where any inmate of any building or structure used for human habitation, not being a hospital is suffering from infectious disease, the head of the family to which the patient belongs shall as soon as he becomes aware of the fact send notice thereof to the Medical Officer of Health of the A.S.M.A. In the absence of a head of the family, the nearest relatives or an adult inmate of the house in which the patient present in the building and in the absence of such relatives, any person in charge of or in attendance on the patient resides and in default of any such person, the occupier of the building or structure.  
(2) Any person who fails to send the requisite notice shall be guilty of an offence under these Bye-laws unless he/she satisfies the court that he/she is required to send the notice only in the absence of some other person and that he/she believed and had reasonable grounds for believing that the notice has been duly sent.  
(3) (a) A Medical Practitioner attending or called in to visit a patient shall as soon as he becomes aware that the patient is suffering from a dangerous or infectious disease, send to the Medical Officer of Health a certificate stating the name of the patient, the nature of his illness and his address.  
(b) Any Medical Practitioner who fails to send a certificate as required by these Bye-laws shall be guilty of an offence.

### **Prohibition on occupation involving risk of infection**

8. (1) A person who knows that he is suffering from a dangerous or infectious disease shall not engage in or carry on any trade, business or occupation in connection with food or any trade, business or occupation which he cannot engage in or carry on without the risk of spreading such disease.

(2) A person who-

- (1) knowing that he is suffering from a dangerous or infectious disease exposes other person to the risk of infections by using any public transport or by his presence or conduct in any street or footpath thereof, public place, place of entertainment or assembly, club, hotel, restaurant, shop or any licensed premises; or
- (2) having the care of a person whom he knows to be so suffering cause or permits that person to expose other persons to the risk of infection ; or
- (3) gives land, sells, transmits or exposes without previous disinfection, any bedding, clothing or other articles which he knows to have been exposed to infection from any such diseases and which are likely to carry such infectious disease shall be guilty of an offence under these Bye-laws.

#### **Restriction on deposit of infected rubbish**

9. No person shall place or deposit or cause or permit to be placed or deposited in a dustbin or ash-pit or other receptacle for containing refuse any matter which he knows to have been exposed to infection from a dangerous or infectious disease and which has not been disinfected.

#### **Restriction on laundry facilities for infected articles**

10. No person shall send or deliver to any laundry or public wash house, for the purpose of being washed or cleaned, any article or thing which he knows to have been exposed to infection from a disease, unless such articles or things have been disinfected by or to the satisfaction of the Medical Officer of Health.
11. (1) No person shall let or offer to let any house, room or other premises in which a person has to his knowledge been suffering from a dangerous or infectious disease, without having that house, room or other premises and all articles therein liable to retain infection, disinfected to the satisfaction of the Medical Officer of Health or a qualified medical practitioner.  
(2) If the occupier of a house ceases to occupy that house in which to his knowledge a person was within six weeks previously, been suffering from an infectious disease and fails to have it and all articles there liable to:
  - (a) retain infection disinfected to the satisfaction of the Medical Officer of Health or a qualified Medical Practitioner; or
  - (b) fails to give to the owner of the house notice of previous existence of such disease he shall be guilty of an offence under these Bye-laws.

#### **Monitoring and Enforcement**

12. The health department and its allied departments shall ensure the compliance of this Bye-law.

#### **Offence and Penalty**

- 13 (1) It shall be an offence to spit, urinate or throw rubbish in public place.  
(2) Any person who contravenes any of the provisions of this Bye-law commits an offence and shall on conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment.

#### **Title**

14. This Bye-law may be cited as Abuakwa South Municipal Assembly (Infectious Disease) Bye-laws, 2022

#### **Application**

15. This Bye-law shall apply within the area of authority of the Assembly.

Made at a meeting of the Assembly held on the .....

#### **SIGNED**

*Presiding Member*  
Abuakwa South Municipal Assembly

#### **SIGNED**

*Municipal Co-ordinating Director*  
Secretary of ASMA

Government.

**SIGNED**

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

### **Abuakwa South Municipal Assembly (Sanitation) Bye-laws, 2022**

In exercise of the powers conferred on the Abuakwa South Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby made this Bye-law:

#### **Disposal of Refuse**

1. (1) Where the ASMA has set aside a place and provided dustbins for the disposal of refuse a person shall not place, cause or permit to be placed any carrion, filth, refuse or rubbish or any offensive or unwholesome matter, on any street, yard, premises, enclosure or open space within the Municipality.
- (2) If any offender under Bye-law 1(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.

#### **Removal of weeds and rubbish**

2. That occupier of any premises shall clear and keep free from all dirt, under bush, under-wood, weeds, high grass, rubbish, rags, broken bottles and all offensive matter (filling up holes with stones, gravel, or other like materials) the streets or roads at the front, back sides, thereof, with the drains, gutters and channels, thereon.
3. Provided that where two or more buildings abound on the streets or roads, the occupier of each shall keep clean only that half of the street or road nearest to his/her premises.

#### **Prohibition**

4. (1) A person shall not cause a nuisance in any public or open space.
- (2) No occupier of any premises shall by any act, allow the existence of a nuisance in his premises.

#### **Night Soil**

5. (1) The A.S.M.A. bans the use of pan latrines in residential and public places of conveniences.
- (2) The removal of night soil from all premises where necessary shall be the responsibility of the house owner or occupier and shall be done under the supervision of the Environmental Health department of ASMA.

#### **Food Wrapper**

6. (1) Food seller shall not serve food in anything unless due care has been taken to make sure the food wrappers are hygienic;
- (2) A designated officer of the Environmental Health Department shall have the responsibility of ensuring the compliance of this section of the Bye-law.

#### **Prohibition of nuisances**

7. (1) A person shall not deposit litter, refuse, liquid waste or other matter which may cause nuisance at an unauthorized place.
- (2) A person who intentionally flouts Bye-law 7(1) shall be issued with ticket spot fine at a fee fixed by the resolution of the A.S.M.A.

#### **Offence and Penalty**

8. Any person who contravenes any of these Bye-laws commits an offence and shall on conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment.

## **Title**

9. This Bye-law may be cited as Abuakwa South Municipal Assembly (Sanitation) Bye-laws, 2022

## **Interpretation**

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

“Nuisance” includes:

- (a) A pool, ditch, gutter, water course, well, hole, pond, tank, privy, urinal, cesspool, drains or KVIP which is in such a bad state to constitute a health hazard.
- (b) An animal so kept as to be injurious to health;
- (c) An accumulation or deposit of excreta or urine or things which are or are likely to be injurious to health.
- (d) Premises in such a state of disrepair as to be dangerous to the health of man or livestock.
- (e) A growth of weeds, prickly pear, long grass or wild bush of any sort.
- (f) Any work, manufacturing, trade or business that is or likely to be injurious to health of neighbours.
- (g) A well, pond or tank, the water of which is tainted with impurities as to be injurious to the health of man or live-stock.

“Occupier” shall where the building is not in actual occupation include the owner thereof.

## **Application**

11. These Bye-laws shall apply within the area of authority of the ASMA.

## **Revocation**

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

Made at a meeting of the Assembly held on the .....

**SIGNED**

*Presiding Member*

Abuakwa South Municipal Assembly

**SIGNED**

*Municipal Co-ordinating Director*  
Secretary of ASMA

Approved by the Regional Co-ordinating Council, Eastern Region on behalf of the Ministry of Local Government.

**SIGNED**

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

## **Abuakwa South Municipal Assembly (Cleansing) Bye-laws, 2022**

In exercise of the powers conferred on the Abuakwa South Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby made this Bye-law:

### **Unauthorised Structures**

1. The Abuakwa South Municipal Assembly may order the destruction or removal of any unauthorised structure(s) attached to any property or structure in the municipality.
  - (2) Where packing cases are arranged in front of a building in such a way that-
    - (a) they constitute a danger or obstruction to any person, or
    - (b) they provide accommodation of a sort for a person, animal or thing, they shall be removed without notice.

### **Parking of Vehicle in Public pathway**

2. Any person who-
  - (a) Parks a vehicle; or
  - (b) Parks goods or items in any public pathway or pavement shall be guilty of an offence.

### **No Posters at unauthorised Places**

3. (1) No posters, bills, placards, paper sheets or other materials used for advertisement or notices shall be posted or stack on any wall, tree, electric poles or fixtures other than-
  - (a) Spaces specifically provided or approved by the A.S.M.A. for such purposes; or
  - (b) Property owned or otherwise possessed or occupied by the advertiser.
  - (c) This paragraph shall not apply to advertisement or posters for elections or other such occasions initiated by the Government except that the Electoral Commission shall liaised with the A.S.M.A. on how election posters and banners shall be posted.
  - (d) The A.S.M.A. shall cause people who disregard the pasting of notices at appropriate places to clean the area where the notices or advertisement have been pasted.
  - (e) For purposes of Bye-law 3, the Security department of the A.S.M.A. shall monitor the compliance of Bye-law 3.

### **No Littering**

4. Any person who throws litter, refuse or other matter which may cause nuisance or block the water passage provided by a gutter or drain, shall be guilty of an offence.

### **Obstruction**

5. Where the Assembly under its powers sets a Health/Environmental Day, any person who on the Health Day obstructs-
  - (a) Any person, authorized to cleanse any area of the ASMA, shall be guilty of an offence and liable to a fine of 50 penalty units or imprisonment for a term not exceeding one month.

### **Obstructing Traffic**

6. (1) No bottles, empty cases spare parts of vehicles or derelict vehicles shall be placed, parked, or allowed to cause obstruction to traffic or other users of the road, be an eyesore or unpleasant to the public.
- (2) The A.S.M.A. shall have a task force from the transport department which shall ensure that broken down vehicles within the municipality are towed at a fee against the owner or the person in charge at the time of the break down off the road.
- (3) With respect to heavy duty vehicles, the task force shall liaise with the Police Motor Traffic Transport Union to forestall traffic congestion.

### **Prohibition**

7. (1) To improve the scenic beauty of the Municipality, it shall be an offence for a person to construct a structure attached to a building or along streets without a written permission from the planning department of A.S.M.A.;
- (2) Where such structures exist without the written consent, the A.S.M.A. shall notify the owner or occupier to remove same where it is located at an unauthorized place. The A.S.M.A.'s written notice shall state the period required to remove the structure;
- (3) If the owner or occupier fails to remove the unauthorised structure, after the requisite notice has elapsed, the A.S.M.A. shall remove the structure and surcharge the owner or occupier with the cost of removing the structure;
- (4) Where the structure's location is appropriate, but had no permission to build, the owner or occupier shall pay a penalty of 100 penalty units to the A.S.M.A.;
13. Any person who violates Bye-law 7 commits an offence and shall on conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment.

### **Frontage of Buildings**

8. (1) The frontage of every commercial or industrial building shall be grassed, concreted, cemented or otherwise solidly paved, slabbed, tiled or culverted by the owner or occupier to the satisfaction of the A.S.M.A. engineer who shall provide guidelines and directions for such work.

- (2) Where the owner or occupier of a commercial or industrial building does not comply with the provision of these Bye-laws the Engineer or the Town Planning Officer shall serve a written notice given the owner or occupier four-teen days to undertake the work;
- (3) Where after the notice the owner fails to undertake the work, the ASMA shall do so and recover the cost from the owner or occupier of the building concerned together with a punitive penalty of 200 penalty units;
- (4) Owners or occupiers of stores, shops, stall and markets spaces shall keep their doors and frontage clean and clear of filth;
- (5) Where a person is permitted or otherwise licensed to trade, work or use for any purpose the frontage of a building, the owner or occupier of the building or other licensor shall be solely or jointly liable with the licensee for the default of that person under this sub-section.

**Nuisance**

- 9. Any person who for the purpose of his trade, vacation or other business causes smell or other nuisance to the detriment of his neighbor or the public, shall be guilty of an offence.

**No liability**

- 10. No person authorized by the Assembly to destroy, remove or otherwise dispose of anything under these Bye-laws shall be liable to any person for any loss whether sustained thereby.

**Offence and Penalty**

- 14. Except where penalty is expressly provided, any infringement or breach of any of these Bye-laws may be met with abatement by the Assembly with or without notice or be punishable by a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment.

**Title**

- 11. This Bye-law may be cited as Abuakwa South Municipal Assembly (Cleansing) Bye-laws, 2022

**Interpretation**

- 12. In these Bye-laws, unless the context otherwise requires,  
“Building” means any structure whatsoever and includes stalls, kiosk, restaurants and bars.  
“Goods” include things and articles of any kind.  
“Vehicles” include trucks, cranes, lorries, cars, motor cycles, tricycle, bicycles, carts and wagons.  
“Frontage” includes verandah and porch, and “Road” includes street, kerb, pavement, side walk, footpath.

**Application**

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

**Revocation**

- 14. Any (Cleansing) Bye-laws in existence within the area of authority of the ASMA immediately before the coming into force of these Bye-laws are hereby revoked.

Made at a meeting of the Abuakwa South Municipal Assembly held on the .....

**SIGNED**

*Presiding Member*  
Abuakwa South Municipal Assembly

**SIGNED**

*Municipal Co-ordinating Director*  
Secretary of ASMA

Approved by the Regional Co-ordinating Council, Eastern Region on behalf of the Ministry of Local Government.

## SIGNED

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

### **Abuakwa South Municipal Assembly (Abatement of Nuisance) Bye-laws, 2022**

In exercise of the powers conferred on the Abuakwa South Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby made this Bye-law:

#### **Abatement Notice**

1. (1) Where the Assembly is satisfied that a nuisance exists, an Environmental Health officer shall serve a notice (in these Bye-law referred to as “Abatement Notice” in the form shown in the schedule to this Bye-law.) after being notified by the Zonal council concerned on the person by whose act, default or sufferance the nuisance continues, or if, that person cannot be found the owner or occupier of the premises on which the nuisance arises;
- (2) An abatement notice shall require the person on whom it is served to abate the nuisance and to execute such works and to take such steps within such period as may be specified in the notice;
- (3) The Environmental Health officer who issued the notice shall follow through having regard to the time given to the owner or occupier to abate the nuisance to ensure compliance;
- (4) Where the person causing the nuisance cannot be found, and it is clear that the nuisance does not arise or continue by the act, default or sufferance of the owner or occupier of the premises the Assembly may itself take such steps as may be required to abate the nuisance and to prevent a reoccurrence thereof.

#### **Nuisance Complaint**

2. (1) If the person on whom an abatement notice has been served makes default in complying with any of the requirements of the notice, or if the nuisance although abated since the service of the notice, is in the opinion of the Assembly, likely to re-occur on the same premises, the Assembly shall cause a complaint to be made to a court of competent jurisdiction for summons to be issued requiring such person to appear before such Court to sign a bond that the nuisance shall not re-occur;
- (2) Where any person is aggrieved by the existence of any nuisance, after these steps taken above, such person may issue civil summons against the person in respect of the nuisance to a Court of competent jurisdiction requiring the person by whose act, default or sufferance the nuisance arises or continues to appear before such Court to show cause why the person should not be punished.

#### **Nuisance Orders**

3. (1) Where on the hearing of a complaint made on non-compliance with an Abatement Notice, it is proved that the nuisance exists, or that although abated it is likely to re-occur on the same premises, the Court shall make a Nuisance Order for any of the following purposes;
  - (a) An Abatement Order requiring the defendants to comply with all or any of the requirement of the Abatement Notice, or otherwise to abate the nuisance within a time specified in the Order and to execute any works necessary for that purpose;
  - (b) A prohibition Order prohibiting a re-occurrence of the nuisance and requiring the defendant within a time specified in the Order to execute any works necessary to prevent a re-occurrence;
  - (c) A closing Order, prohibiting the use of the premises for human habitation provided that a closing Order shall be made only if the Court is satisfied that by reason of the nuisance, that premises are unfit for human habitation.
- (2) Where on the hearing of a complaint made on non-compliance with an Abatement Notice it is proved that the alleged nuisance existed at the date of the making of the complaint it either existed or likely to re-occur the court may order the defendant to pay the Assembly such reasonable sum as the Court may determine in respect of the expenses incurred by the Assembly in or in connection with the making of the complaint and the proceedings before the Court.
- (3) If it appears to the Court that the person by whose act, default or sufferance the nuisance arises or the owner or occupier of the premises cannot be found, the nuisance order may be addressed to and

executed by the Assembly.

