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**ABLEKUMA WEST MUNICIPAL ASSEMBLY
(Business Operating Permit) BYE-LAW, 2019**

IN exercise of the powers conferred upon the ABLEKUMA WEST MUNICIPAL ASSEMBLY (AbWMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this By-law is hereby made.

1. Business Operating Permit

A person who carries on a business within the area of authority of the Assembly shall apply for a Business Operating Permit.

2. Operating Permit to operate that business.

A person shall not carry on a business within the area of authority of the Assembly without a Business Operating Permit duly granted by the Assembly.

(a) A Business Operating Permit granted under this Bye-law is valid up to 31st December of the year of issue.

(b) A Business Operating Permit granted under this Bye-law is not transferable.

3. Display of Business Operating Permit

A person who is granted a Business Operating Permit under this Bye-law shall display the Permit in a conspicuous part of the premises on which the business is operated.

4. Fees

The Assembly shall prescribe a fee, in accordance with the fee fixing resolution of the Assembly, to be charged for the grant of a Business Operating Permit under this Bye-law.

5. Liability to pay Property rate & other rates

An owner of a rateable permanent or temporary property who is required to pay property rate under any existing enactment shall in addition be required to apply for Business Operating Permit if the premises is used for business in terms of this Bye-Law.

6. Right of Entry

(a). Subject to the provisions of this Bye-law any officer or a person duly authorized by the Assembly may during business hours enter a building, premises or land within the area of authority of the Assembly for the purpose of carrying out inspection, enquiry and other duty authorized by the Assembly.

(b) A person shall not obstruct or interfere with any officer or person authorized by the Assembly in performance of duties assigned to the officer or person under this Bye-law.

(c) Anybody who obstructs or interferes with an officer or person duly authorized by the Assembly in performance of a duty assigns to that officer or person under this bye law commits an offence and shall be dealt with as stated under clause 12 of this section of the Bye-Law.

7. Withdrawal of permit and closure of Business

(a) The Assembly may withdraw or revoke any Business Operating Permit granted under this Bye-law, if

Without written authority of the Assembly, any alterations are effected on the premises or building for which the permit was granted, or

(b) The person who has been granted the Business Operating Permit, has contravened a provision of this Bye-law

8. Winding up

Where a company winds up its entire business or suspends the operation of the company, the company shall immediately inform the Assembly of the closure or suspension of business operation, otherwise the Assembly shall continue to bill the company.

9. Failure to pay Business Operating Permit Fees

A person who fails to pay Business Operating Permit fees at prescribed time shall pay the outstanding fee plus interest at bank rate with effect from the day up to and including the day of the final payment.

10. Penalty

A person who contravenes this Bye-law commits an offence and is liable on summary conviction to a fine, not more than one hundred penalty units or a term of imprisonment of not less than thirty days and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid should be allotted to Ablekuma West Municipal Assembly

11. Interpretation

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

“**Assembly**” means Ablekuma West Municipal Assembly

“**Business**” includes occupation, profession or trade

12. Revocation

Any bye-law on Business Operating Licence in force immediately before the coming into force of this Bye-law is hereby revoked

Made at a meeting of the Ablekuma West Municipal Assembly held on the 4th March, 2019

Presiding Member

HON. CHARLES ROSS

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of local Government and Rural Development.

Co-ordinating Director/Secretary

ABENA KWESIWAA KYEI

ERNEST K. NYAGBE

Regional Co-ordinating Director and secretary to R.C.C

**ABLEKUMA WEST MUNICIPAL ASSEMBLY
PROFESSION, BUSINESS AND TRADE (self employed) BYE LAW, 2019.**

IN exercise of the powers conferred upon the ABLEKUMA WEST MUNICIPAL ASSEMBLY (AbWMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this Bye-law is hereby made.

1. License

- (a) A person shall not carry on any profession, occupation, trade or business in or upon any premises or land in the Municipality unless the Assembly has issued a license in respect of such premises.
- (b) A license granted under this Bye-law shall expire on the 31st December of the year it was issued.
- (c) A person who starts business, profession or trade later than January in a year shall pay a commensurate rate (pro rata).
- (d) A license granted under this Bye-law shall be displayed in a conspicuous part of the premises or land, and is not transferable.

2. Fee

There shall be charged for every license a fee to be prescribed by the Assembly by resolution and approved by the Greater Accra Regional Co-coordinating Council on behalf of the Ministry of Local Government and Rural Development.

3. Liability to pay property rate

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

4. Powers of entry

- (a) An Officer or other person duly authorized by the Assembly 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 Assembly;
- (b) A person shall not obstruct or otherwise interfere with any officer or other person authorized by the Assembly in the performance of any duties assigned to him under this Bye-Law.

5. Revocation of license

The Assembly may close down any business or suspend its activities until the permit fee is paid for the operation of the business.

6. Winding up

- (a) If for any reason a company winds up its business activity or suspends its operations, the company shall Inform the Assembly immediately about such a closure or suspension of business activities;
- (b) A company that fails to comply with paragraph 6(1) of this Bye-Law shall continue to receive bills from the Assembly for its fees for business permit.

7. Failure to pay Business Permit Fee

A person who fails to pay the Business Permit Fee 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.

8. Withdrawal of permit

(a) The Assembly may withdraw or revoke any Business permit granted under this Bye-law if any alterations are effected on premises or building for which the permit was granted without a written authority of the Assembly or if the person granted the business permit contravenes any provision of this Bye-law.

(b) The Assembly may close down any business or suspend its activities until the permit fee is paid for the operation of the business.

9. Offence

A person who contravenes any provision of this Bye-law commits an offence and is liable on summary conviction to a fine of not less than one hundred penalty units and not more two hundred and fifty penalty units, or a term of imprisonment of not less than thirty days and not more than six months or to both, and in case of a continuing offence, he or she is liable to a fine of not more than one penalty unit for each day that the offence continues.

10. Interpretation

In this Bye-law unless the context otherwise requires

“**Assembly**” means Ablekuma West 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, services 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.

“**Self-employed**” means any skilled person working in an industry or trade and who is not an employee in any Government Department or any state corporation or a registered company.

11. Revocation

Any Bye-law on **Profession, Business and Trade** immediately before the coming into force of this Bye-law is hereby revoked.

Made at a meeting of the Ablekuma West Municipal Assembly held on the 4th March, 2019

Presiding Member

HON CHARLES ROSS

Co-ordinating Director/Secretary

ABENA KWESIWAA KYEI

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of local Government and Rural Development.

ERNEST K. NYAGBE

Regional Co-ordinating Director and secretary to R.C.C

SCHEDULE (BYE-LAW 2) ARTISANS INCLUDE BUT NOT LIMITED TO THE FOLLOWING

Mechanics	Vulcanizers	Photographers
Welders	Bicycle repairers	Raffia Workers
Straighteners	Masons	Glass Workers
Sprayers	Carpenters	Leather Workers
Electricians	Plumbers	Tailors
Upholsters	Radio/TV Repairers	Seamstress
Washmen	Steel Benders	Hairdressers
Barbers	Painters	Blacksmith
Manufacturers of block	Canopy/chairs hirers	Undertakers
Motorbike Mechanics	Event Organizers	Hawkers & others as in the fee fixing resolution.

**ABLEKUMA WEST MUNICIPAL ASSEMBLY,
(Numbering of Premises) BYE LAW 2019.**

IN the exercise of the powers conferred upon the ABLEKUMA WEST MUNICIPAL ASSEMBLY (AbWMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this Bye-law is hereby made.

1. Numbering of premises

(b) A premises may be marked with a number sufficient for the identification of such premises.

(c) The Assembly may also keep digital address system to identify premises in tandem with any national property address system.

2. Entry into premises

An Enumerator may enter any premises between the hours of 6.00 am and 6.00 pm for the performance of his duties under this Bye-law.

3. Obstruction and Renewal of Marks

Any person who obstructs or otherwise prevents an agent of the Assembly from entry into any premises, collecting information, marking or enumerating premises commits an offence.

4. Penalty

A person who contravenes this Bye-law commits an offence and is liable on summary conviction to a fine, not more than one hundred penalty units or a term of imprisonment of not less than thirty days and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid should be allotted to Ablekuma West Municipal Assembly

5. Interpretation

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

“Assembly” means the Ablekuma West Municipal Assembly.

“Premises” means any house, hut, shed, structure or roofed enclosure, whether use for the purpose of human habitation or not.

6. Revocation

Any Bye-law on numbering of premises in force immediately before the coming into force of the Bye-law is hereby revoked.

Made at a meeting of the Ablekuma West Municipal Assembly held on the 4th March, 2019

Presiding Member

Co-ordinating Director/Secretary

HON.CHARLES ROSS

ABENA KWESIWAA KYEI

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of Local Government.

ERNEST K. NYAGBE

Regional Co-ordinating Director and secretary to R.C.C

**ABLEKUMA WEST MUNICIPAL ASSEMBLY
(Control of Animals) BYE-LAW, 2019**

In exercise of the powers conferred upon the ABLEKUMA WEST MUNICIPAL ASSEMBLY (AbWMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this Bye-law is hereby made.

1. Animals to be kept by permit

(a) A person shall not keep swine, cattle, sheep or goat and other wildlife in any town/community in the area of authority of the Assembly, without a permit issued by the Assembly for that purpose.

(b) Notwithstanding paragraph 1 (a) of this Bye-law, a person may keep animals within the area of authority of the Assembly for the purpose of domestic, religious, commercial or customary purpose.

(c) A person may keep an animal under paragraph 1 (b) of this Bye-law, if that person ensures that

(i) The animal is kept in a pen/kraal which is well maintained and always kept clean.

(ii) In the case of large numbers of cattle, the cattle is restricted to well defined grazing area.

(iii) The animal does not constitute a nuisance by stench or noise to neighbours.

(iv) The animal is attended to by veterinary officers or assistants, and

(v) Sanitary and other conditions or rules specified by the Environmental Health Department and other relevant agencies are adhered to in respect of the animal.

(d) The number of goats and sheep to be kept in any dwelling house within any town/community shall not exceed fifteen (15).

2. Cattle breeders

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 and other unauthorized areas.

3. Premises where animals are kept

A **person** shall not keep swine, cattle or wildlife in premises other than a designated area approved by the Assembly on application for that purpose.

4. Inspection of Premises.

(a) Any officer, servant or agent appointed by the Assembly may at any time enter premises or a designated area where animal is kept for the purpose of inspecting the premises or the designated area and the officer is there to make sure the person keeping such animals conforms to clause 1 (c) of this section of the Bye law.

(b) An officer or agent appointed under paragraph 4 (a) of this Bye-law may impound an animal found in excess of the number specified in paragraph 1(4) of this Bye-law and send it to the Assembly designated area and make the necessary entries.

5. Seizure of animals

(a) An officer or agent appointed under paragraph 4 of this Bye-law, may impound any animal which is left unattended in a public place and send it to the Assembly designated area and make the necessary entries.

(b) Notwithstanding paragraph 5 (a) of this Bye-law, a person may impound an animal that causes destruction to that person's property and immediately hand over such animal to the Assembly.

(c) The Assembly is not responsible for any animal which dies after it has been impounded.

(d) An owner of an impounded animal may recover the animal on conditions that may be determined by the Assembly.

(e) Where an impounded animal is not claimed within a period of four days, the Assembly shall cause a notice of the impoundment to be displayed at conspicuous place in the area for six days.

(f) Where at the expiry of the period specified above, the animal remain

ns unclaimed, the animal shall be sold by public auction by a licensed auctioneer or other person appointed by the Assembly for that purpose.

6. Obstruction

Any action of a person or group of persons that hinders the enforcement of the provision of this Bye-law constitutes obstruction.

7. Penalty

A person who contravenes this Bye-law commits an offence and is liable on summary conviction to a fine, not more than one hundred penalty units or a term of imprisonment of not less than thirty days and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid should be allotted to Ablekuma West Municipal Assembly

Interpretation

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

“**Assembly**” means the Ablekuma West Municipal Assembly.

“**Animal**” includes swine, goats, cattle, sheep and wildlife

“**Public place**” means streets, alleys, market, Lorry Park, cemetery, open space and any other place that the general public have right to access without restriction other than private property.

“**Designated Area**” means demarcated area, be it confined or open.

“**Town**” means a settlement with a population of 5000 and above.

“**Community**” means a population of less than 5000 with primary economic activities.

10. Revocation

Any Bye-law on Control of Swine, Cattle, sheep and goats in force immediately before the coming into force of the Bye-law is hereby revoked.

Made at a meeting of the Ablekuma West Municipal Assembly held on the 4th March, 2019

Presiding Member

HON.CHARLES ROSS

Co-ordinating Director/Secretary

ABENA KWESIWAA KYEI

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of local Government.

ERNEST K. NYAGBE

Regional Co-ordinating Director and secretary to R.C.C

**ABLEKUMA WEST MUNICIPAL ASSEMBLY
(Sanitation) BYE-LAW, 2019**

In exercise of the powers conferred upon the ABLEKUMA WEST MUNICIPAL ASSEMBLY (AbWMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this Bye-law hereby made.

PART 1

1. Ownership of solid and liquid waste

The Assembly or its registered agent or contractor shall be exclusively responsible for the management of both liquid and solid waste within the entire area of authority of the Assembly.

2. Disposal of solid and liquid waste

(a) Despite paragraph 1, above, the Assembly shall approve a system of waste management employed by a person for the collection, transportation or treatment of both liquid and solid waste within the area of authority of the Assembly.

(b) An owner or occupier of premises is responsible, in accordance with specifications approved by the Assembly, for the provision of receptacles for the storage of solid waste within the premises.

(c) Solid and liquid waste shall be treated and disposed of at designated sites by the Assembly or an agent or contractor of the Assembly.

(d) The Assembly shall take necessary steps to promote the reduction, reuse and recycling of both liquid and solid waste.

(e) The disposal of all types of waste at any treatment and/or disposal site owned by the AbWMA or its authorized agent, shall attract a charge which may be included in any charge payable for the removal of the waste or charged separately by the operator at the plant site or by special arrangements.

3. Public toilet operations

(a) The Assembly shall be exclusively responsible for operation of public toilets within its jurisdiction.

(b) Notwithstanding the preceding paragraph, the Assembly may franchise public toilet operations to private entities or license private commercial toilets to operate.

(c) Where a private operator of a public toilet or private commercial toilet commits offence continuously the Assembly may take over the running of such facility in the interest of the public.

4. Grey water disposal & Drainage

(a) Where a public drain is not available, it shall be the responsibility of grey water producers to construct a linkage soil pipe or soak away to drain their waste water off or ensure that the grey water does not cause nuisance.

(b) Where a drainage has a steep slope, the Assembly may allow installation of mesh or any appropriate trappings under the supervision of the Assembly engineer, to prevent solid from being pushed down to the lower sides.

5. Liaison with Assembly, contractors and agents of the Assembly

An occupier or owner of a premises other than household premises shall designate an individual to be responsible for waste management and liaise with the Assembly or a contractor or agent of the Assembly.

6. Provision of sanitary place of convenience

(a) An owner of premises or family head in case of a family house shall provide a sanitary standard place of convenience for the use of the occupants of the premises or family house.

(b) In the case of complex residential premises, the central management shall provide a sanitary standard place of convenience for the use of the occupants of the premises.

7. Onsite treatment plant

(a) A person who establishes an onsite treatment plant for liquid and solid waste shall ensure that

(i) The treatment plant satisfies the requirements laid down by the Assembly, and

(ii) The person obtains the necessary permit required by the Assembly and any other enactment in force.

8. Public and private sewer operation

(a) All prospective applicants must apply to the Assembly. The application must be accompanied with four sets of block and site plans.

(b) There shall be a preliminary assessment by the Environmental Health and Sanitation Department of the Assembly to establish site suitability.