- (4) (a) On the hearing of the complaint, the Court may in addition to making a Nuisance Order impose a fine not exceeding the limit prescribed by the Bye-laws.
- (b) Any person who fails to comply with the Abatement Order shall unless he proves that he has used all due diligence to carry out the Order be liable to such fine and such daily penalty for every day on which the offence continues not exceeding the limit prescribed by the Bye-laws.
- (c) Any person who knowingly contravenes a prohibition or closing Order shall be liable to such daily penalty for every day on which the offence continues not exceeding the limit prescribed by the Bye-laws.

### **Proceedings against several persons**

4. (1) Where a nuisance appears to be wholly or partly caused by the acts or defaults of two or more persons, the Assembly may, in its discretion institute proceedings against the one of, or all of them; any one or more of the persons proceeded against may be ordered to abate the nuisance for as far as it appears to the court to be caused by his or their acts or defaults, or may be prohibited from continuing any acts or defaults which, in the opinion of the court, contribute to the nuisance or may be fined or otherwise punished and the costs may be apportioned as the court may deem fair and reasonable.
- (2) Where some or any of the persons, by whose acts or defaults a nuisance has been caused, have been proceeded against, they may without prejudice to any other remedy, recover in a summary manner, from the other persons who were proceeded against, a proportionate part of the costs, of, and incidental to the proceedings and the abatement of the nuisance, and of any fine or costs ordered to be paid in the proceedings.

### **Abatement of nuisance by Assembly**

5. (1) Where a nuisance order has not been complied with the Assembly may abate the nuisance and do whatever may be necessary in the execution of the Order;
- (2) Any expenses reasonably incurred by the Assembly in abating, or preventing the recurrence of a nuisance in respect of which a Nuisance Order has been made may be recovered by it.
- (3) Where the Assembly proceeds to recover such expenses as aforesaid, the Court may apportion the expenses between persons by whose acts or defaults the nuisance was caused in such manner as the court may deem fair and reasonable.

### **Nuisance arising outside the Municipality**

6. Where nuisance within the Municipality appears to be wholly or partly caused by some act or default committed or taking place outside the municipality, the Assembly may take proceedings as if the act or default was committed within the Municipality. Provided that the proceedings may be taken before a court having jurisdiction in the place where the act or default is alleged to be committed.

### **Abatement of Nuisance**

7. Without prejudice to the preceding Bye-laws, where the requirements of the Abatement Notice have not been complied with the Assembly may abate the nuisance.
8. The municipal guards in conjunction with the Environmental Health department shall monitor persons served with abatement notice to ensure compliance with the orders so issued.

### **Non-Compliance**

9. Any person who fails to comply with any of the requirements of the Abatement Notice served on him without any reasonable excuse (the proof of which shall lie on such person) shall be processed for prosecution at the Court of Law.

### **Offence and Penalty**

10. Any person who fails without reasonable excuse (the proof of which shall lie on such person) to comply with any of the requirements of the Abatement Notice served on him shall be liable to a fine of between 100-250 penalty units or imprisonment for a term not exceeding three months and to a further fine of 1

penalty unit for each day on which the offence continues after the conviction of the defaulter.

**Title**

11. This Bye-law may be cited as Abuakwa South Municipal Assembly (Abatement of Nuisance) Bye-laws, 2022

**Interpretation**

- 12. In these Bye-laws, unless the context otherwise so requires, “Nuisance” includes;
  - (a) Any premises in such a state as to be prejudicial to health, life and property.
  - (b) Any animal kept in such a state as to be prejudicial to health;
  - (c) Any accumulation or deposit which is prejudicial to health, and
  - (d) Any dust or effluvia caused by any trade, industry and being prejudicial to the health of the inhabitants of the neighbourhood

**Revocation**

13. Any (Abatement of Nuisance) Bye-laws in existence within the area of authority of the ASMA immediately before the coming into force of these Bye-laws are hereby revoked.

**Schedule of Abatement Notice**

Name of owner/occupier/author of nuisance.....  
 Place.....  
 Nuisance.....  
 Mode of Abatement.....  
 Name and Signature of Issuer.....

Made at a meeting of the Assembly held on the .....

**SIGNED**

*Presiding Member*  
Abuakwa South Municipal Assembly

**SIGNED**

*Municipal Co-ordinating Director*  
Secretary of ASMA

Approved by the Regional Co-ordinating Council, Eastern Region on behalf of the Ministry of Local Government.

**SIGNED**

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

**Abuakwa South Municipal Assembly (Cemeteries) Bye-laws, 2022**

In exercise of the powers conferred on the Abuakwa South Municipal Assembly by section 181 of the Local Governance Act,2016 (Act 936) hereby made this Bye-law:

**1. Control of Cemetery**

- (a) The Assembly shall for the purpose of this Byelaw have the control and management of all cemeteries within the Municipality.
- (b) In respect of cemeteries owned by Traditional authorities, churches and other religious organisations, private operators, the Assembly shall have a standard code of conditions to be followed by all the organisations.
- (c) The Environmental Health Department shall ensure that all cemeteries under the control of the Assembly are kept neat and tidy at all time.

**2. Permit to operate Private Cemetery**

- (a) A person shall not operate a private or commercial cemetery without permit from the Assembly.

(b) Such a permit shall be renewable on yearly basis as per the fee fixing resolution of the Assembly.

(c) The Assembly shall exercise oversight responsibilities over such cemeteries and all burial permits must be endorsed by the Environmental Health Department of the Assembly.

(d) The Assembly may revoke such permits if the holder continuously contravenes, the provisions in this Bye-laws.

(e) The Assembly may franchised the management of the cemetery under a public private partnership Agreement to add value under the supervision of the Environmental Health Department.

### **3. Control of Funeral Homes**

(a) No person or entity shall own or operate any of the facilities listed below, unless that facility is licensed by the Environmental Health Department of the Assembly. The facilities include:

(b) Private mortuary

(c) Funeral homes

(d) Crematoria

(e) Hearse

### **4. Permit to Operate a Facility**

A person shall apply to the Environmental Health Department for a permit/licence to operate a facility. The licence shall be renewed every two years.

### **5. Revocation of Permit**

The Environmental Health Department shall refuse to renew a license to own or operate a facility if the operator fails to meet the required standards.

### **6. Plan of Cemetery**

There shall be a plan of the cemetery, drawn by a licensed Surveyor, in which the position of all grave spaces and pathways shall be delineated and plotted and this plan shall be kept in the office of the sexton-in-charge of the cemetery in the municipality.

### **7. Infant/free Burial**

In each cemetery a portion may be set aside for infant burials, and a portion may likewise be set aside for free burials.

### **8. Grave Space**

In every cemetery grave space shall be 2.4 meters by 1.2m, except that in that part of the cemetery reserved for infant burials, each grave shall be 1.5m by 0.9m.

### **9. Depth of Grave**

No grave in any cemetery under the jurisdiction of the Assembly shall be less than 1.2m deep. The depth of every grave shall have the certification of the sexton in charge of the cemetery.

### **10. Register of Burials**

Each grave space delineated and plotted in the plan shall be numbered and the Sexton in charge of the said cemetery shall cause a Register of burials to be kept in the form shown in the schedule to this Bye-law.

### **11. Vaults**

No greater number than six grave spaces shall in a cemetery shall be granted to any one person or family for the construction of vault.

## **12. Cremation**

The Sexton-in-charge in conjunction with the Environmental Health Department of the Assembly shall make arrangement for the provision of facilities for persons whose religious beliefs requires the cremation of their bodies.

## **13. Head Stones**

(a) The foundation of a head stone or other memorials in the cemetery shall not extend to more than 6 meters below the surface of the grave.

(b) The Sexton-in-charge shall ensure compliance by all who intend to erect a memorial.

## **14. Restrictions**

(a) No burial shall be allowed without a permit issued by the Assembly and the payment of the requisite fee.

(b) A relative of a deceased person shall apply for a burial permit with the cause of death issued by a recognized hospital or clinic.

(c) Where the person died outside a hospital but kept in a mortuary, a notice from the mortuary shall be used to apply for a burial permit.

(d) In all cases of applying for a permit, the Assembly shall by a special resolution fix the fees payable.

## **15. Free Burials**

No free burial shall be allowed without the written authority of the Municipal Environmental Health Officer, which written authority should include the name of deceased and the applicant for the free burial.

## **16. Hours of Burial**

Burials may take place at the cemetery between the hours of half past six (6) and eleven (11) o'clock in forenoon or between the hours of three and six in the afternoon.

## **17. Fees**

(a) Fees for grave and vaults in a cemetery shall be payable at the rate fixed by resolution of the Assembly.

(b) Free burials permitted under this Bye-law shall not attract any fee.

(c) Fees under franchised management shall be fixed in Memorandum of Understanding (M.O.U) signed between the Assembly and the Private Partner with a percentage payment to the Assembly.

## **18. Nuisance**

A person shall not commit any nuisance in a cemetery.

## **19. Monitoring and Compliance**

The Environmental Health Department shall visit all cemeteries in the municipality at least once in every month to ascertain the level of compliance of this Bye-law for necessary action(s) to be taken on issues raised during the visit.

## **20. Penalty**

Any person who contravenes any of these Bye-laws commits an offence and shall on conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment.

## **21. Interpretation**

In this Bye-law, unless the context otherwise requires,

“ASMA” means Abuakwa South Municipal Assembly.

## 22. Revocation

Any Bye-laws on cemeteries in existence immediately before the coming into force of these Bye-laws is hereby revoked

### Schedule of Register of Burial

Register of Burial in Assembly cemetery.....  
Number.....  
Name of person being buried.....  
Registry Office.....  
Grave Space Granted.....  
Date in which space was granted.....  
Signature of Sexton.....

#### SIGNED

*Presiding Member*  
Abuakwa South Municipal Assembly

#### SIGNED

*Municipal Co-ordinating Director*  
Secretary of ASMA

Approved by the Regional Co-ordinating Council, Eastern Region on behalf of the Ministry of Local Government.

### Abuakwa South Municipal Assembly (Abatement of Litter) Bye-laws, 2022

In exercise of the powers conferred on the Abuakwa South Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby made this Bye-law:

#### Deposit of Litter

1. A person shall not place, deposit, throw, leave or caused to be placed, deposited, thrown down and left, otherwisethan in a receptacle or place provided by the Assembly for that purpose, or in any street, park, recreation ground or other public or open space to which the public has access, or in any ditch, water course, gutter or drain abutting on any street and glass, chinaware, earthenware, tin, carton, paper, bottles, nails or other sharp substances, orange peel, banana skin or the skin of any fruit or the leaves or refuse of any vegetable or any offensive, unwholesome or dangerous substance.

#### Litter not to be swept into streets or specified places

2. A person shall not-
  - (a) Sweep or otherwise remove from any shop, house or vehicle into any street park, recreation ground or other public or open space to which the public has access, or in any ditch, water course, gutter or drain abutting on any street, any waste paper, shaving or other refuse or litter of any kind
  - (b) Throw down and leave or cause or permit to be thrown down and left in any street, park, recreation ground or other public or open space for the purpose of advertising any bill, placard or other substances.

#### Conveyance

3. A person who conveys any filth, dust ashes, refuse or litter or a noxious or offensive matter or liquid must operate a vehicle that has a body of adequate size and construction for the type of waste being collected.

#### Removal of falling filth or Litter

4. The person shall cover the receptacle with a net, tarpaulin or a suitable material to prevent the litter from falling into or upon the street or any drain or gutter abutting thereon and shall where necessary for

that purpose use a cart or other suitable vehicle or receptacle properly and sufficiently covered.

### **Licence**

5. (1) A prospective conveyer of any form of waste shall first apply to the ASMA in writing for a licence to collect and transport waste;
- (2) The application shall indicate among others the nature of waste to be collected, the machinery available for that category of waste, the company's registration documents among others;
- (3) The A.S.M.A. in considering the application shall seek expert advice from the Environmental Health and Sanitation Department on the suitability of the applicant's vehicles to be used for the collection of the waste, the safety measures in place.
- (4) After considering the application, the A.S.M.A. shall issue a licence subject to the payment of the approved fees determined by the resolution of the ASMA and other conditions which said licence shall expire on the 31st of December of the year in which the licence was issued and shall be renewed in the subsequent year.

### **Failure to Comply**

6. A licence issued under these Bye-laws may be revoked by the A.S.M.A. on the advice of the Environmental Health and Sanitation Department where the holder has failed to comply with the provisions of the grant of the licence and the provisions of these Bye-laws.

### **Notice to Offenders**

7. (1) A licence may be revoked by the A.S.M.A. after a written notice has been served on the defaulting party and given fifteen days to remedy the wrong but has failed and or refuse to do so.
- (2) Any licence so withdrawn shall only be restored after the applicant has complied with all the requirements required under these Bye-laws.

### **Revision of Terms**

7. The terms of the grant of the licence shall be reviewed every three years.

### **Cleaning**

8. (1) If during the conveyance of filth, dust, ashes, refuse or litter some fall off from the vehicle or any object being used, the person undertaking such conveyance shall cause same to be removed and clean the place on which such filth, dust, ashes, refuse or litter falls,
- (2) For purposes of this Bye-law 4(1), a vehicle conveying filth which litters the street or any place shall be surcharged by a task force set up to enforce the provisions of these Bye-laws.

### **Notice**

9. If any person contravenes any of the provisions of these Bye-laws the A.S.M.A. may by notice in writing served on such person affixed to some conspicuous place near the article complained of require such person to remove and keep removed the said article within forty-eight hours from the date of the notice.

### **Collection of Refuse**

10. The owner or occupier of any premises other than premises owned by the Ghana Government or an organ thereof requires the Assembly or other private companies to remove refuse therefrom daily shall-
  - (a) Submit an application in writing to the Assembly containing the name, address and the house number of the applicant of such premises and other particulars sufficient to enable the premises identified the A.S.M.A. or the private company;
  - (b) And at his own expense provide at a convenient place on the premises or such other place as the A.S.M.A. or the company may direct a dustbin or other receptacle for containing refuse which shall be of metal or plastic with a close fitting lid and shall be of such dimensions as shall be approved in writing by the Assembly.

### **Provision of Dustbins**

11. (1) If it appears to the A.S.M.A. that there are no proper means of depositing domestic refuse in any residential areas and the assembly is satisfied that in the interest of public health it is necessary that the proper provision made for that purpose, the Assembly may by notice in writing require the occupier or owner of the premises in the area to provide such number of covered dustbins or other receptacles for the reception of domestic refuse of such material, size and construction as the Assembly may direct;
- (2) The A.S.M.A. shall place a bigger receptacle at a central point to enable owners and occupiers tip their bin in the bigger receptacle at a fee determined by a resolution of the A.S.M.A.;
- (3) Where a person fails to comply with these requirements within such period as may be specified therein, the Environmental Health Department of A.S.M.A. shall issue summons to the person or persons involved for prosecution in court.
12. A person, other than a person employed by the A.S.M.A. in connection with the removal and disposal of refuse, shall not disturb the material deposited or refuse.

### **Prohibition**

13. The occupier of the premises shall not deposit or cause to be left in any dustbin provided for the reception of domestic refuse any liquid or faecal matter.

### **Fees**

14. (1) The owner or occupier of premises on which business, industrial or recyclable waste is generated, must ensure that until the appointed times for collection by the A.S.M.A. or a private company;
  - a) The waste is stored in a bulk container or other approved receptacle; and
  - b) The waste shall be treated such that it does not pose a health risk and or nuisance to the neighborhood.
15. The fee for the removal of domestic and commercial refuse shall be payable in advance determined by resolution of the A.S.M.A. differently for domestic and commercial waste.

### **Notice to Discontinue**

16. A person desirous of discontinuing this service shall notify the Municipal Solicitor of ASMA or an official of the company involved not less than 14 clear days to the expiration of the end of the month the person wishes to discontinue the service of the ASMA or any company.

### **Application**

17. These Bye-laws on Abatement of litter shall apply within the area of authority of the ASMA.

### **Revocation**

18. Any Bye-laws on Abatement of litter in existence immediately before the coming into force of these Bye-laws is hereby revoked.

### **Title**

19. This Bye-law may be cited as Abuakwa South Municipal Assembly (Abatement of Litter) Bye-laws, 2022

### **Offence and Penalty**

20. Any person who contravenes or fails to comply with any of these Bye-laws commits an offence and shall on conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment.

### **Interpretation**

21. In these Bye-laws, unless the context otherwise requires,

“ASMA” means Abuakwa South Municipal Assembly, Made at a meeting of the Assembly held on

the .....

**SIGNED**

*Presiding Member*  
Abuakwa South Municipal Assembly

**SIGNED**

*Municipal Co-ordinating Director*  
Secretary of ASMA

Approved by the Regional Co-ordinating Council, Eastern Region on behalf of the Ministry of Local Government.

**SIGNED**

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

**Abuakwa South Municipal Assembly (Public Market) Bye-laws, 2022**

In exercise of the powers conferred on the Abuakwa South Municipal Assembly by section 181 of the Local Governance Act,2016 (Act 936) hereby made this Bye-law:

**Control of Markets**

1. The A.S.M.A. shall have ownership, exclusive control and management of the markets in the entire municipality.

**Hours of Operation**

2. All markets shall be open to the public every day of the week that is from Monday to Saturday from 6 o'clock in the morning until 6 o'clock in the evening and on Sundays from 6 o'clock in the morning until 5 o'clock in the evening.

**Allotment of Stores, Stalls and Spaces**

3. (1) Stores shall be allotted to allottees for sale of items or articles as the A.S.M.A. may direct from time to time;  
(2) Subject to Bye-law 3(1), all applications for the allotment of stalls shall be made to the A.S.M.A.- Chief Superintendant of markets or to such other officer as the Municipal Chief Executive for that purpose may appoint;  
(3) For purposes of Bye-law 3(2), the Chief Superintendent of the market or a person designated by the MCE may receive all applications in respect of vacant stalls in all existing markets for allotment;  
(4) In allotting a stall, the A.S.M.A. shall be guided by the date of application and the date of payment of fees prescribed under the application;  
(5) The A.S.M.A. may refuse allotment of any stall to an applicant previously convicted of an offence under these Bye-laws;  
(6) For the avoidance of doubt the grant of all stalls shall be made by the A.S.M.A.

**Rent**

4. (1) The ASMA shall by a resolution fix the rent payable for the stall from time to time;  
(2) On payment of rent for a stall a receipt specifying the period in respect of which it is paid shall be issued to the allottee and the receipt shall be prima facie evidence of the payment of rent for the specified period.  
(3) Failure to produce the receipt on demand by a person authorized by the A.S.M.A., shall render the occupier of a stall liable to ejection from the stall or be made to pay a penalty specified by a resolution of the A.S.M.A. from time to time;  
(4) All rents may be paid in advance and where the rent is payable monthly or quarterly any part of a month or quarters shall count as entire month or quarter;  
(5) 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;  
(6) In case of an allotment by the month, the occupier of any stall shall give notice of intention to discontinue the use thereof at least seven days before the expiration of the period in respect of which rent has been paid; otherwise he shall be liable for rent in respect of the succeeding month.

### **Liability for loss or damage**

5. (1) The AS.M.A. shall not be under any liability for any loss or damage to the property of any occupier of any store in a matter due to fire, theft, burglary or any other cause whatsoever.
- (2) An allottee of AS.M.A. stall in all the markets shall insure their properties against fire, theft/burglary or other fore-seeable contingencies.

### **Transfers, Subletting and Succession**

6. (1) An occupier of any store, in a market shall not sublet or share such store, except with the written consent of the AS.M.A.;
- (2) A licence granted by the AS.M.A. to any person to use or occupy any store/stall, table or space in any market shall be personal to the licensee only, and the transfer of some or any part thereof or any transaction or dealing therewith such might by operation of law or equity have the effect of transferring same or any part thereof or any therein to any person at any time without due notice to the A.S.M.A. is prohibited;
- (3) The ownership of a stall shall not be assumed or devolved by way of succession. Upon the death of the original allottee, the interest in the stall automatically reverts to the A.S.M.A.;
- (4) Where an allottee dies, the A.S.M.A. should be notified of such death stating whether the deceased was occupying it or not;
- (5) Any relative of the deceased person who expresses an interest in the store should apply to the A.S.M.A. within three months after notification for consideration and approval by the A.S.M.A. and if the application is successful, a fresh tenancy agreement shall be executed between the A.S.M.A. and the successful applicant;
- (6) Where the real tenant was not in occupation before his/her death, the A.S.M.A. should be obliged in fairness or by way of equity transfer the interest in it to the person who was occupying it as a sub-lessee before his death if such occupation was with the written consent of the A.S.M.A.;
- (7) In any other situation the Assembly reserves the right, or discretion to decide who should occupy it depending on the objective conditions surrounding that situation.

### **Transfer of interest by person alive.**

7. (1) A sitting tenant can only transfer his/her interest in a stall by submitting a formal application to the Municipal Co-coordinating Director stating clearly his intention and reason for the transfer;
- (2) A market standing Committee comprising the Market Manager, Municipal Coordinating Director or the deputy or a representative of the Municipal Coordinating Director and the Municipal Solicitor and a member secretary shall handle such applications;
- (3) In such situations, fees to be charged should be approved by a resolution of the A.S.M.A.

### **Desertion**

8. (1) The A.S.M.A. reserves the right to re-enter a store(s) and re-allocate same to any interested person if:
  - (a) The occupier deserts the store for 3 months without notice to the A.S.M.A. and fails to pay daily tolls.
  - (b) Fails to pay the rent due for 3 months;
  - (c) The real tenant had sold it to a third party;
  - (d) Or has relinquished his interest to third party without the written consent of the Assembly.
  - (e) The Market manager shall through the daily toll collectors furnish the MCE with the names and store numbers of stores which are not opened and thus fail to pay daily toll.
  - (f) The ASMA shall before re-entry issue notices to the tenant and or paste a copy at the store where the tenant cannot be traced of the ASMA's intention to re-enter;

### **Dispute Resolution**

9. (1) The market Standing Committee of the A.S.M.A. shall resolve all disputes relating to the stalls in markets controlled by the A.S.M.A.;
- (2) A party dissatisfied with the decision of the Standing Committee, may appeal to the Chief Executive of

the A.S.M.A. for a review of such decision twenty one days from the date of the decision by the market standing committee;

- (3) The review Committee comprises of the Market Manager, the Estates Officer, the Solicitor of the Assembly as member Secretary and two other lawyers with the most senior counsel as the chairman;
- (4) A party dissatisfied with the decision of the Review Committee has the right to go to the Law Court.

### **Sales Restriction**

10. (1) A person shall not sell at any place in any market other than in the store allotted to him;
- (2) A person who sells or purchases goods or stock near established markets other than approved places or erects stalls at places other than the established markets commits an offence and shall be liable for prosecution.

### **Appropriation of parts of the Market**

11. Parts of the market shall be specially set aside by the A.S.M.A. for the sale of specified articles and the sale of such articles shall be prohibited elsewhere in the market.

### **Daily Sellers**

12. (1) The A.S.M.A. shall specifically set aside a portion of the market for the use of daily sellers who shall pay to the A.S.M.A. such daily fees so fixed by a resolution of the A.S.M.A.;
- (2) The toll collector shall issue a receipt/ticket to the sellers therein which shall be prima facie evidence of payment of the toll for the day in question;
- (3) The seller shall display the ticket or the receipt issued for the day at the place of business or show same on request by an officer, agent or a person authorized by the A.S.M.A.;
- (4) Where a seller fails to produce the receipt/ticket on demand and fails to give any justifiable reason for the failure, by a person authorized by the A.S.M.A., shall render the daily seller liable for ejection from the market or pay a penalty so approved by a resolution of the A.S.M.A.

### **Cleaning of Store**

13. (1) An occupier of a Store, in a market shall be responsible for the cleanliness of his store at all times.
- (2) Before cleaning the market at the close of the day every occupier shall thoroughly clear his store and its surroundings and the refuse placed at locations provided for the purpose.

### **Prohibition on exposure of Food**

14. (1) An occupier of any store/stall in the market shall not expose any article of food for sale from a stall or from a table or other support of a minimum height of at least one and half meters from the ground.
- (2) The Environmental Health Department of the A.S.M.A. shall ensure that food meant for human consumption shall not be exposed for sale without adequate protection from dust, flies or other insects.

### **Screening of Food Products and Meat**

15. (1) Food meant for human consumption shall not be exposed for sale in any market, unless it is protected by means of screens of a pattern approved by the health department of the A.S.M.A.
- (2) The practice of carrying meat products in the booths of vehicles, open vehicles being trampled upon by butchers, baskets, and other unhygienic practices is hereby banned.
- (3) The A.S.M.A.'s Environmental Health department shall ensure that meat being conveyed to any market in the municipality shall be conveyed in a recognized meat van.

### **Infectious Disease**

16. A person suffering from any infectious or contagious disease shall not enter or sell in any market.

### **Cleanliness**

17. (1) An occupier of a stall shall during the occupancy keep the same in a clean state, and shall scrub,

sweep or otherwise clear away any dirt and rubbish before leaving the market at the end of the day's selling;

- (2) An occupier of a stall or any other support for the purpose of exposing food for sale shall wash with clean water before leaving at the end of the day's selling, such store/ stall, table or other support;
- (3) All dirt, rubbish and sweepings shall be deposited in covered receptacles provided by the A.S.M.A. for that purpose or approved refuse sites.
- (4) The A.S.M.A. shall as often as is necessary, ensure that the contents the receptacle are removed to ensure cleanliness;
- (5) It is the responsibility of the market managers to set up a task force to ensure compliance with the provision of this Bye-law for all markets controlled by the A.S.M.A.

### **Prohibited Articles**

18. A person shall not bring or cause to be brought into the market or keep therein any of the following:
  - (a) Any live animal except with the condition that they are restrained or kept guarded to prevent free movement;
  - (b) The skin of any animal unless it is dry and properly cured;
  - (c) A Sanitary Officer of the A.S.M.A. who shall act on the advice of the Medical Officer of Health concerned or a person authorized by such Medical Officer of Health to ensure compliance with the provisions of Bye-law 18.
19. Fowls, ducks, guinea-fowls and turkeys offered for sale in the market shall be kept in coops or restrained from free movement.

### **Children**

20. Any person in charge of a child in the market shall be responsible for the good behaviour of such child and shall clear up any litter or any nuisance that such child may cause.

### **Butchers Clothing**

21. (1) Butchers and their assistants when engaged in carrying handling or selling meat shall wear clean clothes of styles approved by the Sanitary officer of the A.S.M.A. who shall act on the advice of the medical officer of Health concerned in respect of such style of clothing;
- (2) The Environmental Health department shall ensure that clothes worn by butchers are clean and meet the prescriptions given by ASMA;
- (3) A butcher who flouts the directive on the clothing shall receive a warning in the first instance. If the breach continues, the A.S.M.A. will fine the butcher 100 penalty units;
- (4) If the breach continues after the payment of a fine, the A.S.M.A. in conjunction with the butchers association suspend the said butcher from operating in any market controlled by the A.S.M.A. for a period of one month after which the person shall be readmitted after signing a bond that he shall comply with the Bye-law regarding dressing at the time of conveying meat.

### **Unwholesome Food**

22. A person who brings into the market or sell or offer for sale therein any article for human consumption which is unwholesome shall be guilty of an offence.

### **Prohibition**

23. Except security officers in charge of the markets, no person shall use the market as a sleeping place.

### **Right of Entry**

24. It shall be lawful for the Municipal Chief Executive or his representative to enter the market at reasonable times and to inform the A.S.M.A. of any non-compliance with these Bye-laws or to enforce same.

### **Obedience to the direction of A.S.M.A.**

25. Every person using the market shall obey the reasonable directions of the officers of A.S.M.A., including directions given for the purpose of cleanliness, order and regularly in such markets and of

facilitating the conduct of business therein.

### **Categorisation of Markets**

26. Markets in the Municipality shall be divided into such categories and assigned such facilities as the A.S.M.A. may determine.
27. A person shall not light fire in any part of the market or keep or sell any explosives or highly flammable substances in the market place.

### **Application**

28. These rules and Bye-laws shall apply to the markets listed hereunder in the Schedule.

### **Offence and Penalty**

29. Any person who contravenes any of these Bye-laws commits an offence and shall on conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment.

### **Title**

30. This Bye-law may be cited as Abuakwa South Municipal Assembly (Public Markets) Bye-law, 2022

### **Interpretation**

31. In these Bye-laws, unless the context otherwise requires,
  - “ASMA” means Abuakwa South Municipal Assembly
  - “Market” means public market within Abuakwa South Municipality
  - “Store” includes selling sites, stalls, spaces and places as shall be designated by ASMA to be used for selling and buying purposes.

### **Revocation**

32. All Bye-laws in operation immediately before these Bye-laws are hereby revoked.

### **Schedule**

#### **Major**

#### **Markets**

1. Kibi
2. Asiakwa
3. Bunso
4. Such market as the ASMA may from time to time determine

#### **Mini Markets**

1. Nkronso
2. Such market as the ASMA may from time to time determine

Made at a meeting of the Assembly held on the .....

### **SIGNED**

*Presiding Member*  
Abuakwa South Municipal Assembly

### **SIGNED**

*Municipal Co-ordinating Director*  
Secretary of ASMA

Approved by the Regional Co-ordinating Council, Eastern Region on behalf of the Ministry of Local Government.

### **SIGNED**

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

In exercise of the powers conferred on Abuakwa South Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby made this Bye-law:

### **Licence**

1. (1) A person shall not carry on any profession, occupation, trade or business in or upon any premises or land in the Municipality unless the ASMA has issued a licence in respect of such premises.
- (2) A licence granted under these Bye-laws shall expire on the 31st December of the year it was issued.
- (3) A person who starts business profession or trade later than January in a year shall pay a commensurate rate (prorata).
- (4) A licence granted under this Bye-law shall be displayed in a conspicuous part of the premises or land, and is not transferable.

### **Fee**

2. There shall be charged for every licence fee to be prescribed by the A.S.M.A. by resolution and approved by the Eastern Regional Co-coordinating Council on behalf of the Local Government.

### **Liability to pay Property Rate**

3. Any licence granted shall be without prejudice to the payment of property rate the owner of a ratable property of a permanent or temporary nature is required to pay under any Bye-laws for the time being in force.

### **Powers of Entry**

4. (1) An Officer or other person duly authorized by the A.S.M.A. may at all reasonable times enter any building, premises or land in the Municipality for the purpose of carrying out any inspection, enquiry or any other duties authorized by the A.S.M.A.;
- (2) A person shall not obstruct or otherwise interfere with any officer or other person authorized by the A.S.M.A. in the performance of any duties assigned to him under these Bye-laws.

### **Revocation of Licence**

5. (1) The A.S.M.A. may revoke or withdraw any licence granted under these Bye-laws if any alterations are made to any premises or buildings for which the licence was granted by the A.S.M.A.;
- (2) The A.S.M.A. may close down any business or suspend its activities until the permit fee is paid for the operation of the business

### **Winding up**

6. (1) If for any reason a company winds up its business activity or suspends its operations, the company shall inform the A.S.M.A. immediately about such a closure or suspension of business activities;
- (2) A company that fails to comply with Bye-law 6(1) of these Bye-laws shall continue to receive bills from the A.S.M.A. for its fees for Business permit.

### **Failure to pay business permit fee**

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

### **Withdrawal of Permit**

8. (1) The ASMA may withdraw or revoke any Business permit granted under these Bye-laws if any alterations are effected on premises or building for which the permit was granted without a written authority of the A.S.M.A. or if the person granted the business permit contravenes any provision of these Bye-laws;
- (2) The ASMA may close down any business or suspend its activities until the permit fee is paid for the operation of the business.

### **Offence and Penalty**

9. Any person who contravenes any provision of these Bye-laws commits an offence and shall on conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty

penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment.

**Application**

10. These Bye-laws shall be within the area of authority of the A.S.M.A.

**Title**

11. This Bye-law may be cited as Abuakwa South Municipal Assembly (Profession, Business and Trade) Bye-laws, 2022.

**Interpretation**

- 12. In these Bye-laws, unless the context otherwise requires.
  - “ASMA” means Abuakwa South Municipal Assembly.
  - “Business” means an economic system in which goods and services are exchanged for one another or money, on the basis of their perceived worth.
  - “Trade” means commercial transaction involving the sale and purchase of goods, service or information.
  - “Profession” means occupation, practice or vocation requiring mastery of a complex set of knowledge and skills through formal education and or practical experience.