(c) All connection to the sewer must be by permit issued by the Environmental Health and Sanitation Department which shall be renewable yearly.

(d) Connections to the sewer shall be under the supervision of the Environmental Health and Sanitation Department and the Works Department of the Assembly.

(e) Users of the sewer shall ensure that only liquid waste is discharged into the sewer.

9. Fees to be paid for services

The Assembly may impose prescribed fees on an owner or occupier of premises where services are rendered for the disposal of liquid and solid waste and such fees shall be reviewed from time to time.

PART 11

REGULATIONS UNDER THE SANITATION BYE-LAW

1. Category of Wastes

The following categories of waste shall be covered under this Bye-law:

(1) Waste of the descriptions set out in this schedule shall be treated as **household waste** for the purposes of all the provisions of the Environmental Sanitation Bye-laws.

(2) Waste of the following descriptions **shall not be treated as household waste** for the purposes of degree of hazardous nature –

- a. any mineral or synthetic oil or grease;
- b. asbestos; and
- c. clinical waste
- d. e -waste
- e. veterinary waste

2. Licensing for the Collection of Waste

(1)The Assembly is the sole authority responsible for the collection and disposal of hazardous waste and it reserves the right to license or revoke licenses of its agents or contractor.

(2) Hazardous waste shall be handled separately from household waste in a manner that prevents pollution of the environment.

3. Certification of Collection Vehicles and Equipment

Licensed agents and contractors (private operators) of the Assembly shall cause all vehicles and equipment for the collection and transport of waste to be inspected for make, condition and age and shall be issued a certificate of inspection by the appropriate authorizing officer of the Assembly.

4. Categories of Licensed Private Operators

Licensed private operators shall be categorized as large, medium or small scale, taking into account the collection service prescribed by the Assembly, the vehicle and equipment service requirements,.

5. Storage of Wastes collected

1. Where the Assembly has arranged for the collection of household waste from any premises, the Assembly (or its certified agent) may by a notice served on the occupier of the premises, require her/him to place the waste in receptacles which are of a kind and number reasonably specified in the notice.
2. Where a notice is served as indicated above, the Assembly may provide for the receptacles free of charge or upon single payment or such periodical payments for the receptacle as the occupier of the premises shall agree with the Assembly.
3. A recipient of notice shall provide the specified receptacle within a period specified in the notice.
4. Where by notice, it appears to the Assembly (and/or its agents) that there is the likelihood to be situated, on any premises in its service area, commercial waste or industrial waste of a kind which, if not stored in receptacles of a particular kind, and is likely to cause nuisance or to be detrimental to the amenities of the locality in which the premises are situated, the Assembly may, by notice served on the occupier of the premises, require her/him to provide at the premises receptacles for the storage of such waste.

6. Collection Times of Wastes

The Assembly (or its authorized agents) shall serve notice of commencement of a collection service in areas specified for particular services and the notice shall indicate collection days and times.

7. Charges for the Collection of Wastes

The collection of any of the types of waste set out in Schedule 1 (4) of this Bye-law is prescribed in respect of which a charge for collection may be made.

8. Waste Disposal Arrangements

The Assembly shall ensure that adequate arrangements are made by the Assembly (and/or its agents) for the purpose of disposal of all waste collected within its service area. The Assembly shall provide in the arrangements (or plans) information as to –

- (1) The kinds and quantities of waste which the Assembly expects will be placed in the disposal site.
- (2) The kinds and quantities of waste which the Assembly expects to be disposed of by its agents or other certified persons during the life of operation of the disposal site.
- (3) The methods by which in the opinion of the Assembly waste in its jurisdiction should be disposed of, and for a specific site the plant and equipment which the Assembly and other persons are providing and during the period of operation of the disposal site proposes to provide and expects other persons to provide.

9. Prohibition of Unlicensed Disposal of Wastes

Except authorised by the Assembly, a person shall not –

- (1) Place or deposit waste on any land or cause or knowingly allow waste to be placed on any land; or
- (2) Use any plant or equipment, or cause or knowingly allow any plant or equipment to be used, for the purpose of disposing of waste, unless the land on which the waste is placed is designated by the Assembly for the purpose and the person duly licensed by the Assembly to place the waste at such designated disposal site.

10. Fees to be charged for the Disposal of Wastes

The Assembly reserves the right to charge or cause to be charged tipping fees (by volume or tonnage) for the placement of prescribed waste by licensed operators at any designated disposal site. The Schedule (5) to this Bye-law indicates the type of waste to be accepted at the Assembly's approved disposal sites and the fees applicable for each category.

11. Offences

A person commits an offence if that person

- (a) Fails to provide standard container for refuse storage as prescribed by the Assembly,
- (b) Receives service from an unauthorized person or uses the services of unregistered solid or liquid waste contractor,
- (c) fails to pay the prescribed fee after receiving services from a registered agent or contractor,
- (d) Refuses without any reasonable cause to allow an accredited agent or contractor of the Assembly to collect solid or liquid waste from the premises of that person,
- (e) Discharges effluent into the open, drains, the compound of that person or the environment,
- (f) Operates a public or commercial toilet without valid permit from the Assembly
- (g) Defecates in the open, drains, or one's compound, or
- (h) Indiscriminately dumps solid and liquid waste in open spaces, drains, gutters, behind walls, or burns solid waste in one's compound
- (i) Allows rodents to infest the premises of that person,
- (j) Fails to keep the premises free from overgrown weeds & hedges, under bush, stagnant water, and any unwholesome or otherwise offensive matter.
- (k) Fails to keep the drains that abut the premises up to the middle of the street, clean.

12. Penalty

A person who contravenes this Bye-law commits an offence and is liable on summary conviction to a fine, not more than one hundred penalty units or a term of imprisonment of not less than thirty days and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid should be allotted to Ablekuma West Municipal Assembly

13. Interpretation

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

“Assembly” means the Ablekuma West Municipal Assembly.

‘Liquid waste’ means human excreta in the form of night soil and effluent

‘Solid waste’ means any solid material that had been rejected by the owner and may create nuisance, or pose danger to health and the environment.

“Hazardous waste” includes

- a. any mineral or synthetic oil or grease;
- b. asbestos;
- c. clinical waste
- d. e -waste
- e. veterinary waste

14. Revocation

Any Bye-law on liquid and solid waste in force immediately before the coming into force of the Bye-law is hereby revoked.

Made at a meeting of the Ablekuma West Municipal Assembly held on the 4th March, 2019

Presiding Member

HON.CHARLES ROSS

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of local Government.

Co-ordinating Director/Secretary

ABENNA KWESIWAA KYEI

ERNEST K. NYAGBE

Regional Co-ordinating Director and secretary to R. C. C.

**ABLEKUMA WEST MUNICIPAL ASSEMBLY
(Cleaning) BYE-LAW, 2019**

In exercise of the powers conferred upon the Ablekuma West Municipal Assembly (AbWMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this Bye-law is hereby made.

1. Removal of unauthorized Structure

(a) The Assembly may order the destruction or removal of any unauthorized structure attached to any bar or restaurant within the area of authority of the Assembly.

(b) The Assembly shall remove without notice an article which is placed in front, behind or besides a building in a manner that constitute a danger or obstruction to any person or vehicles or provide accommodation for a person, animal or thing.

2. Obstruction in Public pathway

(a) A person shall not park a vehicle, goods or other things in a public pathway or pavement.

(b) A person shall not use the road or shoulders of the road for the purpose of washing or repair of vehicles.

(c) A person shall not place an empty case or a spare part of a vehicle or damaged vehicle and other articles at a place where the vehicles or the article may

(i) Cause an obstruction of traffic or other users of the road, or

(ii) Otherwise constitute a nuisance to the public

3. Bills and posters

(a) A person shall not affix bills or posters for advertisement on any wall, road sign, tree or fixtures, other than-

(i) On spaces specifically provided or approved by the Assembly for that purpose, or

(ii) On property owned or occupied by that person

(b) This Bye -law 6 shall not apply to advertisement or posters for election or other notices initiated by the Government.

4. Cleaning

(a) A person shall not throw litter, refuse, or other matter into gutters, drains, or unauthorized places which may cause nuisance or block the free passage of running water.

(b) An owner of an undeveloped plot of land or unoccupied building in a developed area, shall take all necessary precautions and steps to keep the plot of land or unoccupied building from becoming a nuisance in the area.

(c) Where an owner of undeveloped plot of land or unoccupied building in a developed area fails to keep it from causing nuisance or a source of nuisance, the Assembly will display a notice of abatement and take such steps that will prevent such occurrence of nuisance until the owner is found.

(d) The Assembly may take action to claim expenses incurred in preventing the occurrence of such nuisance from the owner of plot of land or unoccupied building.

(e) A person who undertakes any commercial or industrial business shall ensure that the premises of that business is clean and kept neat at all times.

(f) Where a commercial or industrial operator fails to comply with the immediately preceding paragraph, the Assembly shall notify the person in charge of the business of the non-compliance and require him/her to clean the premises within three days.

(g) Where the operator fails to comply with within the specified period, the Assembly shall undertake the cleaning and surcharge the owner of the business with the cost of the cleaning.

5. Commercial and industrial buildings

(a) An owner or occupier of a commercial or industrial building shall ensure that the frontage of the building is concreted, cemented or solidly paved or tiled to the satisfaction of the District Engineer.

(b) Where the owner or occupier of a commercial building fails to comply with the above paragraph, the District Engineer or Town Planning Officer or an agent approved by the Assembly shall undertake the works required and surcharge the owner or occupier of the commercial or industrial building with the cost of the works.

(c) An owner or occupier of a store, shop, market stall or market place shall ensure that the floors and frontage are kept clean of litter, rubbish or filth.

(d) Where an owner or occupier of premises permits a person to trade, work or use for any purpose the frontage of the premises, the owner or occupier is severally and jointly liable with the person for the defaults of that person under this Bye-law.

6. Nuisance

A person shall ensure that a trade, vocation or business engaged in by that person does not cause a nuisance to the public.

7. Indemnity of authorized persons

(a) No person authorized by the Assembly to destroy, remove or otherwise dispose of anything under this Bye-law shall be liable for any loss however sustained.

(b) The Assembly is not liable to trespass where an action is taken to abate nuisance on an abandoned land or building in the interest of public safety, public health and public security,

8. Penalty

A person who contravenes this Bye-law commits an offence and is liable on summary conviction to a fine, not more than one hundred penalty units or a term of imprisonment of not less than thirty days and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid should be allotted to Ablekuma West Municipal Assembly

9. Interpretation

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

“**Assembly**” means Ablekuma West Municipal Assembly

“**Frontage**” includes, space beyond the veranda, veranda and porch of premises

“**District Engineer**” means Head of the Works Department\

“**Premises**” means any building, structure whatsoever and includes stalls, kiosk, metal container, bars and restaurants

“**Goods**” includes trucks, cranes, Lorries, cars, motorcycles, tricycles, bicycles, carts and wagons

“**Roads**” includes street, pavement, sidewalks and footpaths; and

“**Vehicle**” includes a truck, crane, lorry, cart, motorcycle, tricycle, bicycle car and wagon.

“**Nuisance**” means any activity, operation, works, action, neglect or any effect of it on, in, under or over land which is offensive, injurious or prejudicial to amenity, public health, public peace, public convenience or local or national economy.

10. Revocation:

Any Bye-law on Cleaning in force immediately before the coming into force of the Bye-law is hereby revoked. :
all actions being pursued pursuant to the said Bye-law shall continue to be valid.

Made at a meeting of the Ablekuma West Municipal Assembly held on the 4th March, 2019

Presiding Member

Co-coordinating Director/Secretary

HON.CHARLE ROSS

ABENA KWESIWAA KYEI

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of local Government.

ERNEST K. NYAGBE

Regional Co-ordinating Director and secretary to R.C.C

**ABLEKUMA WEST MUNICIPAL ASSEMBLY
(Temporary Structure) BYE-LAW, 2019**

In exercise of the powers conferred upon the Ablekuma West Municipal Assembly (AbWMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this Bye-law is hereby made.

1. Permit for structure

(a) A person shall not erect a temporary structure without a permit from the Assembly.

(b) A person shall not construct or keep any temporary structure within the area of the authority of the Assembly without applying for a permit from the Assembly for that purpose.

2. Site Plan to be submitted

A person who applies for a temporary structure permit shall submit a site plan of the site and three sets of drawings of the proposed structure.

3. Construction of temporary structure

(a) A temporary structure that has been approved by the Assembly shall be constructed on sand crete blocks.

(b) No temporary structure shall be used as a dwelling house.

(c) A person shall not construct a temporary structure on water way or public path.

4. Duration of permit

(a) A temporary permit that is granted by the Assembly shall be renewed every year.

(b) The Assembly reserves the right to revoke or refuse renewal of permit if it is in the interest of the Public so to do.

5. Display of official numbers

All official numbers assigned to the temporary structure shall be displayed at a conspicuous place on the temporary structure.

6. Removal of temporary structure

(a) The Assembly may cause the removal of a temporary structure if a person fails to comply with the provisions of this Bye-law, after the Assembly has served a seven-day notice of removal on him/her.

(b) The Assembly may cause the removal of a temporary structure, if it is unauthorized, after the service of a seven-day notice of removal on the owner.

(c) The Assembly may without prior notice, effect or carry out instant prohibition, abatement, alteration, removal or demolition of an unauthorized development carried out or being carried out that encroaches or will encroach on a community's right of space or interferes or will interfere with the use of the space or obstructs a water course.

7. Penalty

A person who contravenes this Bye-law commits an offence and is liable on summary conviction to a fine, not more than one hundred penalty units or a term of imprisonment of not less than thirty days and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid should be allotted to Ablekuma West Municipal Assembly

8. Interpretation

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

“**Assembly**” means Ablekuma West Municipal Assembly.

“**Temporary structure**” means any movable structure without permanent foundation.

“**Community right of space**” means a road, street, footpath, pavement, passenger terminal, parking area, public right of way, school ground, hospital ground, open space, cemetery, playing field, durbar ground, market,

9. Revocation

Any Bye-law on Temporary Structures in existence immediately before the commencement of this Bye-law is hereby revoked.

Made at a meeting of the Ablekuma West Municipal Assembly held on the 4th March, 2019

Presiding Member

HON. CHARLES ROSS

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of local Government.

ERNEST K. NYAGBE

Regional Co-ordinating Director and secretary to R.C.C

Co-ordinating Director/Secretary

ABENA KWESIWAA KYEI

**ABLEKUMA WEST MUNICIPAL ASSEMBLY
(Operation of Commercial Vehicles) BYE-LAW, 2019**

In exercise of the powers conferred upon the ABLEKUMA WEST MUNICIPAL ASSEMBLY (AbWMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this Bye-law is made

1. Application and Fees

(a) Every application for commercial vehicle registration shall be made to the licensing officer of the Assembly by the responsible executives of the local union or branch under which it intends to operate.

(b) No commercial vehicle registration shall be approved under this Bye-law, 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 or any other appropriate enactment in force at the time .

(c) A person shall not paint or spray or equip any vehicle or cause or allow any vehicle to be painted or sprayed or equipped for use as a commercial vehicle without being registered.

(d)The evidence of the registration shall be:

i) A sticker affixed to the windscreen of the vehicle.

ii) The sticker shall be renewed annually.

(e) A commercial passenger vehicle registration shall not be approved unless the vehicle has been licensed by the Driver Vehicle Licensing Authority for commercial operations. This shall be evidenced by the official colour of vehicle registration number plate. Every vehicle registered under this Bye-law shall remain equipped and fitted in the manner under which it was originally licensed under the Driver Vehicle Licensing Authority for commercial operations.

(f) All commercial vehicles must operate from an approved station and shall pay a daily toll for the use of the loading station. A commercial vehicle registration shall be completed by paying the requisite fee fixed by the resolution of the Assembly.

2. Issue and display of license

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.

3. Display of License

3 (a) The driver of every vehicle operating bus services 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.

(b) The driver named in the operating permit to drive a commercial vehicle shall have in his possession the commercial driver's license issued by the Assembly whenever he is using the vehicle to work.

(c) 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 Assembly driver's license.

4. Number of passengers

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.

5. Duties of license holders

(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 Assembly 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 condition.

(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 license from the Assembly.

(b) Remove, deface, alter, mutilate or cancel the license 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 vehicle without the consent of Assembly or the appropriate authorities as required by the Bye-laws of Assembly.

6. Revocation of license

6.(1) A commercial vehicle registered under a permit shall be revoked by the Assembly, if the vehicle is not road worthy or otherwise in contravention with any road traffic regulations in force at the time, or any other provisions of this Bye-law.

(2) where a vehicle is found to be violation of any provision of any Bye-law or road traffic regulations as indicated in the preceding paragraph, the Court at which the owner or driver is brought, 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 vehicle for illicit purposes;
- (b) Dishonesty; or
- (c) Failing to keep or maintain the vehicle in a manner required by any enactment for the time being in force.

7. Records

(1) A licensed driver shall, on being requested to do so by an authorized enforcement officer of the Assembly, produce his Assembly commercial driving license for inspection.

(2) The licensing officer of the Assembly, shall keep a record of all commercial vehicles registered under this Bye-law.

8. Monitoring and Enforcement

A task force established under this Bye-law at the Transport Department of the Assembly shall routinely visit and mount road check points in conjunction with the police and the road safety committee to inspect the possession of vehicles stickers and Assembly commission driver license by drivers.

9. Duty to produce license

(1) A vehicle without such permit shall pay a spot fine to be fixed by a resolution of the AbWMA before being allowed to regularize its registration under the appropriate operating permit;

(2) Every licensed driver shall, on being requested so to do by a member of the police service or officers duly authorized by the AbWMA produce his / her commercial driving license and sticker to the task force.

10. Restrictions

10 (1) Every commercial driver providing transport services within the Assembly shall obtain a commercial driver's license from the Assembly.

(2) A driver permitted under this Bye-law as a commercial driver must possess a license to drive commercial a vehicle issued by the Driver Vehicle Licensing Authority.

11. Duration of License

1. A commercial vehicle driver's license shall remain in force for a person of one year unless revoked or suspended.

12. Lost license

Where a commercial driver's license is lost or destroyed the Licensing Officer shall issue a duplicate license 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.

13. Production of license

Every commercial vehicle driver shall have his commercial vehicle driver's license in his possession wherever the driver is acting as a commercial vehicle or when appearing before any court and shall on request produce the license for inspection by police officer or any officer duly authorized by the Assembly.

14. Renewal of license

An applicant submitting an application for the renewal of a license shall submit to the licensing officer.

- (a) His current driver's license and
- (b) Payment of prescribed fees

15. Suspension or withdrawal of license

A commercial vehicle driving license shall not be suspended or withdrawn under this Bye-law unless-

- (a) The driver's license has become suspended or withdrawn or
- (b) A court law so orders.

This Bye-laws shall not apply to-

- (a) Any vehicle which is the property of the Government, Statutory Body, Board or Corporation; or
- (b) Any commercial vehicle operating under a permit other than by Assembly which is in transit through the Metropolis of Accra, provided that the driver of such a vehicle shall not be guilty of an offence under this Bye-law.

16. False declarations

Any license obtained under this Bye-law as a result of false declarations or misrepresentations shall be null and void and any fee paid for such license shall not be recoverable.

18. Excess passengers

(1) A commercial vehicle shall not carry persons in excess of the number allowed to be carried by the vehicle, provided that for the purpose of this Bye-law, an infant and any every child below twelve years old shall not count as a person.

(2) Not more than two persons including the driver in case of taxi or three in the case 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 to be allowed on a vehicle with other passengers.

19. Prohibitions

(1) A driver of a commercial vehicle or taxi shall not stop, halt or slow down his vehicle in such a way as to obstruct traffic and/or nuisance.

(2) A driver of a commercial passenger vehicle shall ensure that no passenger leaves his/her luggage in the vehicle upon reaching the destination.

(3) A driver of a commercial vehicle shall not retain a portion of or otherwise unlawfully deal with, any article or luggage left in his vehicle.

(4) Every driver of a commercial vehicle shall convey passengers to their destination without alighting them along the way and re-boarding them and charging respective fares for each stretch.

(5) Every driver of a commercial passenger vehicle shall conduct himself in a non-abusive manner to passengers and other road users.

(6) A driver of a commercial vehicle shall not charge more than the fares prescribed and approved by the Assembly in consultation with representatives of the major transport operator unions.

20. Taxi Ranks

The Assembly may provide taxi ranks subject to such conditions and rules as to the use thereof as it may prescribe.

21. Nuisance

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

22. Monitoring and enforcement

(1) The Transport Department of Assembly shall have a standing task force to monitor and ensure compliance with this Bye-law.

(2) The Transport Department shall maintain an effective call center to receive comments, complaints and other feedback from stakeholders and the general public.

(3) All complaints arising out of application of this Bye-law should be forwarded to the Metro Chief Executive for investigation and redress.

23. Provision of Lorry Park

Where a lorry park has been provided by the Assembly or provided by a private company and approved by the Assembly, a vehicle shall not load, or unload goods or passengers unless that place has been designated for that purpose.

24. Lorry park fees

(1) There shall be payable for the use of the lorry park in respect of each vehicle a fee fixed by the fee fixing resolution of the Assembly.

(2) A driver of a motor vehicle shall on entering the lorry park each day pay the prescribed fee to the person appointed by the Assembly to be in charge of the lorry park.

(3) The attendant shall issue a ticket in respect of each payment specifying the amount paid, the date of issue and the registration number of the vehicle and such ticket shall be available only for the vehicle specified on it and it shall not be transferable.

(5) A driver who fails to produce such ticket shall be deemed to have used a parking space without paying the prescribed fee.

(6) A driver who intentionally fails to pay the prescribed fee shall have the vehicle clamped and made to pay twice the prescribed fee.

(7) The ticket so issued by the collector of parking fees shall be valid from the time the vehicle is parked to the time it is moved away from its parking place in the case of a parking lot.

25. Mode of entering a lorry park/ Parking Lot

Every driver entering a lorry park/ Parking Lot shall:

- (a) Enter through the entrance and leave through the exit
- (b) Upon entering, the vehicle shall park at a designated place as indicated by the management of the Lorry Park/ Parking Lot
- (c) Apply handbrake or any other means to secure the vehicle to prevent it from moving unmanned.

26. Accredited Bookmen

(1) A license that is issued to a Bookman to operate as such shall be renewed when it expires upon satisfactory performance.

(2) The Assembly may revoke the license that is issued to a bookman for acts prejudicial to the good discipline and operation of the Lorry Park/ **Parking Lot**

27. Offences

(1) A person shall not light naked fire or use any unprotected light in a lorry park/ **Parking Lot**.

(2) A **person** shall not place or cause to be placed any refuse, garbage, offensive or unwholesome matter in the Lorry Park/ **Parking Lot** except at such place as may be provided by the Assembly for that purpose

(3) A person shall not use a fuel station as a parking space except for refuelling.

(4) A person shall not trade or carry out any business in a lorry park except at designated places in the Lorry Park / **Parking Lot** **allowed** by the Assembly for that purpose.

(5) A **person** shall not sell any alcoholic beverage within 2 kilometres of the Lorry Park/ **Parking Lot**.

(6) A **person** shall not offload goods, food stuff or animal on the street or lanes adjacent to the Lorry Park/ **Parking Lot**.

(7) A person who offloads goods, food stuff or animals at a lorry park / **Parking Lot** shall convey them to the appropriate market within 2 hours.

28. Penalty

A person who contravenes this Bye-law commits an offence and is liable on summary conviction to a fine, not more than one hundred penalty units or a term of imprisonment of not less than thirty days and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid should be allotted to Ablekuma West Municipal Assembly

29. Interpretation

In these bye-law unless the context otherwise requires –

“**Assembly**” means Ablekuma West Municipal Assembly

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

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

“**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 for reward under a contract expressed or implied for the use 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.

30. Revocation:

Any Bye-law on Operation of commercial vehicle in existence immediately before the commencement of this Bye-law is hereby revoked all

Made at a meeting of the Ablekuma West Municipal Assembly held on the 4th March, 2019

Presiding Member

Co-ordinating Director/Secretary

HON.CHARLES ROSS

ABENA KWESIWAA KYEI

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of local Government.

ERNEST K. NYAGBE

Regional Co-ordinating Director and secretary to R.C.C

**ABLEKUMA WEST MUNICIPAL ASSEMBLY
(Push Trucks) BYE-LAW, 2019**

In exercise of the powers conferred upon the ABLEKUMA WEST MUNICIPAL ASSEMBLY (AbWMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this Bye-law is hereby made.

1. License

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

2. Fees

The Ablekuma West Municipal Assembly shall by a resolution, fix the fees payable for the issuance of the license. A vehicle issued with a license shall display it on the Push Truck.

3. Condition of Push Truck

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

4. Prohibition

- (1) A person below the age of 18 years shall not use any Push Truck within the area of jurisdiction of the Assembly.
- (2) A person using the Push Truck and those helping him shall not sit on it while it is in motion.

5. Rules of the Road

The user of any such Push Truck 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.

6. Restrain on use of Push Truck

- (1) A Push Truck licensed under this Bye-law shall not obstruct and endanger road users.
- (2) A Push Truck licensed under this Bye-Law shall not ply on streets within the Residency, the Regional Coordinating Council and highways.

7. Enforcement

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.

8. Monitoring

A monitoring team from the Assembly shall monitor the operations of the Push Trucks to ensure compliance with this Bye-Law.

9. Penalty

A person who contravenes this Bye-law commits an offence and is liable on summary conviction to a fine, not more than one hundred penalty units or a term of imprisonment of not less than thirty days and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid should be allotted to Ablekuma West Municipal Assembly

10. Interpretation

In this Bye-law unless the context otherwise requires, “AbWMA” means Ablekuma West Municipal Assembly.

11. Revocation

Any bye-law on Push Trucks in force immediately before the coming into force of this Bye-law is hereby revoked.

Made at a meeting of the Accra Metropolitan Assembly held on the 4th of March, 2019

Presiding Member

HON CHARLES ROSS

Co-ordinating Director/Secretary

ABENA KWESIWAA KYEI

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of local Government.

ERNEST K. NYAGBE

Regional Co-ordinating Director and secretary to R.C.C.

**ABLEKUMA WEST MUNICIPAL ASSEMBLY
(Porters) BYE LAW, 2019**

In exercise of the powers conferred upon the ABLEKUMA WEST MUNICIPAL ASSEMBLY (AbWMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this Bye-law is hereby made.

1. Prohibition

A person shall not operate as a porter unless the person obtains a license after going through the process mentioned in this Bye-law and wears the uniform prescribed by the Assembly for that purpose and has attained 18 years or above and is not of a school going age.

2. Registration

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

3. Screening

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 Assembly.

4. Criminal Record

The Police shall submit the criminal record to the Security Department of the **AbWMA** who shall issue the applicant with the requisite application forms.

5. Processing of Forms

The applicant shall fill the forms and submit it together with two passport size photographs and pay the requisite license fees approved by the resolution of the Assembly.

6. Vetting of Forms

1. The Security Department of the Assembly shall vet the forms after which it shall issue a photo identity card for the applicant with the applicant's name, number and area(s) of operation embossed thereon.

2. A porter after going through this process is deemed to have registered with the Assembly to operate in a named locality.

7. Uniforms and Proof of identity

1. (a) It is unlawful for any porter to operate at any part of the Municipality without the approved uniform and a license issued by the Assembly;

(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 Assembly may approve.

(c) The porter shall also wear a picture identity provided by the Assembly at all times.

8. Monitoring and Enforcement

The Security Department and the Municipal Guards of the Assembly shall conduct routine inspection of porters to ensure that all porters in the city comply with the provisions of this Bye-law.

9. Withdrawal of License

1. The Assembly reserves the right to withdraw the license 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.
2. It shall be the duty of every porter to keep his overall dress clean and to maintain a general appearance of personal cleanliness.

10. Penalty

A person who contravenes this Bye-law commits an offence and is liable on summary conviction to a fine, not more than one hundred penalty units or a term of imprisonment of not less than thirty days and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid should be allotted to Ablekuma West Municipal Assembly

11. Interpretation

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.

“Assembly” means Ablekuma West Municipal Assembly.

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

12. Revocation

Any bye-law on Porters, in existence immediately before the coming into force of this Bye-law, is hereby revoked.

Made at a meeting of the Ablekuma West Municipal Assembly held on the 4th March, 2019

Presiding Member

HON.CHARLES ROSS

Co-ordinating Director/Secretary

ABENA KWESIWAA KYEI

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of local Government.

ERNEST K. NYAGBE

Regional Co-ordinating Director and secretary to R.C.C

**ABLEKUMA WEST MUNICIPAL ASSEMBLY
(Control of Hawkers) BYE-LAW, 2019**

In exercise of the powers conferred upon the ABLEKUMA WEST MUNICIPAL ASSEMBLY (AbWMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this Bye-law is hereby made.

1. Hawkers to obtain license

1. A person shall not operate as a hawker if that person has not been issued with a hawker's license by the Assembly.
2. The license shall be in a form and condition as determined by the Assembly, which includes;
 - (a) Not erecting any stall, or other structure without written permit issued by the Assembly.
 - (b) Not to cause obstruction or impede the free movement of vehicular or human traffic.
 - (c) Payment of such fees as determined in the fee fixing resolution of the Assembly.

2. Particulars of Application

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

3. Duration of license

1. A hawker's license issued shall expire on 31st December the year it is issued.
2. A hawker's license may be revoked if that hawker continuously contravenes the conditions prescribed in the written permit.

4. Hawkers to produce license on demand

1. A hawker shall produce the license on demand by an authorized agent of the Assembly
2. A hawker commits an offence if that hawker refuses to produce his/her license upon demand by the Assembly or by an authorized agent of the Assembly.

5. Cleanliness of food selling sites

An occupier of a space or selling site shall be responsible for maintaining the cleanliness of the space or selling site, and he/she shall at the close of each day thoroughly clean the place or selling site and sweep all rubbish from

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.

6. Prescribed outfit for food handlers

1. No handler of food meant for public consumption shall operate without wearing an outfit prescribed and approved by the Assembly and made up as follows:

- a) A white hair cap,
- b) A white apron,
- c) A pair of white latex hand gloves
- d) And any other outfit as **AbWMA** shall deem necessary.

7. Food for sale to be raised from the ground

No occupier of any space or selling site shall offer for sale any bread, prepared grain food or any other article of food, unless the articles are placed on a table or support raised at least 0.45 meter from the ground.

8. Food wrapper

- (1) A Food seller shall serve food in food wrappers which are hygienic;
- (2) A designated officer of the Health Department of the Assembly shall have the responsibility of ensuring the compliance of this section of the Bye-law.

9. Protection of food from dust, flies and other contaminants

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 Assembly.

10. Prohibitions

- (1) A person of unsound mind, a person suffering from vermin or from any contagious or infectious disease 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
- (3) No person shall sell at the places mentioned in the schedule annexed hereto.

11. Offence and penalty

Penalty

A person who contravenes this Bye-law commits an offence and is liable on summary conviction to a fine, not more than one hundred penalty units or a term of imprisonment of not less than thirty days and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid should be allotted to Ablekuma West Municipal Assembly

12. Interpretation

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.

“Assembly” means Ablekuma West Municipal Assembly.