**Revocation**

13. Any Bye-laws on Profession, Business and Trade in force immediately before these Bye-laws are hereby revoked.

Made at a meeting of the Abuakwa South Municipal Assembly held on the .....

**SIGNED**

*Presiding Member*  
Abuakwa South Municipal Assembly

**SIGNED**

*Municipal Co-ordinating Director*  
Secretary of ASMA

Approved by the Regional Co-ordinating Council, Eastern Region on behalf of the Ministry of Local Government.

**SIGNED**

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

**Abuakwa South Municipal Assembly (Abatement of Noise) Bye-laws, 2022**

In exercise of the powers conferred on the Abuakwa South Municipal Assembly by section 181 of the Local Governance Act,2016 (Act 936) hereby made this Bye-law:

**Place for sale of Recorded Music**

- 1. A person shall not use a place for the sale of musical records or other recorded music unless the place has been inspected, approved and licensed by the A.S.M.A.

**Licence**

- 2. (1) The prospective operator shall apply in writing to the A.S.M.A. to inspect the premises designated for the sale of musical records or other recorded music and assess the place before granting a licence;
- (2) The ASMA shall prescribe conditions for the applicant to fulfill before issuing the licence. The conditions include complying with the noise level permitted under the law and putting in place a sound proof structure.
- (3) A licence issued shall expire on the 31st day of December in the year in which the licence was issued.

**Withdrawal of Licence**

3. The ASMA may withdraw a licence issued under these Bye-laws where the owner of the premises-
  - (a) After the issue of the licence makes an unauthorized alteration to any sound-proofed structure ;
  - (b) Is convicted of any offence under these Bye-laws or
  - (c) Conducts the business to pollute the environment.

### **Facilities for Listening**

4. Premises issued with a licence 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 played for Advertisement**

5. (1) A person shall not play or cause the playing of recorded music or recorded advertisement in public for the purpose of advertisement in such manner as to cause disturbance or nuisance to the public. For purposes of this Bye-law, the noise produced shall not exceed the permitted level as set in the schedule of these bye law;
- (2) A person who flouts Bye-law 5(1) shall be liable to pay a fine of 100 penalty units.
- (3) The ASMA shall set up a task force to ensure compliance with this Bye-law with powers to confiscate all materials being used by the person. The task force shall be based at the Zonal councils.
- (4) A person whose materials are confiscated shall within 7 days pay the appropriate penalty and further undertakes in writing that he or she shall not flout Bye-law 5(1);
- (5) If after the written undertaken, the breach continues, the A.S.M.A. shall revoke the licence granted to the person.

### **Music at Night Club and other Places**

6. (1) A proprietor of a night club, restaurant, drinking bar or other place of refreshment shall not play any music at the place so loudly as to cause disturbance or nuisance (i.e. above the permitted noise level under the law) to residents in the area.
- (2) Where recorded music is provided in a night club, restaurant, drinking bar, hotel or other place of refreshment or entertainment, the sound effect of the music shall remain and be heard only within the confines of the place.
- (3) In the case open areas, the proprietor shall play music only at the permitted noise levels;
- (4) A person who plays a recorded music or live music at a funeral grounds must not play music above the noise level required under the law.
- (5) The A.S.M.A. shall set a task force to monitor operators' compliance with the provisions of these Bye-laws at the zonal councils

### **Religious Institutions**

7. (1) A church conducting a religious service shall not play any music or allow any music to be played or preach or pray at the service so loudly as to cause disturbances or nuisance to residents in an area.
- (2) Where music is played in a religious institution, the sound effect of the music shall remain within the confines of the buildings.
- (3) For the purposes of Bye-law 7(2), religious institutions must acquire sound insulators to enable the sound produced stay within the permitted sound level required under the law.
- (4) A person conducting a religious service where music is to be played or preaching of sermons shall be between 6 a.m. to 10 p.m.
- (5) Where a religious institution organizes an all-night service it shall have the facilities and gadgets to ensure that the sound effect of the music and any activity remains within the confines of the building.
- (6) Any religious institutions shall not use loud speakers for call to worship and religious preaching between the hours of 10 p.m. and 5 a.m.

### **Excessive Noise Levels**

8. (1) The ambient noise level standards specified in the schedule hereto shall be applicable to the whole area of authority of the Assembly and shall be observed by all persons or bodies at all times
- (2) Where a religious institution, an individual, a music shop or a disc jockey flouts the Bye-law on noise making, by making excessive noise, a person affected or the task force set up under these Bye-laws shall

set out to investigate the complaint;

- (3) The Environmental Health department in conjunction with the task force must first investigate the complaint by conducting independent checks. Where it is established that the noise is a nuisance the department will contact the offender with an abatement notice if necessary drawing the attention to the provisions of the Bye-laws and warned to abate the nuisance.
- (4) If the offender fails to comply with the notice, the A.S.M.A. shall impose a fine of 100 penalty units on the offender;
- (5) If after the payment of the fine the nuisance continues the A.S.M.A. and the complainant shall start proceedings against the offender in a Circuit or High Court by first obtaining an injunction against the offender.

### **Public Preaching at Central Business Area**

9. (1) To forestall persistent overcrowding and congestions on the streets, pavement and pedestrian walks in the central business district, public preaching and or playing or religious audio and video cassette with message of Evangelistic in nature for the purposes of propagation of a religion is not permitted at the central business area of the Assembly between the hours of 9 a.m. to 4 p.m.;
- (2) For the purposes of the provision in the preceding paragraph, the areas constituting the central business area shall as specified in the schedule of these Bye-laws unless the A.S.M.A. in its discretion determines otherwise.

### **Noise near Hospital and Public Places**

10. A person shall not within one hundred meters of a hospital, clinic, maternity house or other place used for the reception or treatment of the sick, or any public library place of worship, place of public assembly office or public holding.
  - (a) Sound or play upon or blow any musical or noisy instrument;
  - (b) Sound or blow the horn of a motor vehicle unnecessarily or
  - (c) Make any noise which is a nuisance in any street, open space or other public place.Noise near other premises
11. A person shall not in any street, open space or other public place or in connection with any shop, business premises or other place which adjoins any street, footway, pavement, sidewalk or other public place to which the public are admitted, or
  - (a) in or upon any other premises operating or causing or permitting or suffering to be operated any wireless, loudspeaker, gramophone, amplifier or similar instruments make or cause or permit or suffer to be made any noise shall be so loud and so continuous or repeated as to cause a nuisance or disturbance to the occupants or inmates of any premises in the neighbourhood;
  - (b) For purposes of the provision in the preceding paragraph the use of mounted loud speakers at vehicle terminals shall strictly comply with the permitted noise level.
12. A person shall not within one hundred meters of any shop, dwelling house, office or other premises, sound or play upon any musical or noisy instrument or sing or shout or blow the horn of any motor vehicle unnecessarily in any street to the annoyance or disturbance of any inmate or occupant thereof.

### **Noisy Animals**

13. A person shall not keep within any house, building or other premises any animal which shall be or cause a nuisance to residents of other premises in the neighbourhood.

### **Noisy Hawking**

14. A person shall not for the purpose of hawking, selling, distributing or advertising any articles or goods or buying or collecting any other goods or articles shout or ring any bell or any other noisy instrument in any street or other public place so as to cause disturbance to inhabitants of the neighbourhood after being requested to desist by any police officer or the task force established under this Bye-law.

### **Prohibition of Noise**

15. (1) A person shall not make loud or an unseemly noise to the annoyance or disturbance of the public, inhabitants or any other person(s).

(2) A person who intentionally flouts Bye-law 15(1) shall be issued with ticket spot fine at a fee fixed by the resolution of the A.S.M.A.

**Offence and Penalty**

- 16. (1) A person who contravenes any of these Bye-laws or any condition attached to a licence hereunder commits an offence and shall on conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment or;
- (2) In the case of a continuing offence, the offender is liable to additional one penalty units in respect of each day on which the offence continues.

**SCHEDULE**

**Ambient noise level standard**

<b>Description of Area or noise reception</b>	<b>Day(0600-2200)</b>	<b>Night(12200-0600)</b>
Residential area with low or infrequent transportation	55	48
Educational (school) and health (hospital, clinic) facilities	55	50
Area with some commercial or light industry	60	55
Area with some light industry, places or entertainment or public assembly, and places of worship located in the area	65	60
Predominantly commercial area	75	65
Light industrial area	70	60
Predominantly heavy industrial area	70	60

**Application**

17. These Bye-laws shall apply within the area of authority of the A.S.M.A.

**Title**

18. This Bye-law may be cited as Abuakwa South Municipal Assembly (Abatement of Noise) Bye-laws, 2022.

**Revocation**

19. Any Bye-laws on Abatement of Noise in existence immediately before the coming into force of these Bye-laws are hereby revoked.

**Interpretation**

20. In these Bye-laws, unless the context otherwise requires, "ASMA" means Abuakwa South Municipal Assembly.

Made at a meeting of the Assembly held on the .....

**SIGNED**

*Presiding Member*  
Abuakwa South Municipal Assembly

**SIGNED**

*Municipal Co-ordinating Director*  
Secretary of ASMA

Approved by the Regional Co-ordinating Council, Eastern Region on behalf of the Ministry of Local Government.

**SIGNED**

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

**Abuakwa South Municipal Assembly (Regulation of Vehicle Parking Places) Bye-laws, 2022**

In exercise of the powers conferred on the Abuakwa South Municipal Assembly by section 181 of the Local

Governance Act,2016 (Act 936) hereby made this Bye-law:

### **Provision of Lorry Parks**

1. (1) A driver of a motor vehicle plying for public hire of fares shall not in the public part of municipality between 6.a.m and 6 p.m. load or unload or permit the loading of goods, except at the place provided for that purpose by the A.S.M.A.;
- (2) Nothing in these Bye-laws shall prohibit- the loading or unloading of passengers or goods from any private store, dwelling house, shop, market or other place in the municipality in the event of an accident or bonafide breakdown of the vehicle.

### **Creation of Lorry Park**

2. (1) A person or group of persons shall not have the right to create, build or establish a lorry park in the Municipality without the prior approval of the A.S.M.A.;
- (2) For purposes of the preceding paragraph, an application to operate a parking place shall be submitted to the A.S.M.A. which shall assess the suitability or otherwise of the site and location of the lorry park.
- (3) Where the location is approved, the applicant(s) shall be notified who shall pay the approved fees fixed by the resolution of the A.S.M.A. together with making available amenities for the lorry park as a condition of the grant. In the case of a private developer, he shall make available the amenities specified by the A.S.M.A.
- (4) There shall be payable to A.S.M.A. for the use of a parking place in respect of each motor vehicle a parking fee fixed by a resolution of the A.S.M.A. (5) Only transport operators with permits from A.S.M.A. shall provide services at the lorry parks or terminals.

### **Parking Fees Payable**

3. (1) A driver of a vehicle shall pay the prescribed fee to the person appointed by the A.S.M.A. or the authorized person as a collector of parking fees who shall issue a receipt to him which he shall produce on demand by an authorised officer of A.S.M.A.;
- (2) A driver who fails to produce such ticket shall be deemed to have used a parking space without paying the pre- scribed fee;
- (3) The attendant/Collector shall issue a ticket in respect of each payment specifying the amount paid, and the date of issue and the registration number of the vehicle and such ticket shall be available only for the motor vehicle indicated thereon and is not transferable;
- (4) The ticket so issued, shall be valid for a prescribed period.

### **Regulation of Lorry Park**

4. Every driver of a motor vehicle using the lorry park designated parking facility shall-
  - (1) Enter the lorry park by the opening marked "Entrance" and leave by the opening marked "Exit".
  - (2) Park his motor vehicle in the lorry park or designated parking facility in such space as may be indicated by the attendant;
  - (3) Secure his motor vehicle from movement by keeping the hand brake on or adopting any other effective means.
  - (4) Refrain from unnecessary blowing of the horn
  - (5) Not permit the execution of any substantial repairs or to work upon his vehicle at the lorry park except such as may be absolutely necessary.

### **Prohibitions**

5. A person shall not kindle any fire or use any naked light in the lorry park.
6. A person shall not deposit or cause to be deposited any refuse, rubbish or any offensive matter on the lorry park except at such places designated for that purpose.

### **Nuisance**

7. A person shall not cause any nuisance in the lorry park.

### **Access to Premises**

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

### **Clamping of Vehicles**

9. (1) A vehicle parked in contravention of these Bye-laws shall be clamped by the A.S.M.A. or its authorized agents.
- (2) An owner of the clamped vehicle shall pay a spot fine in accordance with the fee fixed by A.S.M.A. by resolution before the release of the vehicle to him.

### **Regulating Lorry Parks at Filling Stations**

10. (1) Where a group of persons intend to operate a lorry park at a filling station, the persons shall go through the process of obtaining a licence as spelt out under Bye-law 2 above.
- (2) The ASMA shall ensure that the necessary precautions are in place to forestall any danger.

### **Towing of Vehicles**

11. (1) The A.S.M.A. or its authorized agents shall tow any vehicle parked at an unauthorized place upon the following conditions-
  - (a) The vehicle being towed shall be deposited at a place to be designated by A.S.M.A.;
  - (b) The driver or person in charge of the towed vehicle shall pay a spot fine in accordance with the fee fixing resolution of the A.S.M.A. before the release of the vehicle;
  - (c) The A.S.M.A. shall take all reasonable care to ensure the safety of the towed vehicle but shall not take personal responsibility for any loss or damage of the vehicle.

### **Prohibitions**

12. A person bringing foodstuffs or livestock into the lorry park for the purposes of off-loading shall not park in the streets or lanes adjacent to the park. Foodstuffs or livestock being off loaded at a lorry park shall be undertaken at the appropriate market by their owners within two hours after the arrival of the cargo.
1. (1) All commercial activities at the lorry station should be operated by permits. In case of sale of liquor, a police clearance certificate should be obtained as specified in A.S.M.A. bye law for sale of intoxicating liquor.
- (2) No persons or owners of vehicles shall perform any commercial activities in or on vehicles parked at any designated parking places.
- (3) The execution of any substantial repairs or work upon a vehicle shall not be permitted except such as may be absolutely necessary.
- (4) No person shall park a vehicle at a place in an unreasonable manner so as to prevent any available access to any premises.
- (5) Every manager of a lorry station or designated parking place shall establish a system for proper sanitation as defined by the ASMA Environmental Health Department for every permitted station or designated parking area in the Municipality.
- (6) The Transport Department of the A.S.M.A. shall establish a task force with a mandate to inspect all lorry parks or parking facility and issue the notices and follow through with monitoring and enforcing all the provisions of these Bye-laws.
- (7) The Transport Department shall maintain an effective call center to receive comments, complaints and other feedbacks from stakeholders and the general public.
- (8) All complaints arising out of the applications of these Bye-laws should be forwarded to the MCD for investigations and redress.

### **Offence and Penalty**

13. Any person contravening any of the provisions of these Bye-laws commits an offence and shall on conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred

and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment

**Application**

14. These Bye-laws shall apply to all approved lorry parks in the Municipality

**Title**

15. This Bye-law may be cited as the Abuakwa South Municipal Assembly (Regulation of vehicle Parking Places)Bye-laws, 2022.

**Revocation**

16. Any Bye-laws on the regulation of vehicle parking places in existence immediately before the coming into force of these Bye-laws are hereby revoked.  
17. .

**Interpretation**

18. In these Bye-laws, unless the context otherwise requires, “ASMA” means Abuakwa South Municipal Assembly.

“Driving” means any person who is the owner or has charge or controlover a vehicle or being present is entitled to give orders to the person having charge or control of the vehicle.

“Motor Vehicle” means any mechanically propelled vehicle intended or adopted for use on roads

“Place” includes street, pavement or an open space.

Made at a meeting of the Assembly held on the .....

**SIGNED**

**SIGNED**

**SIGNED**

*Presiding Member*

Abuakwa South Municipal Assembly

**SIGNED**

*Municipal Co-ordinating Director*

Secretary of ASMA

Approved by the Regional Co-ordinating Council, Eastern Region on behalf of the Ministry of Local Government.