13. Revocation:

Any bye-law on Control of Hawkers in force immediately before the coming into force of this Bye-law is hereby revoked

Schedule for unauthorized places for hawkers

- (1) Pavements of Principal streets in the Municipality.
- (2) Frontage of stores
- (3) Pedestrian-Walks
- (4) Such areas as the AbMWA may from time to time determine.

Made at a meeting of the Ablekuma West Municipal Assembly held on the 4th of March, 2019

Presiding Member

HON.CHARLES ROSS

Co-ordinating Director/Secretary

ABENA KWASIWAA KYEI

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of local Government.

ERNEST K. NYAGBE

Regional Co-ordinating Director and secretary to R.C.C

**ABLEKUMA WEST MUNICIPAL ASSEMBLY
(Urban Passenger Transport Services) BYE-LAW, 2019**

In exercise of the powers conferred upon the ABLEKUMA WEST MUNICIPAL ASSEMBLY (AbWMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this Bye-law is hereby made.

1. Permit to operate

- (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.

2. Application forms

- (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 plied, 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 upon 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.

3. Processing of application forms

- (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, the Solicitor 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.

4. Operational permit

(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 Mayor within 21 days after the panel’s decision.

(7) The **Municipal Chief Executive** shall constitute a three-member appeals panel which shall vet the application and give its written recommendation to the Mayor within fourteen (14) days from date of constituting the panel.

(8) The Appeals panel shall comprise, a High court judge who shall act as the chair, a senior lawyer of fifteen (15) years and above standing at the bar, and a senior police officer.

(9) The **Municipal Chief Executive**, on receipt of the decision of the appeal panel shall notify the appellants of the Assembly’s decision,

10) Where the appeal 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.

5. Duration of permit

(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

- i. whether the service to which the permit relates has been carried out efficiently or not,
- ii. Whether there have been frequent breaches or not, and
- iii. Whether the applicant has complied with the conditions attached to the permit and this Bye-laws.

6. Complaint Unit

(1) The Assembly shall set a compliant unit at the Transport Department to receive complaints from the general public concerning the operation of a permit holder at a bus terminal and on the routes provided by 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, through

- a. Chairman of the Transport Commission of the Assembly, or
- b. Head of the Urban Passenger Transport Unit of the Assembly.

(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 (14) 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.

7. Regulation

(1) The Assembly shall regulate the Urban Passenger Transport Services within its area of authority.

(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 authority,
- 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 urban 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.

8. Offences

(1) A person commits an offence, if that person:

- a) Provides or operates an urban passenger transport service without a Permit.
- b) Provides or attempts to provide an urban passenger transport service which is not in consonance with the terms and conditions of the permit.
 - i. Operating on a route different from that specified by the permit, except at the time, 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 as prescribed in the fee fixing resolution of the Assembly.

- c) Provides false information for the purpose of obtaining an urban passenger transport service Permit,
- d) Operates or attempts to operate or ply at a terminal without authorization from the Assembly in accordance with the approved procedures.

- 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.

Penalty

A person who contravenes this Bye-law commits an offence and is liable on summary conviction to a fine, not more than one hundred penalty units or a term of imprisonment of not less than thirty days and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid should be allotted to Ablekuma West Municipal Assembly

9. Interpretation

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

“Assembly” means Ablekuma West Municipal Assembly.

10. Revocation

Any bye-law on Urban Passenger Transport Services in force immediately before the coming into force of this Bye-law is hereby revoked

Made at a meeting of the Ablekuma West Municipal Assembly held on the 4th March, 2019

Presiding Member

HON CHARLES ROSS

Co-ordinating Director/Secretary

ABENA KWESIWAA KYEI

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of local Government.

ERNEST K. NYAGBE

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

**ABLEKUMA WEST MUNICIPAL ASSEMBLY
(Communicable Disease) BYE-LAW, 2019**

In exercise of the powers conferred upon the ABLEKUMA WEST MUNICIPAL ASSEMBLY (AbWMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this Bye-law is hereby made.

1. Cleansing and disinfecting premises and articles

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

2. Notification of infectious diseases

(1) If a person on whom the notice is served does not inform the Assembly as required, or having informed the Assembly does not take the steps specified to the satisfaction of the Assembly within the time specified, the Assembly, 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.

(2) 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 Assembly to enable the Assembly undertake the exercise.

(3) The Assembly 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, within twenty four hours for removal for disinfection or destruction as the case may be.

(4) Where the owner fails to comply with this provision, the Health Officer shall with the help of the security ensure the removal of the items for disinfection or destruction as the case may be.

(5) Without prejudice to the above provisions, 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.

(6) 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 Environmental Health and Sanitation Department of the Assembly.

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 attending to the patient at his residence and in default of any such person, the occupier of the building or structure.

(7) Any person who fails to send the requisite notice shall be guilty of an offence under this Bye-law, unless he satisfies the court that he is required to send the notice only in the absence of some other person and that he believed and had reasonable grounds for believing that the notice has been duly sent.

(8) 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 / Environmental Health and Sanitation Department certified information stating the name of the patient, the nature of his illness and his address.

(9) Any Medical Practitioner who fails to send certified information as required by this Bye-law commits an offence.

3. Prohibition on occupation involving risk of infection

(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 without the risk of spreading such disease.

(2) A person who-

(a) knowing that he is suffering from a dangerous or infectious disease exposes other persons to the risk of infections by using any public transport or by his presence or conduct in any street or footpath, public place, place of entertainment or assembly, club, hotel, restaurant, shop or any licensed premises; or

(b) 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

(c) gives, lends, 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 this Bye-law.

4. Restriction on deposit of infected rubbish

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.

5. Restriction on laundry facilities for infected articles

(1) 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 Environmental Health and Sanitation Department of the Assembly.

(2) No person shall let or offer to let any house, room or other premises to another person, where he knows that a person residing therein has 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 Environmental Health and Sanitation Department of the Assembly or a qualified medical practitioner.

(3) 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 Environmental Health and Sanitation Department or a qualified Medical Practitioner;

(b) Fails to give to the owner of the house notice of previous existence of such disease, commit an offence under this Bye-law.

6. Monitoring and enforcement

The Health Department and its allied departments shall ensure the compliance of this Bye-law.

7. Penalty

A person who contravenes this Bye-law commits an offence and is liable on summary conviction to a fine, not more than one hundred penalty units or a term of imprisonment of not less than thirty days and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid should be allotted to Ablekuma West Municipal Assembly

9. Interpretation

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

“Assembly” means Ablekuma West Municipal Authority.

10. Revocation

Any bye-law on communicable disease in force immediately before the coming into force of this Bye-law is hereby revoked.

Made at a meeting of the Ablekuma West Municipal Assembly held on the 4th of March, 2019

Presiding Member

HON. CHARLES ROSS

Co-ordinating Director/Secretary

ABENA KWESIWAA KYEI

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of local Government.

ERNEST K. NYAGBE

Regional Co-ordinating Director and secretary to R.C.C

**ABLEKUMA WEST MUNICIPAL ASSEMBLY
(Births and Deaths Registration) BYE-LAW, 2019**

In exercise of the powers conferred upon the ABLEKUMA WEST MUNICIPAL ASSEMBLY (AbWMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this Bye-law is hereby made.

1. Report of Birth and Death

(a) The Birth and Deaths Registry (hereinafter called “the Registry”) of the Assembly shall receive notice of births and deaths occurring within the metropolis and shall record such reports in books provided for the purpose (hereinafter referred to as “the Registration”).

(b) The Registry shall operate under a Registrar with a supporting staff mandated to undertake such Registration.

2. Duties of the Registrar

The Registrar shall-

- (a) Keep two separate registers to record the details of birth or death received at the Registry;
- (b) Subject to the directions of the Assembly, the Registrar shall ensure safe keeping of the registers;
- (c) Make the registers available at all reasonable times for inspection by an authorized member of Assembly or the Head, Environmental Health and Sanitation Department 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 a 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.

3. Appointment of Registration Assistants

(1) The Assembly may appoint such number of Registration Assistants necessary to compliment the work of the Registrar;

(2) Registration Assistants shall perform the same duties as the Registrar but shall report to the Registrar;

(3) Registration Assistants shall send to the Registrar certified extracts 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 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.

4. Fees

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

5. Custody of Registers

The Registrar shall keep registers in the forms provided for the registration of birth, deaths and burials respectively under the existing law.

6. Issuance of Birth or Death Certificate

The Registrar and the Registration Assistants shall upon registering any birth or death delivered to the reporter and upon payment of the approved fee, issue a certificate in accordance with the existing law and or regulations;

7. Power to Bury

(1) All burials can only take place with a valid burial permit issued by the Registry with the approval of Metro Public Health Department.

(2) Where burial takes place without approval from the Head Environmental Health and Sanitation Department, the Assembly and the Registry may cause the exhumation of the dead body for autopsy at the cost of the family, if the cause of death is not established by a qualified medical officer.

8. Time for Registration

(1) 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 birth within three months.

(2) Where a person fails to make the report as stated supra, the late report shall attract a penalty determined by a resolution of the Assembly.

9. Inspection of Register

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

10. Copies as evidence

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

11. Correction of register

(1) A clerical error in a register may if discovered at the time of making the entry, shall 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 the above paragraph, 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.

12. Penalty

A person who wilfully registers or permits registration of a false statement, or who wilfully destroys or permits the destruction of an entry in a register or carry out burial without burial permit approved by Metro Public Health Department, commits an offence and shall upon conviction be liable to a fine of two hundred and fifty penalty units or in default to a term of imprisonment not exceeding six months or to both. Fifty percent (50%) of the fine paid should be allotted to Ablekuma West Municipal Assembly

13. Interpretation

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

“Assembly” means Ablekuma West Municipal Assembly

14. Revocation

Any bye-law on births and deaths in force immediately before the coming into force of this Bye-law is hereby revoked.

Made at a meeting of the Accra Metropolitan Assembly held on the 4th March, 2019

Presiding Member

HON CHARLES ROSS

Co-ordinating Director/Secretary

ABENA KWESIWAA KYEI

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of local Government.

ERNEST K. NYAGBE

Regional Co-ordinating Director and secretary to R.C.C

**ABLEKUMA WEST MUNICIPAL ASSEMBLY
(Control of Dogs) BYE-LAW, 2019**

In exercise of the powers conferred upon the ABLEKUMA WEST MUNICIPAL ASSEMBLY (AbWMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this Bye-law is hereby made.

1. Licence

(1) A person who keeps a dog within the area of authority of the Assembly shall obtain a licence from the Environmental Health and Sanitation Department of the Assembly in respect that dog.

(2) The Environmental Health and Sanitation Department of the Assembly, 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;

2. Dog Licence

(1) A dog license shall valid for a period of one year from the date of issue.

(2) The fee in respect of issuance or renewal license shall be determined in accordance with the fee fixing resolution of the Assembly.

3. Badges

The officer from the Environmental Health and Sanitation Department after inspecting and certifying the authenticity of the badge shall instruct the Licensing Officer to provide to the keeper a badge, which badge shall be kept on the dog at all times whilst the license remains in force;

4. Keeper of dogs/pets

A person in whose custody, charge or possession, or on whose premises a dog is found shall, for the purposes of this Bye-law, be deemed to be the keeper of such dog, unless the contrary is proved.

5. Power to seize and destroy dogs

(1) An officer of the Assembly duly authorized may seize and detain any dog found in a public place where the dog:

- a. Is not wearing a badge as prescribe, or
- b. Appear to be a stray dog.

(2) Where the owner of the dog is known by the officer, the officer shall serve on him/her a notice of Seizure as soon as practicable.

(3) A dog seized and detained under this Bye- law shall be released to the owner, if he produces a valid license in respect of the dog and pay a detention fee for each day that the dog has been detained

(4) Where a dog is detained for more than fourteen days, and:

- a. The owner cannot be found, or

b. Notice of detention is given to the owner and he does not pay the impoundment fee and claim the dog within fifteen days, the **Environmental Health and Sanitation Department** may cause the dog to be destroyed or otherwise disposed of.

6. Seizure of disease dogs

An authorized officer of the Assembly from the Department of Environmental Health may seize a dog which has or is reasonably believed to have mange, rabies or other disease within the meaning of disease of Animals Act, 1961 Act 83).

7. Licence to be produced

A person who has valid dog license shall produce it within 24 hrs on request by an officer of the Assembly.

8. Vaccination of Dogs

A person who keeps a dog shall have it inoculated once every year against rabies at the Veterinary Unit of the Department of Agriculture and obtain a certificate in respect thereof.

9. Penalty

A person who contravenes this Bye-law commits an offence and is liable on summary conviction to a fine, not more than one hundred penalty units or a term of imprisonment of not less than thirty days and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid should be allotted to Ablekuma West Municipal Assembly.

10. Interpretation

In these bye-law unless the context otherwise requires –

“**Assembly**” means Ablekuma West Municipal Assembly

11. Revocation

Any bye-law on births and deaths in force immediately before the coming into force of this Bye-law is hereby revoked..

Made at a meeting of the Ablekuma West Municipal Assembly held on the 4th March, 2019

Presiding Member

Co-ordinating Director/Secretary

HON CHARLES ROSS

ABENA KWESIWAA KYEI

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of local Government.

ERNEST K. NYAGBE

Regional Co-ordinating Director and secretary to R.C.C

**ABLEKUMA WEST MUNICIPAL ASSEMBLY
(Building/ Physical Development) BYE-LAW, 2019**

In exercise of the powers conferred upon the ABLEKUMA WEST MUNICIPAL ASSEMBLY (AbWMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this Bye-law is hereby made.

1. Permits

(1) A developer shall apply for a development and a building permit before that developer commences development.

(2) A person who develops without a development and building permit will be made to pay a penalty at a rate that is stipulated in the Building Regulations, L.I 1630.

(3) A penalty imposed on a developer does not constitute a building permit.

(4) A permit may be granted for the purpose of hoarding, change of use, change of zoning, land filling, renovation, sub-division of land, demolition, erection of signage or bill boards, the disposal of waste on land and other land uses.

(6) Processing fees does not constitute a building permit.

2. Requirements for application

(1) A building application shall have

(a) One completed copy of TCP Form 1.

(b) Building Permit Application Form duly completed.

(c) Land Title Certificate or a Deed Certificate or Clearance Form duly signed by appropriate authority, namely Lands Commission of Land Title Registry.

(d) 4 Sets of Architectural drawings duly signed by a licensed building surveyor, a qualified architect and a structural engineer where necessary.

(2) In addition to the requirements of paragraph 2 above, a Multi-user and multi-level development may attach

(a) Fire Report and appropriate fire engineering drawing duly vetted and approved by Ghana Fire Service.

(b) Geo-Technical (Soil investigation) Report.

(c) Structure Integrity Report where vertical extensions are proposed on existing building.

(a) Traffic Impact Assessment Report.

(b) Hydrological Report and appropriate drawings.

(c) Any other as may be necessary.

(3) Application requiring Permission in Principle (AIP) would be required to attach the following

- (a) 3 Sets of Sketch drawings
- (b) 3 copies of brief outline of project covering the location and design,
- (c) activities and operational characteristics
- (d) evidence of Neighborhood consultation and comments

(4) Applications for Change of Use of existing permit should include the following

- (a) Previous permit on existing building.
- (b) Proposed amendments to drawing if relevant.

(c) Evidence of Neighborhood consultation and comments for the new use of premises.

(5) Applicants who are unable to complete developments within permit validity period of five (5) years shall seek permit for extension of time. Application for Extension to Existing Building shall include the previous permit.

(6) If a development is multi-storey structure complex, you may to be required to provide reports such as:

(a) Environmental Impact Assessment Report,

(b) Structure Report,

(c) Fire Service Report,

(d) Hydro Report,

(e) Geological Report

(f) Traffic Management Report

(g) Waste management plan

3. Submission of application and processing

Inspection of site

(1) On receipt of the application form, the Physical Planning Department of the Assembly 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) An applicant shall submit a completed form as specified in the Building Permit Application and Town and Country Planning Form 1 to the Physical Planning Officer of the Assembly.

(3) The Physical Planning Officer of the Assembly shall notify the applicant on corrections, additional requirements, processing fee and date of inspection of site if necessary

(4) The Technical Sub-committee of the Assembly shall evaluate the application, visit the site and make recommendation to the Statutory Planning Committee (SPC) within a month of receipt of application.

(5) The Statutory Planning Committee of the Assembly shall consider the recommendations from the Technical Sub-committee within nine (9) working days of receipt of the recommendations from the Technical Sub-committee.

(6) The Secretary of the Statutory Planning Committee of the Assembly shall submit approved plan to the Assembly Works Department five (5) working days following the approval to issue the building permit.

4. Collection of permit

(a) A successful applicant shall pay the approved building permit fee to the Assembly's Works Department on receipt of the approval letter.

(b) A successful applicant may collect building permit from the Assembly within three (3) months after submission of the development application.

(3) A successful applicant may seek further instructions for commencement of building project from the Works Department of the Assembly.

(4) Notwithstanding paragraph 1 of this Bye-law, an applicant who has duly submitted the relevant documents may commence building after three (3) months of submission, if the Assembly fails to inform him of their refusal of the application.

5. Unauthorized development

(1) The Assembly shall cause a notice to be served on an owner of a land or any person who may be affected by the action of the Assembly in the manner described in Schedule 1 (a-d) below, to show cause in writing addressed to the District Planning Authority why the unauthorized development should not be prohibited, altered, abated, removed or demolished

(a) If a developer undertakes a physical development without a permit

(b) Fails to comply with the conditions incorporated in a permit.

(2) Despite the foregoing paragraphs of this Bye-law, the Assembly may serve an enforcement notice demanding the immediate stoppage of the execution of a development, carried out contrary to provisions of this Bye-law or to the terms of an approved development plan, or

(3) Where the owner of the land fails to show sufficient cause why the development should not be altered, abated, removed or demolished, the Assembly may carry out the prohibition, abatement, alteration, removal or demolition and recover the expenses incurred from the owner of the land as if it were a debt due to the Assembly.

(4) The Assembly may for the purpose of enforcing an approved development plan, prohibit, abate, remove, pull down or alter so as to bring into conformity with the approved plan, a physical development which does not conform to the approved plan, or cause the abatement, removal, demolition or alteration of which is necessary for the implementation of an approved plan.

6. Consideration of factors for the grant

(1) For the purposes of granting the building permit the Assembly 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) Faucal containment structure placement in the house;

(c) Waste water discharge from the house;

(d) Drainage systems and adequate provision for toilets and baths in the house;

(2) The Assembly shall ensure the existence of drainage systems in granting the building permit.

(3) The Assembly shall ensure that no drainage system constructed by a landlord shall flood and cause nuisance to the neighbourhood. 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 officers of Assembly, to join the main drainage system provided in the area concerned.

7. Ventilation

(1) A building must have adequate ventilation and lighting for people in it.

(2) The above provision does not apply to a building or space within a building that is used solely for storage or is a garage.

8. Access

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

9. Certificate of Habitation

There shall be a Certificate of Habitation for all completed commercial buildings and residential buildings with two level floors and above before occupation.

10. Penalty

A person who contravenes this Bye-law commits an offence and is liable on summary conviction to a fine, not more than one hundred penalty units or a term of imprisonment of not less than thirty days and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid should be allotted to Ablekuma West Municipal Assembly

11. Interpretation

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

“Assembly” means Ablekuma West Municipal Assembly

“Physical development” includes the carrying out of building engineering, mining or any other operations, existing use of land or building and the subdivision of land, the disposal of waste on land including the discharge of effluent into a body of still or running water and the erection of advertisement or other hoarding

12. Revocation

Any bye-law in existence on building/physical development immediately before the coming into force of this Bye-law is hereby revoked.

FIRST SCHEDULE (A)

GENERIC NOTICE

TO.....OF.....TAKE

NOTICE THAT you are hereby required on or before the.....Day of.....20.....by a statement in writing under your hand or the hand of some person duly authorised in that behalf by you and served upon the Municipal Chief Executive to show cause, why (a).....which has been constructed or executed in contravention of (b).....

Should not be.....

Dated this.....day of....., 20.....

For Metropolitan Chief Executive

FIRST SCHEDULE (B)

BUILDING WITHOUT A PERMIT (DEFAULTER’S NOTICE)

TO.....OF.....

In contravention of bye-law 1, you have developed a building/structure or undertaking a physical development without a permit, described as follows:

.....
.....
.....
.....

You are hereby served with development charges notice of GHS.....since.....20.....

Take notice that it is hereby demanded of you to pay the said amount of GHS.....on or before the.....

Take note that if you do not comply with this notice, court action would be taken against you for (1) building without permit (2) wilful default to pay the rate, after expiry date.

Issued this.....day of.....

For Municipal Chief Executive

FIRST SCHEDULE (C)

BUILDING WITHOUT A PERMIT (BILL DEMAND NOTICE)

TO.....OF.....

In contravention of bye-law 1, you have developed a building/structure or undertaking a physical development without a permit, described as follows:

.....
.....
.....
.....

You were served with a development charges notice of defaulter’s bill notice in the sum of GHS.....since.....20.....

But you have failed to pay the rate till now.

Take notice that it is hereby demanded of you to pay the said amount of GHS.....on or before the.....

Take note that if you do not comply with this notice, court action would be taken against you for (1) building without permit (2) wilful default to pay the rate , after expiry date.

Issued this.....day of.....

For Municipal Chief Executive

FIRST SCHEDULE (D)

BUILDING WITHOUT A PERMIT (DEMOLISHING NOTICE)

TO.....OF.....

In contravention of bye-law 1, you have developed a building /structure or undertaken a physical development without a permit, described as follows:

.....
.....
.....
.....

You are hereby required within..... days to show sufficient cause why your building should not be Demolished or your structure should not be removed from the site and explain to the Assembly why court action should not be taken against you for

- (a) Building without permit**
- (b) Why your structure should not be demolished**
- (c) Why your structure should not be removed from site**
- (d) Why your development should not be abated**

Take notice that if you not comply with this notice, court action would be taken against you.

Issued this day of.....

For Municipal Chief Executive

SECOND SCHEDULE

GENERIC BUILDING CONSIDERATION

(A)AIR MOVEMENT AND VENTILATION

1. Natural ventilation, air movement and cross ventilation

2. Natural ventilation through covered balcony or veranda

(B) MATERIALS FOR BUILDING

(C) STRUCTURAL STABILITY

(D) MEANS OF ESCAPE

(E) ACCESS ACCOMMODATION INCLUDES, Verandas and balcony, Corridor, Staircase, Lifts, and Passenger lifts escalators, guards

(F) THERMAL INSULATION INCLUDES, Roofs, Walls, protection of walls and openings from solar radiation

(G) SOUND INSULATION INCLUDES, Sound insulation of walls, Sound insulation of floors

(H) PEST CONTROL AND PROTECTION AGAINST DECAY SUCH AS

1 Treatment of site against pest, infestation and decays

2 Sub-floor ventilations

3 Termite shields or mechanical barriers

4 Insect screening

3 Prevention against fungus attack

(I) DRAINAGE INCLUDES, Provision and construction of drains, Traps and gullies , Inspection chambers ,Ventilation of sewers, Junctions and drain interceptors, Sewers and drains, Means of access to drains and private sewers, Inlets to drains to be trapped ,Drains or private sewers passing through or under walls or under building ,Pipes conveying soil water, ventilation pipes ,Waste pipes ,Further requirements for soil pipes and waste pipes, Waste water disposal ,Private sewer, Roof drainage, Rainwater gutters and pipes, Rainwater storage, Over flow pipes and testing of drains and sewers

(J) SANITARY CONVENIENCES INCLUDES, Provision of closets and bathrooms, Water closets, Earth closets (KVIP), Urinals, Septic tank system, Filter beds, Soak-away pits and trenches, Cesspools, Access to soak away pits and cesspools, Connections to public sewers and combined sewage systems

(K) LIGHT AND ELECTRICAL INSTALLATIONS SUCH AS

- Natural light or day lighting
- Light to habitable rooms, etc.
- Light to kitchen and bathroom
- Electrical facilities
- Exterior lighting, lighting outlets, lights in stairway, garages, etc.

- Naked lights
- Supplementary, lighting, mechanical ventilation and air conditioning
- Security lighting

(L) WATER SUPPLY INCLUDES

1. Provision of water
2. Pipe-borne water supply
3. Wells and boreholes
4. Tanks and cisterns used for storage of rainwater
5. Prevention of water pollution

Made at a meeting of the Ablekuma West Municipal Assembly held on the 4th March 2019

Presiding Member

HON.CHARLES ROSS

Co-ordinating Director/Secretary

ABENA KWESIWAA KYEI

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of local Government.

ERNEST K. NYAGBE

Regional Co-ordinating Director and secretary R.C.C

**ABLEKUMA WEST MUNICIPAL ASSEMBLY
(Maintenance of Premises) BYE-LAW, 2019**

In exercise of the powers conferred upon the ABLEKUMA WEST MUNICIPAL ASSEMBLY (AbWMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this Bye-law is hereby made.

1. White washing and painting

(1) A household or an owner or occupier of premises within the jurisdiction of the Assembly shall keep the house clean, white -washed and painted on regular basis at least once in two years.

(2) Where the owner, occupier or landlord fails to comply with the above provision, the Assembly shall undertake the painting and charge the owner, occupier or landlord with the expenses incurred in undertaking the painting.

2. Application of Building regulations

Notwithstanding the provisions of the Building Regulations any unauthorized structure attached to any premises shall be demolished or removed on notice by Assembly.

3. Inspection by Authorized Officers

An officer of the Assembly duly authorized may inspect the state of maintenance of any premises within the jurisdiction of the Assembly.

4. Powers of the Assembly

The Assembly may direct any household owner or occupier of a premises to white-wash, paint or put the premises in a state of cleanliness within a prescribed period as it may determine.

5. Abandoned Premises

Where a premises is abandoned and is in a total state of disrepair, dilapidation or close to collapse and poses a threat to life and property, the Assembly shall serve notice to the owner or occupier of the premises to demolish it within a period of eight days.

6. Demolition of Premises after 8 day notice

The Assembly shall demolish the premises and charge the household, owner, or occupier of the premises for the cost of the demolition after the expiration of the eight day notice.

7. Uncompleted Dangerous Property

(1) The Assembly shall serve notice on the owner of uncompleted premises which poses a threat to life and property to either complete or demolish the uncompleted house within a specified period of time.

(2) Where the owner of the uncompleted house fails either to demolish or complete it, the Assembly shall with or without further notice demolish the uncompleted house and surcharge its owner for the cost of the demolition.

8. Penalty

A person who contravenes this Bye-law commits an offence and is liable on summary conviction to a fine, not more than one hundred penalty units or a term of imprisonment of not less than thirty days and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid should be allotted to Ablekuma West Municipal Assembly

9. Revocation:

Any bye-law on Maintenance of remises in force immediately before the coming into force of this Bye-law is hereby revoked

Made at a meeting of the Ablekuma West Municipal Assembly held on the 4th March, 2019

Presiding Member

HON. CHARLES ROSS

Co-ordinating Director/Secretary

ABENA KWESIWAA KYEI

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of local Government

ERNEST K. NYAGBE

Regional Co-ordinating Director and secretary to R.C.C

**ABLEKUMA WEST MUNICIPAL ASSEMBLY
(Environmental Protection) BYE-LAW, 2019**

In exercise of the powers conferred upon the ABLEKUMA WEST MUNICIPAL ASSEMBLY (AbWMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this Bye-law is hereby made.

1. Protection of the Environment

- (1) It shall be the responsibility of households, industries, waste management operators, corporate bodies, institutions or any other business to take all necessary measures to protect the environment.
- (2) Any discharge from a factory, industries, commercial mall, market, institutions, office or household must meet the standards set by the Assembly or other regulatory agency.

2. Promotion of waste treatment systems

- (1) A sanitation system for off/on –site treatment of excreta and other sanitation systems must meet the standards and requirement as set by the Assembly or Environmental Protection Agency.
- (2) The Assembly shall promote decentralized waste water treatment systems to increase access but provisions must be made to safe guard the environment.

3. Sand Winning activities

- (1) A person shall not win sand unless that person has obtained a permit from the Assembly or an Agency of the Assembly to that effect.
- (2) A person may engage in a large-scale sand winning activity within an area of authority of the Assembly only upon obtaining the necessary permit from the Assembly or the Environmental Protection Agency.
- (3) The Agency shall assess the impact of the sand winning activity on the environment before a person is issued with a permit to commence with the sand winning activity.
- (4) A physical work for filling of any type of material for the prevention of sea erosion shall be approved by the Assembly and shall be under the supervision of Works Engineer or the Ministry of Works and Housing.

4. Control of Bore-Hole Drilling operators

The Assembly shall

- (a) Take steps to register each bore-hole driller within the jurisdiction of the Assembly, and
- (b) Ensure that the operation of a bore-hole driller is in accordance with **regulations** stipulated by the Water Resource Commission before granting permit to drill.

5. Protection of Wet Lands & Water Bodies

- (1) The Assembly shall demarcate a wetland as a buffer zone.
- (2) The Assembly shall also erect a sign post at the site showing the demarcation of the area on the sign post.
- (3) The Assembly shall indicate on this sign post that under no circumstances shall any person or company undertake any exercise to alter or change the condition of the area.

(4) Examples of alteration or change may include but are not limited to,

i) The changing of pre-existing drainage characteristics, flushing characteristics, sedimentation patterns, ecosystem services, 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) Reclaiming a wetland for purposes of putting up a structure or undertaking any development in the designated area.

(5) A person shall not undertake an activity in respect of the development of a water body, Ramsar site or any other ecologically sensitive area unless that person has obtained a permit from the Agency and Assembly and the necessary impact assessment conducted.

(6) A person shall not engage in an activity in a manner that may result in the extinction or endangered fauna or floral.

6. Prohibition

The Assembly shall in conjunction with the Lands Commission refuse to grant permit for development or a lease in respect of such area to a prospective developer.

7. Exception

(1) The Assembly shall, for emergency projects necessary for the protection of the health and safety of the public, or for the purposes of research 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 or environment and has notified the Assembly at least 72 hours prior to the work being undertaken.

(2) The Assembly shall, during the period of undertaking this work, supervise the work through its Environmental Protection Agency to ensure that nothing is done to harm the ecology of the area.

8. Control of tree felling& vegetation

A person may fell a tree upon obtaining a permit from any of the following organizations;

(a) Department of Parks and Garden

(b)The Agency

(c)The Assembly

9. Duration and Conditions of grant

(1) A permit granted under this Bye-law shall expire immediately the tree has been cut.

(2) The permit granted shall include a provision on replanting of a tree and supervision by a designated officer from the Department of Parks and Gardens, who shall report the planting of the tree to a committee to be appointed by the Assembly.

10. Replanting of economic tree

(1) A person who has been 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 has been cut.

(2) Where the felling of trees is done on a large scale, provision shall be made to replant the trees to ensure ecological balance.

(3) A person shall not cause a bush fire or destroy specie of a plant or animal in a manner that results in the extinction or depletion of that specie of plant or animal.

(4) A farmer shall make a fire belt before that farmer sets fire to a cleared area for the purpose of farming.

(5) A person who clears a large area for developmental purpose shall comply with the provisions of the Environmental Protection Agency Act (Act 490) and the Environmental Regulations, 1999 (L.I 1652).