**SIGNED**

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

**Abuakwa South Municipal Assembly (Stray Animals) Bye-laws, 2022**

In exercise of the powers conferred on the Abuakwa South Municipal Assembly by section 181 of the Local Governance Act,2016 (Act 936) hereby made this Bye-law:

**Seizure of stray Animal**

1. A person authorized by the A.S.M.A. who finds any stray animal in any public part of the Municipality without any person in charge thereof may seize and impound such animal and send it to the place set aside by the A.S.M.A. for that purpose.
2. An animal so impounded shall be released by the A.S.M.A. to the owner upon the payment of a fee fixed by the resolution of the A.S.M.A.

**Prohibition**

3. The rearing and or the keeping of animals in any premises or in any part of the Municipality otherwise

than for immediate slaughter or in such public place as the A.S.M.A. may provide for that purpose, is forbidden and animals kept in contravention of these Bye-laws may be seized by any person authorized by the A.S.M.A. and placed in a pond.

### **Permission to keep Animal**

4. Notwithstanding Bye-law 2, a person may keep animals within the area of administration of A.S.M.A. for domestic, religious or customary purposes upon the conditions that the animals-
- (a) Are kept in a kraal which is well maintained and always kept clean; and
  - (b) Do not constitute a nuisance by such or noise to neighbours; and
  - (c) Are attended to by veterinary officers or assistants and the owners are to ensure that sanitary rules are maintained.

### **Cattle Breeders**

5. It shall be an offence for cattle owners to bring cattle to the residential areas and the streets. For avoidance of doubt cattle shall be confined to their kraal outside residential areas.

### **Detention of Stray Animal**

6. Where officers of A.S.M.A. impound cattle or any stray animal under Bye-laws 1 of these Bye-laws-
- (a) The A.S.M.A. shall not be liable for any animal that may die after it has been impounded.
  - (b) An owner of any impounded animal may retrieve it on conditions as may be determined by the A.S.M.A.
7. Any animal placed in a pound may be detained there until the owner pays to the A.S.M.A. a fee covering the impounding and the maintenance of the animal as may from time to time be fixed by resolution of the A.S.M.A.

### **Sale of impounded Stray Animal**

8. Where the animal remains with the A.S.M.A. for seven days or more, the animal shall be sold by public auction and the proceeds paid to the A.S.M.A.

### **Offence and Penalty**

9. Any person contravening any of the provisions of these Bye-laws commits an offence and shall on conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment

### **Interpretation**

10. In these Bye-laws unless the context otherwise requires, "Animals" includes horse, sheep, goats, cattle, monkeys and pigs

### **Application**

11. These Bye-laws shall apply within the area of authority of the A.S.M.A.

### **Title**

12. This Bye-law shall be cited as the Abuakwa South Municipal Assembly (Stray Animals) Bye-laws, 2022.

### **Revocation**

13. Any Bye-laws on stray animal in existence within the area of authority of the Assembly immediately before the coming into force of these Bye-laws are hereby revoked.

Made at a meeting of the Assembly held on the .....

### **SIGNED**

*Presiding Member*  
Abuakwa South Municipal Assembly

### **SIGNED**

*Municipal Co-ordinating Director*  
Secretary of ASMA

Approved by the Regional Co-ordinating Council, Eastern Region on behalf of the Ministry of Local Government.

**SIGNED**

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

**Abuakwa South Municipal Assembly (Control of Dogs) Bye-laws, 2022**

In exercise of the powers conferred on the Abuakwa South Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby made this Bye-law:

**Prohibitions on keeping Dogs and Pets**

1. (1) A person shall not keep any kind of dog or bitch unless the person applies for and obtain a licence from the A.S.M.A. to do so;
- (2) The health department of A.S.M.A. shall before granting a licence satisfy itself that the dog has been duly vaccinated against rabies on the production of a signed Certificate issued by the Veterinary Officer to this effect;
- (3) The officer from the health department after inspecting and certifying the authenticity of the badge shall provide to the keeper by the Licensing Officer which badge shall be kept on the dog at all times whilst the licence remains in force;
- (4) A licence issued under these Bye-laws shall expire on the 31st December of the year in which it is issued;
- (5) The owner shall renew the licence by subjecting the animal for another vaccination and follow the same process to renew the licence which shall also expire on the 31st day of the year in which it was issued.

ASMA's role

**Stray Dogs/Pets**

2. (1) A dog in respect of which a licence is granted shall be confined in a house by the owner and shall not be allowed to be at large except with the owner or someone and on leash.
- (2) It shall be lawful for any Police Officer, Health Officer, Task Force of A.S.M.A. or any person authorized by the A.S.M.A. to seize any stray dog found at large and bring it before a Magistrate who may direct that the dog be returned to its owner or assigned to a suitable person or make such order as he may think fit.

**Keeper of Dogs/Pets**

3. A person in whose custody, charge or possession or on whose premises a dog is found shall, for the purpose of these Bye-laws, be deemed to be keeper of such dog unless the contrary is provided.

**Seizure of diseased Dogs/Pets**

4. An Officer of A.S.M.A. authorized in that behalf may seize any dog which is suffering or which he reasonably believes to be suffering from mangle, rabies or other disease within the meaning of the Disease of Animals Act, 1916 (Act 83).
5. A person who has a dog licence in force shall produce it within twenty-four hours on request by an officer of the A.S.M.A. in that behalf.

**Vaccination**

6. A person who keeps a dog shall have it inoculated once every year against rabies at the Department of Animal Health and obtain a Certificate to that in respect of the dog.

**Offence and Penalty**

7. Any person who contravenes any provision of these Bye-laws commits an offence and shall on conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment

**Application**

8. These Bye-laws shall apply within the area of authority of the ASMA.

**Title**

9. This Bye-law shall be cited as the Abuakwa South Municipal Assembly (Control of Dogs) Bye-laws, 2022.

**Revocation**

10. Any Bye-laws on Control of Dogs in existence within the area of authority of the ASMA immediately before the coming into force of these Bye-laws are hereby revoked.

**Interpretation**

11. In these, Bye-laws, unless the context otherwise requires, “ASMA” means Abuakwa South Municipal Assembly.

Made at a meeting of the Assembly held on the .....

**SIGNED**

*Presiding Member*  
Abuakwa South Municipal Assembly

**SIGNED**

*Municipal Co-ordinating Director*  
Secretary of ASMA

Approved by the Regional Co-ordinating Council, Eastern Region on behalf of the Ministry of Local Government.

**SIGNED**

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

**Abuakwa South Municipal Assembly (Operation of Commercial Vehicles) Bye-laws, 2022**

In exercise of the powers conferred on the Abuakwa South Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby made this Bye-law:

**Application and Fees**

1. (1) Every application for commercial vehicle registration shall be made to the licensing officer of the ASMA by the responsible executives of the local union or branch under which it intends to operate.  
(2) No commercial vehicle registration shall be approved under these Bye-laws unless the vehicle in respect of which the registration is required has been licensed as a commercial vehicle and certified as road worthy in accordance with the provisions of the Road Traffic Act any other appropriate enactment at the time in force
2. A person shall not paint or spray or equip any vehicle or cause or allow any vehicle painted or sprayed or equipped for use as a commercial vehicle without the authority of the licensing officer.

**The evidence of the registration shall be:**

- i) A sticker affixed to the windscreen of the vehicle.
- ii) The sticker shall be renewed annually valid until (31st December of the year) upon renewal of the appropriate permit.
3. (1) A commercial passenger vehicle registration shall not be approved unless the vehicle in respect for the registration has been licensed by the Driver Vehicle Licensing Authority for commercial operations. This shall be evidenced by the yellow vehicle registration number plate affixed to the plate. Every vehicle registered under these Bye-laws shall remain equipped and fitted in the manner under which it was originally licensed under the Driver Vehicle Licensing Authority for commercial operations.  
(2) All commercial vehicles must operate from an approved station and shall pay a daily toll for the use of the loading station.

- (3) A commercial vehicle registration shall be completed by paying the requisite fee fixed by the resolution of the ASMA.

### **Issue and display of Licence**

4. The licensing officer shall issue a vehicle sticker with the registration number of the vehicle inscribed on it which shall be displayed on the front windscreen of the vehicle.

### **Display of Licence**

5. The driver of every vehicle operating bus services, minibus will be required to boldly display a destination board in front of the vehicle at all times and the vehicle shall have a sticker issued by the union which shall be affixed to it indicating the lorry station it is registered under.
6. (1) The driver named in the operating permit to drive a commercial vehicle have in his possession the commercial driver's license issued by the ASMA whenever he is using the vehicle to work.  
(2) Where the owner or driver or union decides to allow another driver to drive the commercial vehicle that driver must have a valid driving license and a valid ASMA driver's license

### **Number of Passengers**

7. A licensed commercial vehicle shall not be permitted to carry more than the permitted capacity of the vehicle as determined by the Driver Vehicle Licensing Authority.

### **Duties of Licensees**

8. (1) Every driver permitted to drive a commercial vehicle under this Bye-law shall:
  - (a) Observe all traffic regulations including pedestrian crossing;
  - (b) Display a valid sticker on the windscreen of the commercial vehicle in respect of which the permit has been granted.
  - (c) Notify the A.S.M.A. of any change in his postal, residential or office address within seven days of such change.
  - (d) Keep and maintain the commercial vehicle in good repairs.
- (2) A person permitted to drive a commercial vehicle under this Bye-law shall not:
  - (a) Permit any person other than the person licensed under this Bye-law to drive the commercial vehicle unless the person also holds a commercial driver's licence from the A.S.M.A. but has no car.
  - (b) Remove, deface, alter, mutilate or cancel the licence or any notice mark affixed to the commercial vehicle in pursuance of this Bye-law nor, allow or permit any other person to do same.
  - (c) Permit the commercial vehicle to be used for any unlawful purpose.
  - (d) Display any advertisement inside or outside the coach or taxi without the consent of A.S.M.A. or the appropriate authorities as required by the Bye-laws of ASMA with regard to fees.

### **Revocation of Licence**

9. (1) A commercial vehicle registered under a permit shall be revoked by the A.S.M.A. if the vehicle is not road worthy or otherwise in contravention with any road traffic regulations in force at the time of or any other provisions of this Bye-law.
- (2) The Court may make an order for the suspension or the prohibition of the use of the vehicle for transport services where the driver has been convicted under this Bye-law on two or more occasions for-
  - (a) using the coach, minibus, bus or taxi for illicit purposes;
  - (b) dishonesty; or
  - (c) failing to keep or maintain the coach or taxi in a manner required by any enactment for the time being in force.

### **Records**

10. (1) A licensed driver shall, on being requested to do so by an authorized enforcement officer of the A.S.M.A. produce his ASMA commercial driving licence for inspection.
- (2) The licensing officer of the ASMA shall keep a record of all commercial vehicles, buses and taxis registered under this Bye-law.

### **Monitoring and Enforcement**

11. A task force established under this Bye-law at the transport department of the A.S.M.A. shall routinely

visit and mount road check points in conjunction with the police and the road safety committee to inspect the possession of vehicle stickers and ASMA commercial driver license by drivers.

### **Duty to Produce Licence**

12. (1) A vehicle without such permit shall pay a spot fine to be fixed by a resolution of the A.S.M.A. before being allowed to regularize its registration under the appropriate operating permit;
- (2)
- (3) Every licensed driver shall, on being requested so to do by a member of the police service or officers duly authorized by the A.S.M.A. produce his commercial driving license and sticker to the task force.

### **Restrictions**

13. (1) Every commercial driver providing transport services within the ASMA shall obtain a ASMA commercial driver's license.
- (2) A person shall not drive or hold himself out as a commercial driver within the jurisdiction of ASMA unless the driver has obtained ASMA commercial driver's license.
- (3) A driver permitted under this Bye-law as a commercial driver must possess a license to drive commercial vehicles issued by the Driver Vehicle Licensing Authority.

### **Duration of Licence**

14. A commercial vehicle driver's licence shall remain force for a person for one year unless revoked or suspended.

### **Lost Licence**

15. Where a licence is lost or destroyed the Licensing Officer shall issue a duplicate licence upon the production by the applicant of a satisfactory police report supported by an affidavit duly sworn to by the applicant and upon payment of the prescribed fee.

### **Production of Licence**

16. Every commercial vehicle driver shall have his commercial vehicle driver's licence in his possession wherever the driver is acting as a commercial vehicle or when appearing before any court and shall on request produce the

### **Renewal of Licence**

17. An applicant submitting an application for the renewal of a licence shall submit to the licensing officer.
  - (a) His current driver's licence and
  - (b) Payment of prescribed fees

### **Suspension or withdrawal of Licence**

18. A commercial vehicle driving licence shall not be suspended or withdrawn under this Bye-law unless-
  - (a) The driver's licence of the holder has become suspended or withdrawn or
  - (b) A court law so orders.

### **19. This Bye-laws shall not apply to-**

- (a) Any vehicle which is the property of the Government statutory body, board or Corporation; or an
- (b) Any commercial vehicle operating under a permit other than by ASMA which is in transit through the Municipality, provided that the driver of such coach, minibus, bus or taxi shall not be guilty of an offence under this Bye-law.

### **False Declarations**

20. Any licence obtained under these Bye-laws as a result of false declarations or missed representations shall be null and void and any fee paid for such licence shall not be recoverable.

### **Excess Passengers**

21. (1) A commercial vehicle shall not carry any number of persons in excess of the number allowed to be

carried by the vehicle provided that for the purpose of this Bye-law an infant in arms shall not count as a person and every child of twelve shall count as one person.

- (2) Not more than two persons including the driver in case of taxi or three in that of a coach (the driver inclusive) shall sit on the front seat.
  - (3) A driver of a taxi shall not carry luggage on the roof or on the bonnet.
  - (4) A person suffering from an infectious disease shall not be allowed carried with other passengers on a coach, minibus, bus or taxi.
22. A commercial vehicle or taxi shall not stop, halt or slow down his vehicle in such a way that his conduct amounts to an unreasonable obstruction of traffic.
23. (1) Any commercial passenger vehicle shall not when a passenger has reached his destination, take steps to ensure that no article or luggage belonging to the passenger is left in the vehicle;
- (2) A commercial vehicle or taxi driver shall not retain portion of or otherwise unlawfully deal with, any article or luggage left in his vehicle.

### **Prohibitions**

24. (1) Every driver commercial passenger vehicle shall convey passengers to their destination without alighting them along the way and reboarding them and charging respective fares for each stretch
- (2) Every driver of a commercial passenger vehicle shall conduct themselves in a non-abusive manner to passengers and other road users
- (3) A commercial vehicle or taxi shall not charge more than the fares prescribed and approved by the Abuakwa South Municipal Assembly in consultation with representatives of the major transport operator unions.

### **Taxi Ranks**

25. The A.S.M.A. may provide taxi ranks subject to such conditions and rules as to the use thereof as it may prescribe.

### **Nuisance**

26. A driver shall not blow the horn of his vehicle nor make any unnecessary noise to other users of the road.

### **Monitoring and Enforcement**

27. The Transport Department of A.S.M.A. shall have a standing task force to monitor and ensure compliance with this Bye-law.
28. The Transport Department shall constitute a task force to monitor and ensure that all provisions of these Bye-laws are properly adhered to.
29. The Transport Department shall maintain an effective call center to receive comments, complaints and other feed-back from stakeholders and the general public.
30. All complaints arising out of application of these Bye-laws should be forwarded to the Municipal Chief Executive for investigation and redress

### **Offence and Penalty**

31. Any person who contravenes any of these Bye-laws commits an offence and shall on conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment

### **Title**

32. This Bye-law may be cited as the Abuakwa South Municipal Assembly (Operation of Commercial Vehicles) Bye-laws, 2022

**Interpretation**

33. In these Bye-laws, unless the context otherwise requires,

“Coach” minibus or bus means any motor vehicle not being a taxi and not being a Government vehicle or that of any corporation, used or intended to be used for carrying passengers for regard.

“Taxi” means any motor vehicle designed to carry not more than five persons and used for carrying passengers forward under a contract expressed or implied for the used of the vehicle as a whole or for an agreed sum.

“Licensing Officer” means the City Manager or any Officer authorized by him to act as such.

**Revocation**

34. All Bye-law on coaches, minibus buses and taxis in force immediately before the coming into force as these Bye-laws are hereby revoked.

Made at a meeting of the Assembly held on the .....

**SIGNED**

*Presiding Member*

Abuakwa South Municipal Assembly

**SIGNED**

*Municipal Co-ordinating Director*

Secretary of ASMA

Approved by the Regional Co-ordinating Council, Eastern Region on behalf of the Ministry of Local Government.