11. Penalty

A person who contravenes this Bye-law commits an offence and is liable on summary conviction to a fine, not more than one hundred penalty units or a term of imprisonment of not less than thirty days and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid should be allotted to Ablekuma West Municipal Assembly

12. Interpretation

In this Bye-law unless the context otherwise requires –

“**Assembly**” means Ablekuma West Municipal Assembly

“**Agency**” means the Environmental Protection Agency and

“**Ministry**” means the ministry of works and housing

13. Revocation

Any bye-law on environmental protection in force immediately before the coming into force of this Bye*law is hereby revoked.

Made at a meeting of the Ablekuma West Municipal Assembly held on the 4th March, 2019

Presiding Member

HON. CHARLES ROSS

Co-ordinating Director/Secretary

ABENA KWESIWAA KYEI

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of local Government.

ERNEST K. NYAGBE

Regional Co-ordinating Director and secretary to R.C.C

**ABLEKUMA WEST MUNICIPAL ASSEMBLY
(Cemeteries) BYE-LAWS, 2019**

In exercise of the powers conferred upon the ABLEKUMA WEST MUNICIPAL ASSEMBLY (AbWMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this By-law is hereby made.

1. Control of cemetery

(1)The Assembly shall for the purpose of this Bye-law have the control and management of all cemeteries within the **Municipality**.

(2) In respect of cemeteries owned by Traditional authorities, churches and other religious organizations, private operators, the Assembly shall have a standard code of conditions to be followed by all the organisations.

(3) The Environmental Health and Sanitation 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

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

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

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

(5) The Assembly may revoke such permits if the holder continuously contravenes the provisions in this Bye-law.

(6) 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 and Sanitation Department .

3. Control Of Funeral Homes

(1) No person or entity shall own or operate any of the facilities listed below, unless that facility is licensed by the Assembly. The facilities include;

1. Private mortuary
2. Funeral homes
3. Crematoria
4. Hearse

4. Permit to operate a facility

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

5. Revocation of permit

The Environmental Health and Sanitation Department of the Assembly 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

1. 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 a vault.

12. Cremation

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

13. Head Stones

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

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

14. Restrictions

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

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

(3) 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.

(4) 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 Head Environmental Health and Sanitation Department, 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

(1) Fees for grave and vaults in a cemetery shall be payable at the rate fixed by resolution of the Assembly and by or on behalf of the Ministry of Local Government & Rural Development.

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

(3) 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 and Sanitation Department shall visit all cemeteries in the Municipality at least once in every two months 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

A person who contravenes this Bye-law commits an offence and is liable on summary conviction to a fine, not more than one hundred penalty units or a term of imprisonment of not less than thirty days and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid should be allotted to Ablekuma West Municipal Assembly

21. Interpretation

- 2. In this Bye-law unless the context otherwise requires,
- 3. “AbWMA” means Ablekuma West Municipal Assembly

22. Revocation

Any bye-law on Cemetery Bye-Law in force immediately before the coming into force of this Bye-law 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.....

Made at a meeting of the Ablekuma West Municipal Assembly held on the 4th March, 2019

Presiding Member

HON CHARLES ROSS

Co-ordinating Director/Secretary

ABENA KWESIWAA KYEI

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of local Government.

ERNEST K. NYAGBE

Regional Co-ordinating Director and secretary to R.C.C

ABLEKUMA WEST MUNICIPAL ASSEMBLY
(Control of Poultry in Dwelling Houses) Bye-Law, 2019.

In exercise of the powers conferred upon the ABLEKUMA WEST MUNICIPAL ASSEMBLY (AbWMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this Bye-law is made

1. Maximum number of poultry in dwelling houses

- (1) Subject to provisions of this Bye-law, the maximum number of poultry that may be kept in a dwelling house shall not be more than be 150 birds.
- (2) Whenever the sanitary conditions of the poultry cause nuisance, the Assembly shall order its closure.
- (3) The Assembly shall serve the owner a three-month written notice to look for an alternative location to keep the poultry.

2. Inspection and impounding of excess poultry

- (1) An officer of the Environmental Health and Sanitation Department of the Assembly 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 the 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 to bring the number within fourteen (14) days to the required limit.
- (3) Where the owner or keeper of the poultry fails to dispose of the excess poultry within the stipulated fourteen days (14) after receipt of a written notice, the authorized officer of the **AbWMA** may impound them and send them to a designated area assign by the Assembly and make the necessary entries.

3. Keeping of Poultry

An owner or keeper of poultry who contravenes paragraph 1 of this Bye-law commits an offence, and the court at which he is standing trial may in addition to the prescribed punishment under paragraph 12 below, order the owner or keeper to dispose of the excess poultry within such time as it deems fit.

4. Disposal of droppings

- (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 Assembly;
- (2) Any such litter or droppings shall not be disposed of in a manner that constitutes a nuisance to residents in the area.

5. Stray poultry

- (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 and sanitation Unit of Assembly duly authorized, may impound any stray poultry which is found in a public place and take them to a designated area assign by the Assembly and make the necessary entries.

6. Custody of strayed poultry

An owner or occupier of any premises into which poultry has strayed, may impound them and shall within 24 hours, surrender them to Assembly or arrange for the Assembly or its Environmental Health and Sanitation Unit to take possession of them.

7. Redemption of impounded stray poultry

The owner of any impounded stray poultry may redeem them after paying the requisite fee fixed by a resolution of the AbWMA

8. Failure to pay

(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 Head Environmental Health and Sanitation Department of the Assembly shall sell them by public auction and pay the proceeds thereof to the finance officer of the Assembly, after deducting the expenses incurred for keeping the poultry.

(2) The finance officer of the Assembly shall pay the owner of the poultry the amount realized from the sale of the poultry less any expenses incurred by the Assembly for keeping and selling the poultry where the poultry owner demands payment for the poultry sold within twelve months after sale.

9. Power to conduct inspection

A duly authorized Environmental Health Officer of the Assembly, and the Ministry of Food and Agriculture may at reasonable time during the day, enter any house in which they have reason to believe that poultry is being kept for the purpose of

(a) Advising or enforcing any bye-law relating to sanitation so as to prevent or minimize the spread of livestock diseases particularly those communicable to humans, or

(c) Finding if the conditions under which the poultry are being kept meet the requirement of this Bye-law.

10. Control of avian disease

The Assembly in conjunction with the Health and Agriculture Ministry has the power to order the culling or restriction on the movement of poultry during avian disease outbreak to protect public health.

11. Discretionary powers of Assembly

Notwithstanding the provisions of this Bye-law, the Assembly 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 of this Bye-law and subject it to such conditions relating to sanitation as it may be reasonably necessary in the public interest.

12. Penalty

A person who contravenes this Bye-law commits an offence and is liable on summary conviction to a fine, not more than one hundred penalty units or a term of imprisonment of not less than thirty days and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for

each day that the offence continues. Fifty percent (50%) of the fine paid should be allotted to Ablekuma West Municipal Assembly

13. Interpretation

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

“AbWMA” means Ablekuma West Municipal Assembly

“Health Officer” means the Director of Public Health, a Medical Officer and any person appointed as Health Officer by the sector Ministry of Local Government Service or Ghana Health service.

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

14. Revocation

Any bye-law on Control of Poultry in dwelling premise Bye-law in force immediately before the coming into force of this Bye-law is hereby revoked

Made at a meeting of the Ablekuma West Municipal Assembly held on the 4th March, 2019

Presiding Member

HON CHARLES ROSS

Co-ordinating Director/Secretary

ABENA KWESIWAA KYEI

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of local Government.

ERNEST K. NYAGBE

Regional Co-ordinating Director and secretary to R.C.C.

ABLEKUMA WEST MUNICIPAL ASSEMBLY
(Abatement of Noise) BYE-LAW, 2019

In exercise of the powers conferred upon the ABLEKUMA WEST MUNICIPAL ASSEMBLY (AbWMA) by section 181 of the Local Governance Act, 2016 (ACT 936) this Bye-law is hereby made.

1. Place for sale of recorded music

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 Assembly.

2. Licence

(1) The prospective operator shall apply in writing to the AbWMA to inspect the premises designated for the sale of musical records or other recorded music and assess the place before the license may be granted.

(2) The Assembly shall prescribe conditions for the applicant to fulfil before issuing the license. The conditions include, complying with the noise level permitted under the existing law and putting in place a sound proof structure.

(3) A license issued shall expire on the 31st day of December in the year in which the license was issued.

3. Withdrawal of license

The Assembly may withdraw a license issued under this Bye-law, where the owner of the premises-

- (a) after the issue of the license 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.

4. Facilities for listening

Any premises issued with a license for the sale of musical records or other recorded music, shall have such gadgets and instruments to eliminate any loud noise to the public.

5. Music played for advertisement

(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 under the existing law;

(2) A person who flouts foregoing Bye-law shall be liable to pay cost of abatement as shall be fixed by the Assembly.

(3) The AbWMA shall set up a task force to ensure compliance with this Bye-law. They shall the powers to confiscate all materials being used for that purpose.

(4) A person whose materials are confiscated shall within 7 days pay the appropriate penalty and further undertaken in writing that he or she shall not flout Bye-Law;

(5) If after the written undertaken, the breach continues, the Assembly shall revoke the license.

(6) Where a person fails to redeem confiscated material after one month , the Assembly shall take the necessary steps to dispose of such materials after notice to the owner if known or at a conspicuous site close to the site where the material were seized .

(7) No use of instruments or gadgets that make loud sound can be used for the purpose of commercial, religious or social activities before 5 am and beyond 10 pm.

6. Music at night club and other places

- (1) A proprietor of a night club, restaurant, drinking bar or other place of refreshment shall not play 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 that place.
- (3) In the case of 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 ground must not play music above the noise level permitted under the existing law.
- (5) The Assembly shall set a task force to monitor compliance with the provisions of this Bye-law at the sub metropolitan areas.

7. Religious institutions

- (1) A church conducting a religious service shall not play music or allow music to be played or to 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 building.
- (3) For the purposes of the foregoing provision, religious institutions must acquire sound insulators to enable the sound produced stay within the permitted sound level required under the existing law.
- (4) A person conducting a religious service where music is to be played or preaching of sermons with loud speakers and microphones must be between 5 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.

8. Excessive noise levels

- (1) Where a religious institution, an individual, a music shop or a disc jockey flouts the provisions of this Bye-law on noise making, by making excessive noise, a person affected or the task force set up under this Bye-laws shall set out to investigate the issue;
- (2) The Environmental Health and Sanitation Department in conjunction with the task force must first investigate the issue 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, and warn the offender to abate the nuisance.
- (3) If the offender fails to comply with the notice, the Assembly shall impose the cost of abatement as on the offender, as stipulated in the fee fixing resolution.
- (4) Where the offence continues after the cost of abatement, the Assembly may initiate legal action against the offender.

9. Public Preaching

- (1) Public preachers shall obtain approval from the Environmental Health and Sanitation Department.
- (2) The permit so issued shall specify the conditions thereof.

(3) For the purposes of the provision in the preceding paragraph, the areas constituting the central business district shall be as specified in the Schedule to this Bye-law, unless the Assembly in its discretion determines otherwise.

10. Fees

(1) Fees charge for public preaching shall be payable at the rate fixed by resolution of the Assembly and by or on behalf of the Ministry of Local Government & Rural Development.

11. Ban on Drumming and Noise making

The Assembly shall enforce the ban on drumming and noise making as shall be imposed by the Ga Traditional Authority

12. Noise near hospital and public places

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.

13. Noise near other premises

(1) A person shall not in any street, open space or other public place or in any shop, business premises or other place which adjoins any street, footway, pavement, sidewalk or other public place to which the public has a right of way, or

- (a) in or upon any other premises operating or causing or permitting or suffering to be operated any wireless, loud speaker, gramophone, amplifier or similar instruments make or cause or permit or suffer to be made any noise which 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.
- (3) 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

14. Noisy animals

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.

15. Noisy hawking

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.

16. Penalty

A person who contravenes this Bye-law commits an offence and is liable on summary conviction to a fine, not more than one hundred penalty units or a term of imprisonment of not less than thirty days and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid should be allotted to Ablekuma West Municipal Assembly

17. Interpretation

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

“AbWMA” means Ablekuma West Municipal Assembly.

17. Revocation:

Any bye-law on Abatement of Noise Bye-law in force immediately before the coming into force of this Bye-law is hereby revoked

Made at a meeting of the Ablekuma West Municipal Assembly held on the 4th March, 2019

Presiding Member

HON. CHARLES ROSS

Co-ordinating Director/Secretary

ABENA KWESIWAA KYEI

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of local Government.

ERNEST K. NYAGBE

Regional Co-ordinating Director and secretary to R.C.C

ABLEKUMA WEST MUNICIPAL ASSEMBLY
(Slaughter- House/slab) BYE-LAW, 2019

In exercise of the powers conferred upon the ABLEKUMA WEST MUNICIPAL ASSEMBLY (AbWMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this Bye-law is hereby made.

1. Premises for Slaughter House

(1) No premises or place shall serve as a slaughter -house unless the premises or place has been approved by the Assembly.

(2) The slaughter-house shall be opened for the slaughter of animals during the hours of 5am and 3pm only as the slaughter- house shall stipulate but in special circumstances and on the realization of such, extra fee as the officials of the slaughter -house may think fit, allow the slaughter of an animal at any other time, under his written permission.

(3) 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.

(4) The Assembly before issuing the permit shall be guided by the expert advice from the Veterinary Officer and the Environmental Health Officer of the Assembly.

2. Operational manual

The Veterinary officer shall fix at a conspicuous place in the slaughter- house a notice showing: -

- (i) The hours of working of the slaughter house.
- (ii) The fees payable, and
- (iii) Any other directives that the Officers may see fit to issue.

3. Display of Bye-law at Slaughter- house

A copy of this Bye-Law and a list of the registered butchers shall be affixed at a conspicuous place in the slaughter-house to enable all persons working therein to know the provisions of this Bye-law.

4. Infected person

- (a) A person infected with tuberculosis, or any other infectious or contagious disease shall not enter the slaughter- house.
- (b) The Veterinary Officers and other authorized officers shall require any person using the slaughter-house to submit to a medical report which shall be done before working in the slaughter- house.

5. Entry

No person other than the Environmental Health and Revenue Staff of Assembly on duty, inspecting officers, butchers and their assistants or bonafide servants shall enter the slaughter house premises during the process of slaughtering, flaying or cutting up of carcasses.

6. Prohibitions

(1) No person shall rub or cause to be rubbed the inner sides of the skins upon the ground in the slaughter - house.

(2) Hides and skins shall not be dragged within the slaughter house premises except on the hairy sides.

(3) 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.

(4) No singeing of slaughtered animals or any part thereof with scrap tyre shall be allowed

7. Inspection of animals

(1) Every animal intended for slaughter shall be brought to the Lairage and presented for inspection by the Veterinary officer and other authorized officers.

(2) The Veterinary **or** Public Health Officer shall not approve an animal for slaughter, if: -

(a) It is less than eight months old.

(b) It is in a febrile condition or is excessively old.

(c) It is pregnant or is with unweaned young.

(d) It is dead or in a dying condition provided that an animal which has been involved in an accident, but is otherwise healthy may be approved.

(e) It shows symptoms of having been treated cruelly by over-trucking, over-driving, or other acts.

(f) A dog or

(g) Any animal not meant for slaughter, or for slaughter but the slaughter house is not equipped to slaughter same.

(h) Any animal brought into the slaughter-house in contravention of this Bye-Law shall be summarily removed under the orders of the Veterinary and Environmental Health Officers.

8. Maintenance of register

The Veterinary Officers shall maintain a register in which they shall record: -

(i) The age, class, sex, source 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.

9. Rejected animal

An animal rejected for slaughter shall not be brought again to the slaughter-house.

10. Infectious animal

Animal found to be affected by any zoonotic disease or which are reasonably suspected of being so affected shall, if the Veterinary and Environmental Officers so direct, to be quarantined.

11. Approved animals

(1) 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 lairage, if the prescribed fee has not been paid.

(2) While in the kraal 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 lairage and recover the expanses from the owner.

12. Inspection of slaughter materials

The Veterinary Officers may inspect the instruments and appliances of every butcher and may prohibit the use of any instrument or appliance, if in his opinion such instrument or appliance is not in proper working condition.

13. Place of slaughter

The Veterinary Officers shall assign a place to each butcher for slaughtering and no animal shall be slaughtered by a butcher at any other place than the place assigned to him.

14. Slaughter of animals

(1) Every animal shall be slaughtered immediately over the drain and no blood shall be allowed to flow upon the floor. No animal shall be slaughtered in public view, or in view of another animal.

(2) Slaughtered animals shall be disembowelled as soon as possible after slaughter, to the satisfaction of the Veterinary Officers.

(3) The offal 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.

15. Burial of carcass

(1) The Veterinary may liaise with the Environmental Health and Sanitation Department of the Assembly to determine the disposal of any carcass or part of a carcass found to be blown or stuffed by burial or incineration or land fill or composting.

(2) All carcasses shall after flaying and cleaning be presented to the Veterinary or Public Health Officer for inspection.

(3) Veterinary Officers shall have his own knives, wipe and instruments for examining carcasses and parts and organs thereof.

(4) 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.

16. Condemned meat

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

17. Passed meat

All meat which have been examined and passed by the Veterinary Officers as fit for human consumption shall be marked "Examined and Passed" along with an identifying mark for that meat.

18. Removal of carcass

(1) No person shall remove any carcass from the slaughter- house premises until it has been duly examined and passed by the Veterinary Officers.

(2) 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.

(3) If any carcass or meat is removed into 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.

19. Conveyance of meat

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 that may come into contact with meat or its covering.

(2) If the vehicle is open at the top, back or sides, the conveyer shall ensure that, the meat is 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.

20. Precautions

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 otherwise to be contaminated.

21. Animal to be slaughtered in slaughter house

(1) A person shall not slaughter a cattle or other animal for human consumption within the area of authority of the Assembly other than the designated place set apart for such purpose.

(2) A person shall not offer for sale or sell or display any flesh of an animal that has not been slaughtered at an approved place by the Assembly or from an approved source.

(3) Where an animal is slaughtered elsewhere, the Assembly may seize such meat and disposed of it accordingly.

22. Care of animal before slaughter

A person who owns an animal to be slaughtered shall;

- (a) Give sufficient water to the animal before sending it to the slaughter house.
- (b) Protect such animal from pain, harm and harassment.
- (c) Allow the animal to have ample rest before slaughter.

23. Method of slaughter

(1) Animal may be killed by

- (a) Cutting the throat
- (b) Stunning
- (c) A captive bolt pistol with the expressed permission from the Environmental Health Officer or the Veterinary Officer concerned.

(2) A person shall not slaughter an animal at the sight of another animal.

(3) A person may be directed on the method of slaughter by the Environmental Health Officer or the Veterinary Officer to avoid cruelty to the animal.

24. Maintenance of the slaughter house

A person who uses a slaughter- house shall take all necessary measures as directed by the Environmental Health Officer or an appointed person in charge of the slaughter -house to always maintain a clean state.

25. Fees

A person who uses the services of the slaughter- house shall pay a fee in accordance with the fee fixing resolution of the Assembly.

26. Prevention of contamination

- (1) Measures must be taken to prevent contamination of slaughtered animal on the floor of the slaughter -house.
- (2) Slaughtered animals shall be handled and transported in a manner that avoids contamination

(3) All butchers and meat handlers shall be examined by an accredited or contracted service provider of the Assembly and be issued with valid health certificate granted by the Environmental Health Department of the Assembly

27. Condemnation & disposal of unwholesome animal

(1) An appointed inspector of animal for both ante and post mortem shall diligently ensure that only wholesome animal or parts of it are passed as fit for human consumption.

(2) An appointed inspector of animals or officer in charge of a slaughter- house shall dispose of rejected animal or part of it in a sanitary manner.

(3) A slaughter house or a place set part for slaughter of animal shall not be accessible to dogs, birds and other scavenging animals.

28. Penalty

A person who contravenes this Bye-law commits an offence and is liable on summary conviction to a fine, not more than one hundred penalty units or a term of imprisonment of not less than thirty days and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid should be allotted to Ablekuma West Municipal Assembly

29. Interpretation

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

“Assembly” means Ablekuma West Municipal Assembly

“Animal” **includes** sheep, goat, cattle, pig and dog.

30. Revocation

Any bye-law on slaughter-law/slab in force immediately before the coming into force of this Bye-law is hereby revoked.

Made at a meeting of the Ablekuma West Municipal Assembly held on the 4th March, 2019

Presiding Member

HON CHARLES ROSS

Co-ordinating Director/Secretary

ABENA KWESIWAA KYEI

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of local Government.

ERNEST K. NYAGBE

Regional Co-ordinating Director and secretary to R.C.C

ABLEKUMA WEST MUNICIPAL ASSEMBLY
(Communal Labour) BYE-LAW, 2019

In exercise of the powers conferred upon the ABLEKUMA WEST MUNICIPAL ASSEMBLY (AbWMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this Bye-law is hereby made.

1. Organization of communal labour

(1) The Assembly may organize communal labour through town or area council, unit committee or an authorized person within the jurisdiction of the Assembly.

(2) The Assembly may set aside every first Saturday of the month as a National Sanitation Day

2. Notice of communal labour

(1) The Assembly or an authorized body shall give not less than three days prior notice to the residents of the relevant town or community or electoral area before the commencement of the communal labour. The above notwithstanding, the Assembly or an authorized body may give shorter notice before the commencement of the communal labour.

(2) The said notice shall include;

- (a) The date, time and location on which the communal labour is to be organized, and
- (b) The nature of communal labour to be undertaken and the conditions in respect thereof

3. Able bodied person to attend communal labour

(1) Every able- bodied person resident in the relevant town or community or electoral area shall take part in a communal labour organized by the Assembly or authorized body.

(2) The Assembly or authorized body may exempt a person from taking part in a communal labour if that person is

- (a) Sick
- (b) Required to appear before a court
- (c) Help police in an investigation
- (d) Attending the funeral of a relative as the authorized body may approve
- (e) Under such circumstances that will make it unreasonable for that person to attend a communal labour.

4. Penalty

A person who contravenes this Bye-law commits an offence and is liable on summary conviction to a fine, not more than one hundred penalty units or a term of imprisonment of not less than thirty days and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for

each day that the offence continues. Fifty percent (50%) of the fine paid should be allotted to Ablekuma West Municipal Assembly

5. Interpretation

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

“Assembly” means Ablekuma West Municipal Assembly

“Able-bodied person” means a physically strong person who is above eighteen years and below 60 years.

6. Revocation:

Any bye-law on Environmental Sanitation Bye-law in force immediately before the coming into force of this Bye-law is hereby revoked.

Made at a meeting of the Accra Metropolitan Assembly held on the 4th March, 2019

Presiding Member

HON CHARLES ROSS

Co-ordinating Director/Secretary

ABENA KWESIWAA KYEI

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of local Government.

ERNEST K. NYAGBE

Regional Co-ordinating Director and secretary to R.C.C

**ABLEKUMA WEST MUNICIPAL ASSEMBLY
(Public Markets), 2019**

In exercise of the powers conferred upon the ABLEKUMA WEST MUNICIPAL ASSEMBLY (AbWMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this Bye-law are made.

1. Tenancy Agreement

The Assembly shall enter into a Tenancy Agreement with all successful applicants for a store in any public market in the **Municipality**.

2. Allotment of Stalls, spaces and stores

(1)Stores shall be allotted to persons for sale of items or articles as the Assembly may from time to time direct.

(2) Applications for the use of stores shall be made to the Chief Superintendent of Markets or to such other officer as the Municipal Chief Executive may for that purpose appoint.

(3) The period of allotment shall be on such terms and conditions as the Assembly may determine.

(4) The allotment of all stores shall be made by the Assembly.

3. Discontinuing of Occupancy

Where the rent of any store in a market is payable monthly, the occupier of that store shall give notice of his intention to discontinue the use of same, at least fourteen days before the last day of the period for which rent has been paid, otherwise he shall be liable for rent of the succeeding months.

4. Rent

(1)The rent for any store shall be as specified by resolution of the Assembly to be published annually.

(2) All rents shall be paid in advance and where the rent is payable monthly or quarterly any part of a month or quarter shall count as entire month or quarter.

(3) Whenever rent is paid a counterfeit receipt of ticket shall be issued in respect of the payment and any such receipts or ticket shall be accepted as proof of allotment for the period for which it is issued.

(4) Failure to produce such receipts or ticket on demand shall render the occupier liable for ejection from his store.

(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.

5. Assembly under No liability for Loss or damage

(1) The Assembly shall not be liable for any loss or damage to the property of any occupier of any store in a manner which is due to fire, theft, burglary, or any other cause whatsoever.

(2) All tenants at the markets shall insure their properties against fire, theft, burglary or other foreseeable contingencies.

6. Sub-letting stores without consent

No occupier of any store in a market shall sublet or share such store with another person, except with the written consent of the Assembly.

7. Sale restricted to allotted stores, etc.

(1) No person shall sell at any place in any market other than at the store allotted to him

(2) any person who sells or purchase goods or stock near established market than approved places or erects stalls at places other than the established markets commits an offence and shall be liable to a fine not exceeding 50 Penalty Units or imprisonment not exceeding six months or to both or in case of recurrence of offence, shall be liable to a fine not exceeding 100 penalty units.

8. Only specified Article to be Sold

(1) No occupier of a store, in a market shall sell or expose for sale any goods other than those permitted to be sold at that area

(2) No person shall sell any articles, animals or any other goods in any place in a market unless the place has been designated by Assembly for that purpose

9. Cleaning of Stores

(1) An occupier of a store in a market shall be responsible for the cleanliness of the store at all times

(2) Before leaving the market at close of the day, every occupier shall thoroughly clean his store and its surroundings be kept swept and the refuse placed in the dustbin provided for the purpose

(3) All stains from oil, fat, or other articles shall be thoroughly washed away.

(4) Markets in the Municipality shall be divided into such categories and assigned such facilities as the Assembly may determine.

(5) Every person in charge of a child in a market shall be responsible for the cleanliness and orderly conduct of the child and he shall on the request of any officer of the Assembly or any Police Officer in uniform remove any nuisance the child may commit.

10. Obstruction of Pathways

No seller shall place any box, basket or other container in any pathway or avenue of a market.

11. Articles of food to be raised from the ground

(1) No occupier of any store in a market shall expose for sale any bread, fish, prepared grain food or any other articles of food, unless the items are placed on a table or on a support raised at least one-half meters from the ground.

(2) No article which is likely to be used for human consumption shall not be exposed, and shall not be sold without adequate protection from dust, flies or other insects.

12. Prohibited persons

(1) The Assembly shall not allow entry into a market to any person, who has been guilty of a misconduct in or about the market as in the opinion of the officer justifies such refusal.

(2) Every person using a market shall obey reasonable orders for the preservation of cleanliness, order and the observance of the regulations in the market or for facilitating the dispatch of business therein.

13. Penalty

A person who contravenes this Bye-law commits an offence and is liable on summary conviction to a fine, not more than one hundred penalty units or a term of imprisonment of not less than thirty days and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid should be allotted to Ablekuma West Municipal Assembly

14. Revocation:

Any bye-law on public market Bye-law in force immediately before the coming into force of this Bye-law is hereby revoked

Made at a meeting of the Ablekuma West Municipal Assembly held on the 4th March, 2019

Presiding Member

HON CHARLES ROSS

Co-ordinating Director/Secretary

ABENA KWESIWAA KYEI

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of local Government.

ERNEST K. NYAGBE

Regional Co-ordinating Director and secretary to R.C.C

ABLEKUMA WEST MUNICIPAL ASSEMBLY
(Food Safety and Hygiene) BYE-LAW, 2019

In exercise of the powers conferred upon the ABLEKUMA WEST MUNICIPAL ASSEMBLY (AbWMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this Bye-law is hereby made.

1. Licence

- (1) A person shall not designate a place as a hotel, motel, pub, guest house, restaurant, chop bar or food joint, unless the premises have been approved and issued with licence by the Assembly for that purpose.
- (2) A license issued under this Bye-law is subject to such conditions as the Assembly shall impose;
- (3) A license issued shall take effect from the date on which it is granted and shall determine on the 31st day of December in the year in which the license is issued.
- (4) Every license granted shall be personal to the licensee only and not transferable.

2. Provision of separate places for eating, cooking and lavatory

- (1) A hotel, motel, guest house, pub, restaurant, chop bar or food joint shall provide the following:
 - (a) a separate room used solely as a public eating room
 - (b) a separate kitchen used solely for cooking and for the preparation of food and liquid refreshment for use in the premises aforementioned;
 - (c) a separate lavatory for male and female;
 - (d) A separate changing/cloak room for male and female

3. Requirement as to public eating room

- (1) 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.
- (2) 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.
- (3) The proprietor of public eating-room shall provide adequate lighting, ventilation and shall keep the premises clean at all times.
- (4) The eating room shall be fly proof.
- (5) A kitchen in the aforementioned premises shall have a concrete floor, a suitable fly-proof storage for foodstuffs, meat, fish and vegetables, together with one or more tables for the preparation of food.
- (6) 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.
- (7) The Environmental Health and Sanitation Department may issue directives on standards that are to be maintained by chop bars and food joints in accordance with scope of their operations.

4. Washing of plates and others

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.

5. Prevention of Contamination

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

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

(3) 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.

(4) 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.

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

6. Infected Person

A person suffering from

- a. boils
- b. discharges from the ear, nose and throat.
- c. skin lesions
- d. diarrhoea
- e. rhinitis / rhino rhea /cold
- f. any other food borne communicable disease are to be excluded from the food premises.

7. Sanitary Conditions to be kept on Premises

(1) Solid and liquid waste from premises where food is processed shall be managed in accordance with conditions specified by the Environmental Health and Sanitation Department of the Assembly.

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

8. Personal hygiene by food vendors

- (1) Any person who sells food shall use protective gear that is required to prevent contamination of food.
- (2) A food seller shall observe good personal hygiene.

9. Food handler's certification

(1) All food handlers shall be subjected to screening by service providers contracted by the Assembly or Accredited by the Environmental Health and Sanitation Department of the Assembly.

(2) All food handlers who are found fit to handle food shall be issued with valid health certificate by the Head, Environmental Health and Sanitation Department of the Assembly. This certificate shall be renewed after expiry on yearly basis.

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

10. Use of Wholesome Ingredients

(1) 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.

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

11. Food Preservation

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

12. Withdrawal of licence

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

(a) An alteration is made to any premises licensed hereunder without the permission of the Assembly or the necessary planning authority;

(b) If the licensee operates contrary to the provisions of this Bye-law

(c) If the licensee is convicted of any of the offences under this Bye-law;

(2) 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.

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

13. Appeal

(1) 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.

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

(3) 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.

14. Penalty

A person who contravenes this Bye-law commits an offence and is liable on summary conviction to a fine, not more than one hundred penalty units or a term of imprisonment of not less than thirty days and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for

each day that the offence continues. Fifty percent (50%) of the fine paid should be allotted to Ablekuma West Municipal Assembly

15. Interpretation

In this Bye-law unless the context otherwise requires –

“Assembly” means Ablekuma West Municipal Assembly

“Food” means food stuffs, crop, meat, fish, fruits, (whether raw or processed), pastries, 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.