**SIGNED**

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

**Abuakwa South Municipal Assembly (Control of Poultry in Dwelling Houses) Bye-laws, 2022**

In exercise of the powers conferred on the Abuakwa South Municipal Assembly by section 181 of the Local Governance Act,2016 (Act 936) hereby made this Bye-law:

**Limitation of Poultry in Dwelling Houses**

- 1. (1) Subject to provisions of these Bye-laws, the maximum number of poultry that may be kept in a dwelling house within A.S.M.A.’s Administration area shall not be more than be 20 birds.
- (2) Whenever the sanitary conditions of the poultry cause nuisances, the A.S.M.A. shall order its closure.
- (3) The A.S.M.A. shall notify the owner and give the owner a written notice of three months to look for an alternative location to keep the poultry.

**Inspection and impounding of excess poultry**

- 2. (1) An officer of the Environmental Health Department of the A.S.M.A. duly authorized to impound excess poultry may at any reasonable time during the day enter and inspect any premises where poultry are kept for purposes of ascertaining the total number of poultry.
- (2) Where the inspection reveals keeping of birds more than the required number, the officer will issue a notice in writing to the owner or the keeper of the poultry which is in excess of the permitted number within 14 days to keep the number within the required limit.
- (3) Where the owner or keeper of the poultry fails to dispose of the excess poultry within the stipulated fourteen days after receipt of a written notice, the authorised officer of the A.S.M.A. may impound them.

**Housing of Poultry**

- 3. An owner or keeper of poultry who contravenes sub-paragraph (1) of paragraph 2 commits an offence under paragraph 7 and the court which records the conviction may in addition order the owner or keeper

to dispose of the excess poultry within such time as it deems fit.

### **Disposal of droppings**

5. (1) Litter or droppings cleared from deep litter or battery cases or any other structure housing the poultry shall be disposed of in accordance with the sanitation rules of the A.S.M.A.;
- (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**

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 Environmental Health Department of A.S.M.A. duly authorised, may impound any strayed or straying poultry which is found in a public place.

### **Custody of Strayed Poultry**

7. An owner or occupier of any premises into which poultry stray, may impound them and shall within 24 hours, surrender them to A.S.M.A. or arrange for the A.S.M.A. or its Environmental Health Department to take possession of them.

### **Redemption of impounded Stray Poultry**

8. The owner of any impounded stray poultry may redeem them after paying the requisite fee fixed by a resolution of the A.S.M.A.

### **Failure to Pay**

9. (1) Where the expenses of keeping the poultry is not paid by the owner within 11 days after being impounded, the keeper or other person appointed by the Environmental Health Officer of A.S.M.A. shall sell them by public auction and pay the proceeds from these to the treasurer of A.S.M.A., after deducting the expenses incurred for keeping the poultry.
- (2) The Treasurer of A.S.M.A. shall pay the owner of the poultry the amount realized from the sale of the poultry less any expenses incurred by the A.S.M.A. for keeping and selling the poultry where the poultry owner demands payment for the poultry sold within twelve months after sale.

### **Power to conduct inspection**

10. A duly authorised officer of the A.S.M.A., Ministry of Health and the Ministry of Food and Agriculture may at reasonable time during the day, enter any house in which he has reason to believe that poultry are being kept for the purpose of
  - (a) Advising 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;
  - (b) Finding if the conditions under which poultry are being kept to meet the requirement of these Bye-laws.

### **Discretionary Powers of A.S.M.A.**

11. Notwithstanding the provisions of these Bye-laws the A.S.M.A. 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 condition relating to sanitation as it may be reasonably necessary in the public interest.
12. Any person who contravenes the provisions of these Bye-laws commits an offence and shall on conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment

### **Title**

13. This Bye-law may be cited as the Abuakwa South Municipal Assembly (Control of Poultry in Dwelling Houses).

### **Revocation**

14. Any Bye-laws on control of Poultry in Dwelling Houses immediately before these Bye-laws are hereby revoked.

### **Application**

15. These Bye-laws shall apply within the area of authority of the ASMA.

### **Interpretation**

In these Bye-laws unless the context otherwise requires;

“ASMA” means Abuakwa South Municipal Assembly

“Health Officer” means the Chief Medical Officer of Health, a Medical Officer, Environmental Health Officer and any person appointed as Health Officer by the ASMA.

“Poultry” includes domestic fowls, turkeys, geese, ducks, guinea-fowls and pigeons.

Made at a meeting of the Assembly held on the .....

#### **SIGNED**

*Presiding Member*

Abuakwa South Municipal Assembly

#### **SIGNED**

*Municipal Co-ordinating Director*

Secretary of ASMA

Approved by the Regional Co-ordinating Council, Eastern Region on behalf of the Ministry of Local Government.

#### **SIGNED**

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

## **Abuakwa South Municipal Assembly (Control of Hawkers) Bye-laws, 2022**

In exercise of the powers conferred on the Abuakwa South Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby made this Bye-law:

### **Hawkers to obtain Licence**

1. (1) A person shall not operate as a hawker unless he obtains upon application a licence from the A.S.M.A. for that purpose.

(2) The licence shall be in such forms as the A.S.M.A. determine and shall be issued subject to such conditions deemed fit including but not limited to the following:

- (a) A hawker shall not sell, offer or exhibit goods other than those in respect of which the A.S.M.A. has granted a licence in writing therein.
- (b) A hawker shall not erect any stall or any structure in any public place for the purpose of his trade or any business.
- (c) A hawker shall not obstruct or impede the free movement of vehicular or pedestrian traffic.
- (d) The Municipal Guards shall monitor the hawkers to ensure compliance with the conditions stated above in these Bye-laws.

### **Particulars of Application**

3. Every application issued under these Bye-laws shall be made in writing and shall contain particulars of the goods which the applicant wishes to sell.

### **Duration of Licence**

4. (1) A licence issued under these Bye-laws shall expire on the 31st December, of the year in which it is issued.

- (2) The payment of a licence shall be quarterly ending March, June, September and December.
- (3) A licence shall be issued on the payment of such fee as may be fixed by resolution of the ASMA.

### **Hawkers not to sell in Public Places**

5. No hawker shall sell or offer for sale anything in the places specified in the schedule to these Bye-laws.

### **Hawkers to produce licence on demand**

6. (1) Every hawker shall produce for inspection a licence granted under these Bye-laws upon demand being made to him by a person authorized in writing by the ASMA.
- (2) Any person who fails or refuses to produce the licence without a reason commits an offence.

### **Cleanliness of Food Selling Sites**

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

### **Prescribed outfit for Food Handlers**

8. No handler of food meant for public consumption shall operate without wearing an outfit prescribed and approved by the Environmental Health Officer, ASMA and made up as follows:
  - a) A white headgear,
  - b) A white apron,
  - c) A pair of white latex hand gloves
  - d) and any other outfit as ASMA shall deem necessary.

### **Food for sale to be raised from the ground**

8. No occupier of any space or selling site shall 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 0.45 meter from the ground.

### **Protection of food from dust, flies and other contaminants**

9. No article which is likely to be used for human consumption, shall be exposed either to dust or flies and shall be disposed of in such a manner as will satisfy the sanitation rules prescribed by A.S.M.A. Prohibitions
10. (1) A person of unsound mind, person suffering from vermin or from any contagious or infectious diseases shall be prohibited entry into a street market;
- (2) No occupier of any space or selling site shall place any box, basket or other containers in the pathways or avenues of the market.

### **Offence and Penalty**

12. Any person who contravenes any provision of these Bye-laws commits an offence and shall on conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment

### **Interpretation**

13. In these Bye-laws unless the context otherwise requires—"a hawker" means any person who sells or offers or exposes for sale, goods of any description in a place other than a recognized market or his dwelling house or shop and includes an assistant employed by such person.

### **Application**

14. These Bye-laws shall apply within the areas of the A.S.M.A.

**Title**

15. This Bye-law shall be cited as the Abuakwa South Municipal Assembly (Control of Hawkers) Bye-laws, 2022.

**Revocation**

16. Any Bye-law on Control of Hawkers in existence within the area of authority of the Assembly before the coming into force of these Bye-laws are hereby revoked.

**Schedule for unauthorized places for hawkers**

- Pavements of Principal streets in the Municipality.
- Spaces in front of Banks
- Frontage of stores
- Pedestrian-Walks
- Such areas as the ASMA may from time to time determine.

Made at a meeting of the Abuakwa South Municipal Assembly held on the .....

**SIGNED**

*Presiding Member*  
Abuakwa South Municipal Assembly

**SIGNED**

*Municipal Co-ordinating Director*  
Secretary of ASMA

Approved by the Regional Co-ordinating Council, Eastern Region on behalf of the Ministry of Local Government.

**SIGNED**

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

**Abuakwa South Municipal Assembly (Protection of Roads) Bye-laws, 2022**

In exercise of the powers conferred on the Abuakwa South Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby made this Bye-law:

**Prohibitions Carriageway**

1. Person shall not spill oil on any road in the Municipality.
2. (1) A person shall not damage any part of an asphalt road by dragging a heavy metal or wood or stone or any other material on the surface of a road.
  - (2) A person shall not cook, fry or light any fire or any other material emitting heat on the surface of any road.
  - (3) A person shall not use, pour or put corrosive material on the asphalted road.
  - (4)(1) A person shall not cut a trench on any part of the road or bore under any road without a permit from A.S.M.A. All application for cutting or boring shall pass through the Department of Urban Roads. A permit will be issued under the following conditions:
    - a) Assessment of associated cost as determined by Department of Urban Roads
    - b) Payment of determined cost to Department of Urban Roads
    - c) Pursuant to the issuance of the permit, the ASMA through Department of Urban Roads shall take all necessary steps to ensure safety of motorists and pedestrians within the vicinity of the activity
  - (2) The Department of Urban Roads shall be responsible for the proper and timely reinstatement of the excavated area
  - (3) The applicant shall undertake the excavation activity strictly as per guidelines specified in the approval letter.
  - (4) The Department of Urban Roads shall supervise the excavation activity
3. A person shall not off-load or dump any item(s) or goods on any road or adjoining shoulder or walkway so as to constitute obstruction to road and pedestrian traffic.
4. A person or a group of persons shall not block or erect a canopy on any road in the Abuakwa South

Municipality for any funeral or social gathering without approved permit from the authorised officer of the A.S.M.A. after an assessment by the Department of Urban Roads and payment of the approved fee for such purpose as shall be determined by the resolution of the A.S.M.A. from time to time.

5. (1) A person who washes vehicles on a road commits an offence.
  - (2) A person who washes vehicles on the road shall have the vehicle impounded and made to sign a bond before a magistrate that the conduct shall not be repeated before releasing the vehicle.
  - (3) A commercial vehicle washing bay that does not direct its waste water away from the road commits an offence. The A.S.M.A. shall issue a written notice to the owner of the premises to remedy the situation. If the offence continues after the notice has expired, the equipments shall be seized and the owner shall sign a bond before a Magistrate and pay the penalty for the offence and remedy the situation before the release of the equipments.
  - (4) In addition to the bond the person shall pay a spot fine of 40 penalty units.
  - (5) For purposes of bye law 5(3), the Department of Urban Roads shall form a task force to monitor and ensure compliance with the provisions of this bye law.
6. It is an offence to keep a disabled vehicle for more than 2 hours on an urban road.
  7. It is an offence to trade in car booth sales, table top sales etc. on the carriageway and walkway or shoulder
  8. Any person or group of persons who erects advertising bill boards at intersections to obstruct visibility at the intersections commits an offence.

### **Drains**

9. Any person or group of persons who dumps any type of solid material into a drain commits an offence.
10. Any person or group of persons that undertake an activity that physically damages the drain commits an offence.
11. Any person or group of persons that undertakes any activity which blocks the drain (partially or completely) commits an offence.
12. Any person or group of persons who removes any type of drain cover (metal gratings or concrete slabs) commits an offence.

### **Walkways and Shoulders**

13. All pedestrian walkways shall remain open at all times to enable free and safe passage of pedestrians. The following types of encroachments shall constitute an offence;
  - (1) Erection or installation of stationary objects in the nature of tables, wooden kiosks, metal containers, boundary fence wall etc. on the pedestrian walkway.
  - (2) Dumping of any material (sand, stones etc) for any purpose
  - (3) Digging through walkways and/or shoulder
  - (4) Driving on a walkway and/or shoulder
  - (5) Digging and placing of signs in any road shoulder and walkway

### **Road Furniture**

14. Road furniture shall consist of and not limited to road signs, crash barriers, bollards, traffic signals, street lights, hand and/or guard rails, road line markings etc.
  - (1) A person shall not remove any road furniture from its originally installed place
  - (2) For the purpose of item 1 above a person shall pay a fine of 120 penalty units
  - (3) Any person who crashes into road furniture shall reinstate as per recommendations from the Department of Urban Roads.
  - (4) Any person who defaces road line markings and signs commits an offence.

### **Medians and Islands**

15. Any activity that hinders the usage of a Median and Islands poses great risk to pedestrians and motorists. The following types of encroachments shall constitute an offence;
  - (1) Erection or installation of stationary objects in the nature of tables, wooden kiosks, metal containers, etc. on medians and islands.
  - (2) Dumping of any material (sand, stones etc) for any purpose.
  - (3) Digging through medians and islands.

- (4) Lorry stations within islands and bus stops pose risks to pedestrians and motorists hence any person who operates any transport station within an island commits an offence.
- (5) Access of pedestrian crossings shall be kept opened and unrestricted at all times.

### **Offence and Penalty**

17. Any person who contravenes any provision of these Bye-laws commits an offence and shall on conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment

### **Application**

18. These Bye-laws shall apply within the area of the Authority of the A.S.M.A.

### **Title**

19. This Bye-law shall be cited as the Abuakwa South Municipal Assembly (Protection of Roads) Bye-laws, 2022.

### **Revocation**

20. Any Bye-law on Protection of Roads in existence within the area of authority of the Assembly before the coming into force of these Bye-laws is hereby revoked.

### **Interpretation**

21. In these Bye-laws, unless the context otherwise requires,  
“A.S.M.A.” means Abuakwa South Municipal Assembly.  
“medians and islands” means safe storage for pedestrians.

Made at a meeting of the Assembly held on the .....

### **SIGNED**

*Presiding Member*  
Abuakwa South Municipal Assembly

### **SIGNED**

*Municipal Co-ordinating Director*  
Secretary of ASMA

Approved by the Regional Co-ordinating Council, Eastern Region on behalf of the Ministry of Local Government.

### **SIGNED**

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

## **Abuakwa South Municipal Assembly (Urban Passenger Transport Services) Bye-laws, 2022**

In exercise of the powers conferred on the Abuakwa South Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby made this Bye-law:

### **Permit to Operate**

1. (1) An entity operating an Urban passenger transport services within the Municipality shall require a permit to operate any such system,  
(2) An existing group of operators legally associated as a Union, Cooperative, Association, Limited Liability Company, Partnership or any new association formed and, currently providing transport services in the Municipality shall be eligible to apply and register with the Assembly after satisfying the requisite conditions of the Assembly.

### **Application Forms**

2. (1) A prospective applicant shall purchase the requisite application forms from the Assembly and complete same in triplicate and submit it to the transport department of the Assembly for processing.

- (2) The applicant shall attach to the application the body's certificate of registration, tax clearance certificate, a detailed description of all routes to be applied, services to be provided, place of operation describing all facilities available and any other requirements as the Assembly shall from time to time require.
- (3) The Assembly shall on receipt of the application with all its attachments issue a receipt to a representative of the applicant who made the presentation after the payment of the requisite fees approved by a resolution of the Assembly.

### **Processing of Application Forms**

4. (1) The completed application form shall be processed by the Assembly within one month from the date of receipt of the application,
- (2) The processing of the application shall be done by a three member panel comprising the head of transport department at A.S.M.A, the Solicitor of A.S.M.A. and a representative from the police motor traffic and transport unit of the Ghana Police Service;
- (3) The panel shall in processing the application among others visit the place of operation of the applicant to verify the contents and other statements made in the application;
- (4) The Assembly will assess a valid application based on the adequacy or otherwise of existing services and whether the proposed service is required in the public interest;
- (5) This will be done on the basis of the best evidence available to it, including evidence submitted by the Applicant in support of the permit application and information made available by, local, regional and national transport union representatives where necessary or other relevant interest groups;
- (6) The Assembly may, if necessary, seek information from any public or private body, but without disclosing details of the application that has been made;
- (7) The criteria for deciding whether a route is adequately served will comprise a review of existing service frequency, number of services provided per day/week, duration of daily service provided;
- (8) Evidence of unsatisfied demand, would include transport studies, representations, complaints and any case made by an application.

### **Operational Permit**

5. (1) The panel after processing the application shall issue an operational permit to the applicant for the operation of the urban transport services under Type 'A' permit for areas within the Municipality and type 'B' permit for areas outside the Assembly's jurisdiction;
- (2) Any such permit granted is valid till 31st December of the year, in which it was issued,
- (3) A successful applicant shall pay a fee fixed by the resolution of the Assembly,
- (4) The panel in refusing an application shall state the grounds upon which the application has been refused and notify the applicant,
- (5) An applicant whose application is refused shall in the case of failing to fulfil a condition complete a fresh application and resubmit the application for consideration.
- (6) In any other case the applicant shall appeal to the MCE within 21 days after the panel's decision.
- (7) The MCE shall constitute a three member appeals panel which shall vet the application and give its written recommendation to the MCE within fourteen days from constituting the panel,
- (8) The Appeals panel shall comprise, a high court judge who shall act as the chair, a senior lawyer of fifteen years and above standing at the bar, and a senior police officer.
- (9) The MCE on receipt of the appeal decision shall notify the appellants of the Assembly's decision,
- (10) Where the appeals panel refuses the grant of the permit, the applicant shall within 21 days of the decision appeal to the Regional Minister for a review of the decision.
- (11) Where the appeal to the Regional Minister also refuses to grant the permit for operation, the applicant shall proceed to a court of law for redress.
- (12) The panel in processing the application shall among others consider a detailed description of the route and time table in respect of the proposed service including pick up and set down points, inspect vehicles to be used including road worthy and insurance certificates and others.

### **Duration of Permit**

6. (1) A permit granted under this Bye-law shall be valid for one year after which it shall be renewed by the Assembly upon the fulfilment of the terms and conditions stated by the Assembly,

- (2) The transport department of the Assembly shall set a task force which shall visit the various routes granted to the transport operator to assess the organization's compliance with the conditions of grant of the operational permit,
- (3) An applicant whose renewal is refused by the Assembly shall go through the appeal process existing under this Bye-law,
- (4) The Assembly in rejecting the renewal of the operational permit shall be guided by whether the service to which the permit relates has been carried out efficiently or not, whether there have been frequent breaches or not and whether the applicant has complied with the conditions attached to the permit and this Bye-laws

### **Complaint Unit**

7. (1) The Assembly shall set a compliant unit at the transport department to receive complaint from the general public concerning the operation of a permit holder at a bus terminal and on the routes provided to a permit holder,
- (2) Any complaints received relating to operational permits for passenger services, or other matters arising in the context of the urban passenger transport services will be investigated by the Assembly with assistance where necessary from other relevant bodies.
- (3) All complaints should be forwarded in writing to the Assembly.
  - a. Chairman- A.S.M.A. Transport Commission or
  - b. Head of Unit- A.S.M.A. Urban Passenger Transport Unit.
- (4) Any complaint received shall be investigated by the Assembly to ascertain any factual breach or breaches after which a formal letter containing the complaint shall be forwarded to the permit holder for a response,
- (5) Upon receipt of the response, the complaint unit shall give opportunity to the parties to state their case and parties questioned from their evidence. A final decision will only be made after consideration of the relevant factual matters and any submissions of the relevant parties.
- (6) The complaint unit shall give its decision fourteen days after hearing the parties and their decision must be written and read to the parties after duly inviting the parties to appear before them.
- (7) Where the breach or offence is established against the permit holder, the permit holder shall be given a written warning by the compliant unit and where the breach continues, it shall be a ground for revoking or refusing to renew a permit.

### **Regulation**

8. (1) The Assembly shall regulate the urban passenger transport services within its area of jurisdiction.
- (2) Regulation of Urban Passenger Transport Services shall consist of the power to:
  - a. require that Urban Passenger Transport Services for any designated area within their area of authority is operated under a permit,
  - b. define routes, stopping places and terminals within part or the area of jurisdiction,
  - c. invite and evaluate applications for route operating Permits and select from among the applicants,
  - d. award route service contracts,
  - e. award exclusive operating rights for a route, corridor or area to operators,
  - f. restrict or exclude other operators from routes or corridors where route service contracts have been awarded,
  - g. attach conditions to an urban passenger transport services permit in accordance with the Procedures,
  - h. define and enforce services and vehicle quality standards in accordance with existing national regulations,
  - i. establish mechanisms for the operations and management of passenger transport services,
  - j. collaborate with any District Assembly for the performance of their respective functions relating to urban passenger transport services,
  - k. generally promote integration of urban passenger transport services.

### **Offences and Penalty**

9. (1) A person commits an offence, if that person:
  - a) Provides or operates an urban passenger transport service without a Permit. The Task Force established under this Bye-law shall impound the vehicle subject to the payment of a fine of between

100-250 penalty units and signing a bond before a judge or magistrate or in addition imprisonment of not less than six months and not more than twelve months or to both fine and imprisonment.

- b) Provides or attempts to provide an urban passenger transport service which is not in consonance with the terms and conditions of the permit. These offences shall include but not limited to:
- (i) operating on a route different from that specified by the Permit, except at the time where there is clear evidence that the route was temporarily inaccessible,
  - (ii) operating beyond the permitted limits of the route,
  - (iii) operating at terminals not authorized under the permit,
  - (iv) stopping to allow passengers to board or alight at places which are not authorized by the Permit, and
  - (v) carrying passengers in excess of the permitted capacity of the vehicle,

Where a person contravenes Bye-law 9(1) (b) his vehicle shall be impounded subject to the payment of a fine between 100-250 penalty units and revocation of the Permit for a period of 14 days or both.

- c) provides false information for the purpose of obtaining an urban passenger transport service Permit, Where a person contravenes Bye-law 9(1)(c) he shall be liable to the payment of a fine of 150 penalty units or a revocation of his permit and debarment from applying for or being granted new permit for a period of up to two (2) years.
- d) Operates or attempts to operate or ply for trade at a terminal without authorization from the Assembly in accordance with the approved procedures, amounts to an offence and the offender shall be liable on conviction to the payment of a fine of 100 penalty units.
- e) Obstructs the effective functioning of any urban passenger transport facility or infrastructure, including terminals, access to terminals, designated parking places, designated stopping places, priority lanes or dedicated running ways for passenger transport vehicles, or
- f) Intimidates or unlawfully attempts to persuade any person employed by the Assembly to carry out its functions.

Where a person contravenes Bye-law 9 (1) (e) and 9 (1) (f), the offender shall be liable on conviction to the payment of a fine 150 penalty units or to a term of imprisonment not less than six months and not more than twelve months or to both fine and imprisonment.

- (1) The provisions in these Bye-laws shall not inhibit the Assembly in applying penalties under any existing enactment.
22. A person who contravenes any other provision apart from the offences specified in Bye-law 9 of these Bye-laws commits an offence and shall on conviction be liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment.

### **Revocation**

10. Any Bye-law on Urban Passenger Transport Services in existence within the area of authority of the Assembly before the coming into force of these Bye-laws is hereby revoked.

Made at a meeting of the Assembly held on the .....

### **SIGNED**

*Presiding Member*  
Abuakwa South Municipal Assembly

### **SIGNED**

*Municipal Co-ordinating Director*  
Secretary of ASMA

Approved by the Regional Co-ordinating Council, Eastern Region on behalf of the Ministry of Local Government.

### **SIGNED**

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

## **Abuakwa South Municipal Assembly (Control of Parks) Bye-laws, 2022**

In exercise of the powers conferred on the Abuakwa South Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby made this Bye-law:

### **Driving at Parks**

1. (1) A person other than authorised officials and employees of the A.S.M.A. shall not drive or be driven or be a passenger in any mechanically propelled vehicle in any park except with the permission in writing of the ASMA and then only in such areas as designated by the Council.
- (2) Bye-law 1(1) shall not apply to wheelchairs, perambulators or similar vehicles propelled by hand or mechanically which are used solely for the conveyance of children or disabled persons.

### **Prohibitions**

2. (1) A person shall not turn out at the park with an animal to graze in a park, or allow or suffer to stray or remain in the park, any cattle, sheep, or other animals.
  - (2) Every person bringing a dog into the park shall be responsible for its conduct and shall be liable for any damage or injury which may be caused by it. A person bringing a dog into the park must remove it from the park if so directed by an authorised person and should be on leash.
  - (3) Every person in charge of a dog in the park shall prevent it from causing annoyance to any person using the park or worrying, chasing, injuring or disturbing any person in the park.
  - (4) If a dog defecates in the park, the person in charge of the dog shall remove the faeces.
3. (1) A person who visit the park shall not trample upon any flower or destroy or injure any tree, shrub or plant growing in the park or pluck, cut or remove any flower or any fruit on any tree, shrub or plant growing therein.
  - (2) A person shall not climb any tree or shrub in the park or climb any fence, railing or wall in the park.
  - (3) A person shall not injure, disfigure, write graffiti on or mark any seat, chair, sculpture or structure, in the park.
  - (4) A person shall not deface damage or otherwise interfere with any items of infrastructure provided to support the proper functioning of the park, including any surface, item of equipment, public light, fence, goalpost, street furniture or any other structural item.
  - (5) A person who visits the park shall not take from the park or destroy or injure or otherwise interfere with any animal in the park.
  - (6) The users of the park shall not throw any missile in the park to damage property or endanger any other person or wildlife within the park.
  - (7) Take or remove any soil, sand, gravel, stone or timber from the park or dump or dispose of any refuse in the park or into any water courses/lakes that adjoin the parks or playgrounds except in receptacles provided for the purpose.
  - (8) A person shall not bring into the park any firearm, cutlass, catapult or any other weapon.
  - (9) A person shall not make bonfire, fire or barbecue or light any firework in the park.

### **Use of Equipments at the Park**

4. Where the A.S.M.A. has provided equipments or playing appliances for children in a park, a person not above the appropriate age, specified on local playground signage, shall use any of the equipment or playing appliances for children at the playground specified by notice as being for the sole use of children of that specified age and under.

### **Terms of Sale**

5. Save with the permission in writing of the A.S.M.A. and subject to the terms and conditions of permission, a person shall not sell, offer, offer for hire, or expose for sale in the park any commodity of any kind whatsoever or exhibit any sign, poster, handbill, or other notice in the park soliciting for sale.

### **Advertising at the Parks**

6. No person shall display any advertisement, or erect, exhibit, affix, chalk or paint any picture, bill,

placard, banner, tract or notice in any open space or on any wall, fence or hedge enclosing any park or open space without going through the procedures stated under the Bye-laws on billboards and signboards.

### **Playing Football**

7. (1) No person, club or organisation shall organise or take part in the game of football or any other game or athletics when such activity is not allowed at the park.
- (2) Any person, club or organisation contravening Bye-law 7(1) shall be removed immediately from the park because any admitted person is a licensee who shall remain in the garden subject to good behavior.

### **Obstruction**

8. (1) A member of the public who has visited the park shall not obstruct or interfere with any employee or agent of the A.S.M.A. or other person in the exercise of his/her duty or disobey his/her lawful directions.
- (2) Nothing in these Bye-laws shall interfere with or affect or prevent the carrying on of any work or duty in connection with any park or open space by employees or agents of the A.S.M.A. or by a contractor instructed by the A.S.M.A. or by an employee of any such contractor.

### **Application**

9. This Bye-law is applicable to all parks under the management of the A.S.M.A. as more particularly described in the schedule attached.

### **Enforcement and Monitoring**

10. The department of Agriculture shall form a task force to ensure the compliance with the provisions of this Bye-law and it shall be lawful for an authorised person or agent of the A.S.M.A. to enforce these Bye-laws and to exclude or remove from any park or recreational playing ground any person committing any breach of the above Bye-laws and to take any other such action as may be deemed necessary in the enforcement of these Bye-laws.

### **Offence and Penalty**

11. Any person offending against any of the above Bye-laws may be removed from the park and shall on summary conviction be liable to a fine of one hundred and fifty penalty units.

### **Title**

12. This Bye-law may be cited as the Abuakwa South Municipal Assembly (Control of Parks) Bye-laws, 2022

### **Interpretation**

13. In this Bye-laws, unless the context otherwise requires, "A.S.M.A." means Abuakwa South Municipal Assembly.

### **Revocation**

14. Any Bye-law on Control of Parks in existence within the area of authority of the Assembly before the coming into force of these Bye-laws is hereby revoked.

Made at a meeting of the Assembly held on the .....

### **SIGNED**

*Presiding Member*  
Abuakwa South Municipal Assembly

### **SIGNED**

*Municipal Co-ordinating Director*  
Secretary of ASMA

Approved by the Regional Co-ordinating Council, Eastern Region on behalf of the Ministry of Local Government.

### **SIGNED**

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

## **Abuakwa South Municipal Assembly (Building) Bye-laws, 2022**

In exercise of the powers conferred on the Abuakwa South Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby made this Bye-law:

### **Building Permit**

1. (1) A person who proposes to develop land into residential or commercial dwelling or make change to an existing building shall apply to the A.S.M.A. for a building permit and shall commence after obtaining a building permit for its development.
- (2) The prospective developer shall purchase a set of application forms and complete same for consideration by the A.S.M.A.

### **Application**

2. (1) An application for a building permit must contain or be accompanied by particulars the following documentary evidence;
  - a) Evidence of title to the land to be developed,
  - b) The drawings of the building to be developed signed by a certified draftsman or a qualified architect,
  - c) The completed application forms with the annexure shall be submitted to the A.S.M.A. after paying the requisite fee fixed by the Assembly.

### **Inspection of Site**

3. (1) On receipt of the application form, the physical planning department of the A.S.M.A. together with the applicant shall proceed to the site of the proposed development within one week and inspect the area earmarked for the development,
  - (2) Where the applicant's building will obstruct the flow of water, drain or sits in a road or part of it, the A.S.M.A. shall refuse the granting of the permit and notify the applicant in writing the reason(s) for refusing the application.
  - (3) The ASMA shall monitor and ensure that such a person does not develop the proposed site for any dwelling purposes.
  - (4) The ASMA where satisfied that the proposed dwelling will not obstruct access and further satisfies all the conditions laid under the law, shall grant the building permit to the prospective developer who shall commence building

### **Development without a Permit**

4. (1) This Bye-law applies if building work to which these Bye-laws apply has been carried out without a building permit.
  - (2) The A.S.M.A. shall upon finding development without a building permit write to the owner, owner's agent or representative to which the building work relates to stop work and go through the application process before continuing with the development,
  - (3) The said applicant shall pay a fine of 200 penalty units and purchase the application forms and follow the procedures set out above,
  - (4) Where the owner of the property ignores the notice to apply for a building permit before continuing, the A.S.M.A. shall issue out a criminal summons before a judge or a magistrate court to compel the owner to procure the building permit,
  - (5) Where the building is located at an unauthorised location by virtue of the planning scheme, the A.S.M.A. shall proceed to court for authority to demolish the structure and surcharge the owner of the development for the cost of destruction.
  - (6) A building permit is required to ensure that the work complies with each relevant requirement of this Bye-law and the National Building regulations.

### **Consideration of Factors for the Grant**

5. (1) For the purposes of granting the building permit the A.S.M.A. shall take into consideration the following factors;

- (a) There are appropriate provisions for the early warning of fire; and the appropriate means of escape in case of fire;
  - (b) Waste water discharge from the house;
  - (c) Septic tank placement in the house;
  - (d) Drainage systems and adequate provision for toilets and baths in the house
- (2) The A.S.M.A. shall ensure that the construction of drainage systems shall substantially affect the granting of the building permit.
- (3) The A.S.M.A. shall ensure that no drainage system constructed by a landlord shall flood and cause nuisance to the neighborhood. Where the drainage floods the area, the land lord shall rectify the situation by directing the waste water to the main drainage system provided in the area concerned.
- (4) A household whose waste water passes through the surface of a road shall lay pipes with the advice and supervision of the physical planning department of A.S.M.A. to join the main drainage system provided in the area concerned.

**Ventilation**

6. (1) A building must have adequate ventilation and lighting for the people in it.  
 (2) Bye-law 6 (1) does not apply to a building or space within a building that is used solely for storage or is a garage.

**Access**

7. The ASMA shall ensure that in granting a building permit, there shall be reasonable provision for people to gain access to and to use, the building and its facilities.

**Application**

8. This Bye-law shall apply within the jurisdiction of the Abuakwa South Municipal Assembly.

**Title**

9. This Bye-law may be cited as the Abuakwa South Municipal Assembly (Building) Bye-laws, 2022.

**Revocation**

10. Any Bye-law on Building in existence within the area of authority of the Assembly before the coming into force of these Bye-laws is hereby revoked.

**Interpretation**

In these Bye-laws, unless the context otherwise requires,

“building” means;

- (a) a permanent or temporary structure with a roof;
- (b) a part of a building;

“building permit” means a permit that authorizes work to be carried out for which authority is required in pursuance of a provision of these Bye-laws;

“A.S.M.A.” means Abuakwa South Municipal Assembly.

“title” means an acceptable documentary proof of ownership which shall include a lease, an allocation note with a site plan, and a devise in a will among others.

Made at a meeting of the Assembly held on the .....

**SIGNED**

*Presiding Member*  
 Abuakwa South Municipal Assembly

**SIGNED**

*Municipal Co-ordinating Director*  
 Secretary of ASMA

Approved by the Regional Co-ordinating Council, Eastern Region on behalf of the Ministry of Local Government.

**SIGNED**

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

## **Abuakwa South Municipal Assembly (Slaughter House) Bye-laws, 2022**

In exercise of the powers conferred on the Abuakwa South Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby made this Bye-law:

### **Premises for Slaughter-house**

1. (1) No premises or place shall serve as a slaughterhouse unless the premises has been approved by the medical authorities, the Environmental Health department of the ASMA or the Veterinary Service Department as such. To that extent the ASMA shall oversee slaughterhouses in the Municipality.
- (2) The ASMA shall form a Task Force to check persons operating slaughterhouses not approved by the Assembly and cause them to cease operations.
- (3) The slaughter-house shall be open for the slaughter of animals during such hours only as the slaughter house shall stipulate Committee but in special circumstances and on the realization of such, extra fee as the officials may think fit, allow the slaughter of an animal at any other time, under his written permission.
- (4) Every slaughter house shall pay a fee to be fixed by a special resolution of the Assembly for the issuance of a permit to operate a slaughter house,
- (5) The ASMA before issuing the permit shall be guided by the expert advice from the Veterinary Officer and the Environmental Health department of the ASMA.

### **Operational Manual**

2. The Veterinary Public Health Officer or the Environmental Health Officer shall fix at a conspicuous place in the slaughter house a notice showing: -
  - (i) The hours of working of the slaughterhouse.
  - (ii) The fees payable and
  - (iii) Any other directions that the slaughterhouse may see fit to issue.

### **Display of Slaughter-house Bye-law**

3. A copy of these Bye-laws and a list of the registered slaughter-men shall be hanged at a conspicuous place in the slaughter-house to enable all persons working therein to know these Bye-laws.

### **Infected Person**

4. (i) A person infected with tuberculosis, or any other infectious or contagious disease shall not enter the slaughterhouse.
- (ii) The Veterinary Public Health Officer or the Environmental Health Officer shall require any person using the slaughterhouse to submit to a medical certificate of fitness which shall be done before working in the slaughter house.

### **Entry**

5. No person other than the Municipal staff on duty inspecting officers, butchers slaughter-men and their assistants or bonafide servants shall enter the slaughterhouse premises during the process of slaughtering, skinning or cutting up of carcasses.

### **Prohibitions**

6. Any person transgressing the provisions of Bye-laws 4 (i) and 5 shall be removed from the slaughter house summarily under the directions of Veterinary Public Health Officer or the Environmental Health Officer.
7. (i) No person shall rub or cause to be rubbed the inner sides of the skins upon the ground within any portion of the slaughter house.
- (ii) Hides and skins shall not be dragged within the slaughterhouse premises except on the hairy sides.
8. No gut scrapping trips cleaning manufacture or preparation of articles of food for meant animals, house hold washing or work of any nature, other than is involved in the slaughter house of animals and the dressing of carcasses, shall be permitted in the slaughter-house.

### **Inspection of Animals**

9. Every animal intended for slaughter shall be brought to the inspection yard and presented for inspection to the Veterinary Public Health Officer or the Environmental Health Officer.
10. The Veterinary Public Health Officer or the Environmental Health Officer shall not approve an animal for slaughter, if: -
  - (i) It is less than 15 months old.
  - (ii) It is in a febrile condition or is excessively old.
  - (iii) It is pregnant or is with unweaned young.
  - (iv) It is deceased or in a dying condition provided that an animal which has met with an accident, but is otherwise healthy may be approved.
  - (v) It shows symptoms of having being treated cruelly by over-trucking, over-driving, or other acts.
  - (vi) A dog or
  - (vii) Any animal not meant for slaughter or for the slaughter of which the slaughter house is not provided.Any animal brought into the slaughterhouse in contravention of this Bye-laws shall be summarily removed under the orders of the Veterinary Public Health Officer or the Environmental Health Officer.

### **Maintenance of Register**

11. The veterinary Public Health Officer or the Environmental Health Officer shall maintain a register in which he shall record: -
  - (i) The age, class, sex and a brief description of each animal presented for slaughter.
  - (ii) Name and address of the owner of the animal.
  - (iii) Result of ante-mortem inspection.
  - (iv) Result of post mortem inspection and
  - (v) Fees recovered.

### **Rejected Animal**

12. An animal rejected for slaughter shall not be brought again to the slaughterhouse.

### **Infectious Animal**

13. Animal found to be affected by any infectious or contagious disease or which are reasonably suspected of being so affected shall, if the Veterinary Public Health Officer or the Environmental Health Officer so directs, be forthwith apprehended and removed to the Veterinary Hospital or such other place appropriate.

### **Approved Animals**

14. Animals approved for slaughter shall be branded or marked with a distinctive mark on the ears, hoofs or horns and admitted to the waiting yard, provided that no animal shall be admitted to the waiting yard, if the prescribed fee has not been paid.
15. While in the waiting yard the owner or the person in charge of the animal shall be responsible for its security, proper care, feeding and watering provided that the slaughter house may arrange for feeding of animals, while in the waiting yard and recover the expenses from the owner.

### **Collection of Fees**

16. Slaughter house fee will be collected from the owners or person in charge for all the animals to be slaughtered after inspection has been completed. The fee will be fixed/revised by the Corporation from time to time.

### **Inspection of Slaughter Materials**

17. The Veterinary Public Health Officer or the Environmental Health Officer may inspect the instruments and appliances of every slaughter-man and may prohibit the use of any instrument or appliance by a slaughter-man, if in his opinion such instrument or appliance is not in proper working order.

### **Place of Slaughter**

18. The Veterinary Public Health Officer or the Environmental Health Officer shall assign a place to each slaughter-man for slaughtering and no animal shall be slaughtered by a slaughter man at any other place than the place assigned to him.

### **Slaughter of Animals**

19. Every animal shall be slaughtered immediately over the drain and no blood shall be allowed a flow upon the floor. No animal shall be slaughtered in public view, or in view of another animal.
20. Slaughtered animals shall be disemboweled as soon as possible after slaughter, to the satisfaction of the Veterinary Public Health Officer or the Environmental Health Officer.
21. That the contents of the stomach and bowels of the slaughtered animals shall not be washed into the drain or allowed to drop on the floor but shall be emptied into receptacles provided for the purpose by the slaughter house.

### **Burial of Carcass**

22. The Veterinary Public Health Officer or the Environmental Health Officer may cause to be buried or destroyed any carcass or part of a carcass found to be blown or stuffed.
23. All carcasses shall after skinning and the cleaning be presented to the Veterinary Public Health Officer for inspection.
24. (i) The Veterinary Public Health Officer or the Environmental Health Officer, shall have his own knives, wipe and instruments for examining carcasses and parts and organs thereof.  
(ii) Knives and other instruments that have been used for cutting or examining any diseased organ, gland or tissue shall not again be used for any purpose until they have been properly disinfected.

### **Condemned Meat**

25. All meat examined and condemned shall be destroyed, buried or otherwise disposed off under the orders of the Veterinary Public Health Officer or the Environmental Health Officer.

### **Passed Meat**

26. All carcasses which have been examined and passed by the Veterinary Public Health Officer or the Environmental Health Officer as fit for human consumption shall be marked "Passed" along with an identifying mark for the kind of meat such as: -

### **Removal of Carcass**

27. No person shall remove any carcass from the slaughter house premises until it has been duly examined and passed by the Veterinary Public Health Officer or the Environmental Health Officer.
28. (1) No person shall remove or cause to be removed from the premises of the slaughter house any carcass or meat except in a clean receptacle and covered in such a manner as to be screened from public view and adequately protected against flies and dust.  
(2) If any carcass or meat is removed in a vehicle the conveyance shall be such that the meat is well ventilated but at the same time invisible. The carcasses shall be hanged on hooks and not dumped on the floor of the vehicle.

### **Conveyance of Meat**

29. Every person who conveys or causes to be conveyed meat from the slaughter house:
  - (1) Shall cause to be kept clean the inside and covering of the vehicle the receptacle in which the meat is placed and such parts or any slings or other implements or apparatus used for loading or unloading as come into act with meat or its covering.
  - (2) If the vehicle is open at the top, back or sides shall cause the meat to be adequately screened and protected by means of a clean cloth or other suitable material and
  - (3) Shall not permit any live animal or any other article to be conveyed in the vehicle at the same time as meat

### **Precautions**

30. Every person engaged in the handling or transport of meat shall take such precautions as are necessary to prevent the meat from coming into contact with the ground of being otherwise subject to contamination.

## **Offence and Penalty**

23. A person who commits a breach of the provisions of any of these Bye-laws shall, on conviction be liable to a fine of between 100-250 penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment.

## **Title**

31. This Bye-law shall be cited as the Abuakwa South Municipal Assembly (Slaughter House) Bye-laws, 2022.

## **Application**

32. These Bye-laws shall apply within the area of jurisdiction of the Assembly.

## **Interpretation**

33. In this Bye-laws, unless the context otherwise requires, “ASMA” means Abuakwa South Municipal Assembly.

Made at a meeting of the Assembly held on the .....

## **SIGNED**

*Presiding Member*

Abuakwa South Municipal Assembly

## **SIGNED**

*Municipal Co-ordinating Director*

Secretary of ASMA

Approved by the Regional Co-ordinating Council, Eastern Region on behalf of the Ministry of Local Government.

## **SIGNED**

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

## **Abuakwa South Municipal Assembly (Wetlands Protection) Bye-laws, 2022**

In exercise of the powers conferred on the Abuakwa South Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby made this Bye-law:

### **Establishment of Wetlands**

1. (1) The A.S.M.A. hereby establishes the Wetlands Protection Bye-law to protect the wetlands, water resources, and adjoining land areas in areas under the jurisdiction of the A.S.M.A.
- (2) For purposes of this Bye-law, the A.S.M.A. shall collaborate with the Town and Country Planning, the Lands Commission Secretariat and the Survey Department in the Eastern Region to collect the data on wetlands, water resources and its adjoining lands.
- (3) Upon ascertaining the areas the A.S.M.A. 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 A.S.M.A. shall also erect a sign post at the site showing the demarcation of the area on the sign post.
- (5) The A.S.M.A. 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) filling a wetland for purposes of putting up a structure or undertaking any development in the designated area.

### **Discussions with Traditional Authority**

2. The ASMA 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 A.S.M.A. 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 A.S.M.A. 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 has notified the A.S.M.A. at least 72 hours prior to the work being undertaken.
- (2) The ASMA during the period of undertaking this work shall supervise the work through its Environmental Department to ensure that nothing is done to harm the ecology of the area.

### **Monitoring and Enforcement**

5. (1) The ASMA 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 Environmental Health and Sanitation Department and one person from the Environmental Protection Agency to ensure the compliance of this Bye-law by the traditional authorities and the prospective developers.
- (2) The committee 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 Committee 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 committee shall institute civil action to restrain the continuous degradation of the wetlands or the natural resource.
- (6) The city guards of the ASMA, 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 150 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 1 penalty unit.

### **Title**

8. This Bye-law shall be cited as the Abuakwa South Municipal Assembly (Wetlands Protection) Bye-laws, 2022.

### **Application**

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

### **Interpretation**

10. In this Bye-laws, unless the context otherwise requires,  
“ASMA” means Abuakwa South 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.

Made at a meeting of the Assembly held on the .....

**SIGNED**

*Presiding Member*  
Abuakwa South Municipal Assembly

**SIGNED**

*Municipal Co-ordinating Director*  
Secretary of ASMA

Approved by the Regional Co-ordinating Council, Eastern Region on behalf of the Ministry of Local Government.

**SIGNED**

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

**Abuakwa South Municipal Assembly (Control of Commercial Entertainment Centers for Children) Bye-laws, 2022**

In exercise of the powers conferred on the Abuakwa South Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) hereby made this Bye-law:

**Licence**

1. (1) Any person or entity operating a commercial entertainment center for children shall take out a licence from the ASMA before operating same.
- (2) A prospective operator of an entertainment center shall apply to the ASMA for the issuance of a licence to operate the center.
- (3) The ASMA shall issue out licences to established centers upon a recommendation by the Department of Social Welfare and Community Development of the Assembly after deliberations with the building inspector of the Assembly, and a Fire Officer from the fire service.
- (4) The ASMA shall by a resolution fix the fees for the issuance of the licence.
- (5) The Social Welfare Officer, the building inspector and the fire service officer who shall examine all applications and advise the Assembly whether to issue the licence or not to the applicant.

**Safety and Security of the Center:**

2. (1) In considering the suitability of the location of the center, the Assembly shall take into consideration, the location of the center, the accessibility and security of the premises so used. No center shall operate from a home.
- (2) The Assembly shall before granting and or renewing a licence to a center, examine the premises to ascertain the suitability in the nature of spacious premises, good ventilation and adequate fire fighting equipments to ensure the safety of the premises to be used.
- (3) Where there are defects at the centers premises, the officials of ASMA shall inform the operator to remedy whatever defects detected by the inspection team before renewing or granting a new licence.
- (4) The operator of the center shall not produce excessive noise so as to cause nuisance to the neighborhood. The center shall observe all the rules on abatement of noise provided under ASMA's Bye-laws.

**Protection of Children**

3. (1) An entertainment center shall be used to screen games for children.
- (2) Games depicting gambling, prostitution, smoking, drinking and any other unhealthy and unacceptable behavior shall not be screened to the children to expose them to physical, psychological, emotional and moral dangers.
- (3) A child below the age of sixteen (16) years shall not patronize an entertainment center during school hours except during weekends and holidays and shall be accompanied by a responsible adult.
- (4) A child shall not attend any center after 6.00 pm unaccompanied by a responsible adult.

**Monitoring and Enforcement**

4. (1) The Social Welfare Officers of the Assembly and officials of the Municipal Guards shall monitor compliance of this Bye-law to ensure the safety of the children.
- (2) The Social Welfare Staff and the Municipal Guards shall pay periodic visits to these centers to inspect the premises and also ascertain compliance under this Bye-law.

**Penalties and Offences**

5. (1) Any person who violates any provision of this Bye-law or administrative orders issued hereunder, commits an offence and is punishable by a fine of 150 penalty units.
- (2) The owner after the payment of the fine shall make an undertaking to comply strictly with the provisions of this Bye-law in the interest of the children.
- (3) A subsequent breach by the center’s operator will amount to a revocation of the centers licence which shall only be restored, through a thorough assessment by the team of inspectors named in this Bye-law.

**Title**

8. This Bye-law shall be cited as the Abuakwa South Municipal Assembly (Control of Commercial Entertainment Centers for Children) Bye-laws, 2022.

**Application**

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

**Interpretation**

10. In this Bye-laws, unless the context otherwise requires,
  - “ASMA” means Abuakwa South Municipal Assembly.
  - “children” means those less than 16 years.
  - “Commercial Entertainment Centre” means video or game center.

Made at a meeting of the Assembly held on the .....

**SIGNED**

*Presiding Member*  
Abuakwa South Municipal Assembly

**SIGNED**

*Municipal Co-ordinating Director*  
Secretary of ASMA

Approved by the Regional Co-ordinating Council, Eastern Region on behalf of the Ministry of Local Government.

**SIGNED**

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