16. Revocation

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

Made at a meeting of the Ablekuma West Municipal Assembly held on the 4th March, 2019

Presiding Member

Co-ordinating Director/Secretary

HON CHARLES ROSS

ABENA KWESIWAA KYEI

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of local Government.

ERNEST K. NYAGBE

Regional Co-ordinating Director and secretary to R.C.C

**ABLEKUMA WEST MUNICIPAL ASSEMBLY
(Bakery) BYE-LAW, 2019**

In exercise of the powers conferred upon the ABLEKUMA WEST MUNICIPAL ASSEMBLY (AbWMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this Bye-law is hereby made.

1. Bakeries to be licensed

- (1) A person shall not operate a bakery or manufacture flour from a premise unless the premises is issued with a Suitability Health Certificate by the Assembly.
- (2) A person who operates a bakery shall
 - (a) Keep a suitable room for flour and other materials which is used for the bakery
 - (b) Keep a separate room for mixing and kneading of flour, bread and temporary storage of bread mixture.
 - (c) Keep a separate room for the storage of bread and other finished pastries.
 - (d) Keep a separate room as staff changing room?

2. Condition of rooms

- (1) A room for storage of flour, baking of bread, display of bread, and sale of bread shall be protected from rodents and other vermin's.
- (2) A room for storage of flour, baking of bread, display of bread, and sale of bread shall be well ventilated and lighted with either natural or artificial means.
- (3) A person shall not use any room reserved bakery purposes, for sleeping and keeping of personal belongings.

3. Provision of sanitary condition

- (1) An operator of a bakery shall provide toilet facilities to the staff as may be directed by the Sanitary Officer of the Assembly.
- (2) An operator of a bakery shall make sufficient provision for the disposal of solid waste and waste water from the premises.

4. Personal hygiene of Bakery staff

- (1) every bakery staff shall, in the handling of bakery products, use protective gear that is required to prevent contamination of the bakery products.
- (2) A bakery staff shall observe good personal hygiene

5. Food handler certification

- (1) All bakery staff who handle bakery products shall be subjected to screening by service providers contracted or accredited by the Assembly or by the Environmental Health and Sanitation Department of the Assembly.

(2) Any bakery staff found fit to handle bakery products shall be issued with a valid health certificate by the Environmental Health and Sanitation Department, which certificate shall be renewed upon expiry on yearly basis.

(3) Bakery staff shall produce health certificate on demand by an authorized officer of the Assembly or its contracted or accredited service providers.

6. Prohibitions

(1) A person shall not smoke in the bakery premises

(2) A person suffering from septic sore, discharging wound, diarrhoea, vomiting, typhoid fever or other communicable disease shall not handle bakery products in the bakery.

7. Fire Precaution

(1) Where cylinders are used, they are to be kept away from naked fire or heat and the nod turned off when not in use for long period.

(2) Fire extinguishers, sand, smoke detectors and water sprinklers may be employed to fight fire outbreaks as an immediate measure to stop the spread of fire.

(3) Fire safety posters are to be displayed on the premises, and all necessary standard operating procedures must be followed.

8. Inspections

(1) An Environmental Health Officer or an authorized agent of the Assembly shall have the power to enter a bakery for the purposes of inspection, enquiries and investigations at a reasonable time and as many times as may be necessary.

(2) A person shall not obstruct an officer from performing his duties under this Bye-law.

9. Penalty

A person who contravenes this Bye-law commits an offence and is liable on summary conviction to a fine, not more than one hundred penalty units or a term of imprisonment of not less than thirty days and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid should be allotted to Ablekuma West Municipal Assembly

10. Interpretation

In this Bye-law, unless the context otherwise requires

–“Assembly” means Ablekuma West Municipal Assembly

“Bread” includes loaves, rolls, cakes, pastries, and biscuits

“Flour” means wheaten flour and flour containing no wheaten substances such as cassava or maize
“Bakery products” includes bread, other items used in making bread and any food substance derived from flour.

11. Revocation

Any bye-law on bakery in force immediately before the commencement of this Bye-law is hereby revoked.

Made at a meeting of the Accra Metropolitan Assembly held on the 4th March, 2019

Presiding Member

HON CHARLES ROSS

Co-ordinating Director/Secretary

ABENA KWESIWAA KYEI

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of Local Government.

ERNEST K. NYAGBE

Regional Co-ordinating Director and secretary to R.C.C

**ABLEKUMA WEST MUNICIPAL ASSEMBLY
(Suitability Health Certificate) BYE-LAW, 2019**

IN exercise of the powers conferred upon the ABLEKUMA WEST MUNICIPAL ASSEMBLY (AbWMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this By-law is hereby made.

1. Suitability Health Certificate

A person who carries on a hospitality industry business within the area of authority of the Assembly shall apply for a Suitability Health Certificate unless the premises have been inspected, approved and issued with a Suitability Health Certificate by the Assembly for that purpose.

(a) A Certificate issued under this Bye-law is subject to such conditions as the Assembly shall impose;

2. Suitability Health Certificate to operate that business.

A person shall not carry on a business of a hospitality industry within the area of authority of the Assembly without a Suitability Health Certificate duly granted by the Assembly.

(a) A Suitability Health Certificate granted under this Bye-law is valid up to 31st December of the year of issue.

(b) A Suitability Health Certificate granted under this Bye-law is not transferable.

3. Display of Suitability Health Certificate

A person who is granted a Suitability Health Certificate under this Bye-law shall display the Certificate in a conspicuous part of the premises on which the business is operated.

4. Fees

The Assembly shall prescribe a fee, in accordance with the fee fixing resolution of the Assembly, to be charged for the grant of a Suitability Health Certificate under this Bye-law.

5. Liability to pay Property rate & other rates

(a) An owner of a rateable permanent or temporary property who is required to pay property rate under any existing enactment shall in addition be required to apply for Suitability Health Certificate if the premises is used for business in terms of this Bye-Law.

(b) There is to be imposed a flat rate of two Ghana Cedis (GH¢2.00) chargeable on lodgers of hotels, guest houses, motels and similar facilities within the area of authority of the Assembly.

(c) The lodge operator shall collect the rate and pay the amount collected to the Assembly every three (3) months of collection.

(d) The Assembly shall determine the modality of payment of the charge.

6. Right of Entry

(a). Subject to the provisions of this Bye-law an Environmental Health officer or a person duly authorized by the Assembly may during business hours enter a building, premises or land within the area of authority of the Assembly for the purpose of carrying out inspection, enquiry and other duty authorized by the Assembly.

(d) A person shall not obstruct or interfere with any Environmental Health officer or person authorized by the Assembly in performance of duties assigned to the officer or person under this Bye-law.

(e) Anybody who obstructs or interferes with an Environmental Health officer or person duly authorized by the Assembly in performance of a duty assigned to that officer or person under this bye law commits an offence and shall be dealt with as stated under clause 12 of this section of the Bye-Law.

7. Withdrawal of Certificate and closure of Business

(a) The Assembly may withdraw or revoke any report and Certificate granted under this Bye-law, without written authority of the Assembly, if any alterations are effected on the premises or building for which the permit was granted, or

(b)The person who has been granted the Suitability Health Certificate, has contravened a provision of this Bye-law

8. Suitability Health Certificate and other Permits

(a) Notwithstanding the Bye-law on Business Operating Permit, hospitality industry shall obtain suitability health certificate issued by the Environmental Health and Sanitation Department of the Assembly.

(b) The Assembly may for the purpose of enforcing the payment of the Permit fee or certifying hospitality with suitability health certificate close down a business or suspend the activities until the permit has been obtained.

9. Winding up

Where a company winds up its entire business or suspends the operation of the company, the company shall immediately inform the Assembly of the closure or suspension of business operation, otherwise the Assembly shall continue to bill the company.

10. Failure to obtain and pay for a Suitability Health Certificate Fees

A person who fails to obtain and pay Suitability Health Certificate fees at prescribed time shall pay the outstanding fee plus interest at bank rate with effect from the day up to and including the day of the final payment.

11. Penalty

A person who contravenes this Bye-law commits an offence and is liable on summary conviction to a fine, not more than one hundred penalty units or a term of imprisonment of not less than thirty days and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid should be allotted to Ablekuma West Municipal Assembly

12. Interpretation

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

“**Assembly**” means Ablekuma West Municipal Assembly

“**Business**” includes occupation, profession or trade

“**Hospitality industry**” means eating, drinking, lodging, entertainment, or recreational premise

13. Revocation

Any bye-law on Suitability Health Certificate in force immediately before the coming into force of this Bye-law is hereby revoked

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Made at a meeting of the Ablekuma West Municipal Assembly held on the 4th March, 2019

Presiding Member

HON.CHARLES ROSS

Co-ordinating Director/Secretary

ABENA KWESIWAA KYEI

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of local Government and Rural Development.

ERNEST K. NYAGBE

SCHEDULE

Hospitality Industry

A. Establishment

1. Hospitality Industry includes:

(a) a hotel, (b) a guest house (c) a motel, (d) a motel and highway rest stop;
(e) a home lodge, home stay and inn, (f) a serviced flat, holiday apartment, (g) a tourist
camp, caravan (h) a hostel; (i) a resort; (j) a lodge; (k) a highway rest stop;
(l) a commercial accommodation eg: Churches, schools, institutions of learning

2. Places where food, beverages and entertainment services are provided including:

(a) a restaurant; (b) an entertainment centre or recreational premise (c) a tea room or spot;
and (d) a rest stop (e) a drinking bar (f) a Chop Bar.

3. Nightclubs and theatres

(a) a nightclub; (b) a pub; (c) a movie house; and (d) a theatre.

4. Banqueting facilities

(a) a theme park; (b) a commercial swimming pool facility; (c) a beach recreational
facility; (d) an event house; event centre and (e) a health farm.

6. Conference facilities including multi-purpose function rooms such as,

(a) a golf course; (b) a commercial tennis facility; (c) a gymnasium; and
(d) Other commercial health-related tourism facilities.

7. A spa,

8. A tourist site,

9. A resort, and

10. Any other tourism-related enterprise.

**ABLEKUMA WEST MUNICIPAL ASSEMBLY
(Control of Mills) BYE-LAWS, 2019**

In exercise of the powers conferred upon the ABLEKUMA WEST MUNICIPAL ASSEMBLY (AbWMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this Bye-law is hereby made.

1. Building and Development permit

A person shall not operate a mill within the Assembly's area of authority without first obtaining a development permit for the site and a building permit from the Physical Planning Development of the Assembly.

2. Licence

A person shall not operate a mill without a license from the Department of Physical Planning of the Assembly.

3. Fees

- (1) The Assembly shall by a resolution fix the fees payable for the issuance of the license.
- (2) A permit issued by the Assembly shall expire on the 31st day of December of the year of issue.

4. Dimension of premises

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 3.6 meters high from the floor level; and
- (b) The floor is not made of concrete or other materials approved by the Assembly.
- (c) The walls are not fly- proofed.

5. Prohibition

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

6. Times of operation

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

7. Prohibited person

- (1) A proprietor or a 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 the foregoing Bye-Law, the Assembly shall request a Government Health facility or a designated health facility shall to examine the operator(s) and certify the health condition as suitable to operate the machine and the same shall form part of the conditions for granting the license.

8. Food handler certification

- (1) All food handlers shall be subjected to screening by service providers contracted or accredited by the Environmental Health and Sanitation Department of the Assembly.

(2) All food handlers found fit to handle food shall be issued with valid health certificate by the Environmental Health and Sanitation Department. This certificate shall be renewed upon expiry on yearly basis.

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

9. Monitoring and Enforcement

The Environmental Health and Sanitation Department and Physical Planning shall monitor and enforce this bye-law

10. Penalty

A person who contravenes this Bye-law commits an offence and is liable on summary conviction to a fine, not more than one hundred penalty units or a term of imprisonment of not less than thirty days and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid should be allotted to Ablekuma West Municipal Assembly

11. Interpretation

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

“Assembly” means Ablekuma West Municipal Assembly.

“Mill” means any building or structure with machinery for grinding corn, pepper, cassava, groundnut and other foodstuff.

“Food” means food stuffs, crop, meat, fish, fruits, (whether raw or processed), pastries, confectionary, water, beverage (non-alcoholic and alcoholic) that is for public consumption

12. Revocation:

Any bye-law on control of mills Bye-law in force immediately before the coming into force of this Bye-law is hereby revoked

Made at a meeting of the Accra Metropolitan Assembly held on the 4th March, 2019

Presiding Member

HON. CHARLES ROSS

Co-ordinating Director/Secretary

ABENA KWESIWAA KYEI

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of local Government.

ERNEST K. NYAGBE

Regional Co-ordinating Director and secretary to R.C.C

**ABLEKUMA WEST MUNICIPAL ASSEMBLY
(Growing and sale of crops) BYE-LAW, 2019**

In exercise of the powers conferred upon the ABLEKUMA WEST MUNICIPAL ASSEMBLY (AbWMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this Bye-law is hereby made.

1. Requirement and Registration

No person shall grow crops at a place other than on land within his premises unless he has registered with the Environmental Health Department of the Assembly furnishing his or her name and address and the description of the site where the crops are to be grown.

2. Watering and Irrigation

No crops shall be watered or irrigated with the effluent from a drain from any premises or any surface water from a drain which is fed by water from a street drainage unless it is treated to an acceptable level.

3. Infected persons

No person who has discharging wound or sore or the symptoms of any infectious diseases shall take part in the growing or sale of crops.

4. Sale of crops

No crops shall be sold, offered or displayed for sale on a road, pavement or sidewalk or at any other place than in a market, stall, store or kiosk

5. Crops unfit for sale

(1) The Environmental Health Department in conjunction with the Department of Agriculture may, where it considers necessary in the interest of public health, declare any crop unfit for human consumption

(2) No crops declared unfit for human consumption shall be sold, offered or displayed for sale for human beings.

6. Interpretation

In this Bye-law unless the context otherwise requires -

“**Crops**” means lettuce, tomatoes, radishes, onions, cucumber, water melon, oranges, bananas, nkontomire or any other agricultural produce likely to be eaten in an uncooked state.

“**Food**” means food stuffs, crop, meat, fish, fruits, (whether raw or processed), pastries, confectionary, water, beverage (non-alcoholic and alcoholic) that is for public consumption

7. Penalty

A person who contravenes this Bye-law commits an offence and is liable on summary conviction to a fine, not more than one hundred penalty units or a term of imprisonment of not less than thirty days and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid should be allotted to Ablekuma West Municipal Assembly

8. Revocation

Any bye-law on Growing and Sale of crops in force immediately before the coming into force of this Bye-law is hereby revoked

Made at a meeting of the Accra Metropolitan Assembly held on the 4th March, 2019

Presiding Member

Co-ordinating Director/Secretary

HON CHARLES ROSS

ABENA KWESIWAA KYEI

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of local Government.

ERNEST K. NYAGBE

Regional Co-ordinating Director and secretary to R.C.C

**ABLEKUMA WEST MUNICIPAL ASSEMBLY
(Herbalist) BYE-LAWS, 2019**

In exercise of the powers conferred upon the ABLEKUMA WEST MUNICIPAL ASSEMBLY (AbWMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this Bye-law is hereby made.

1. Licence

A herbalist shall not practice within the area of authority of the Assembly unless

- (a) He registers with the Ghana Psychic and Traditional Healers Association; and
- (b) Obtains a licence from the Medical Officer of Health of the Assembly and complies with conditions which the Assembly has set under paragraph 2 below and any other conditions that may become necessary.

2. Duration of Licence

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

3. Sanitary Conditions of herbalist's premises

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.

4. Inspection of premises

- (a) An officer from the Environmental Health Department of Assembly duly authorised shall enter and inspect the sanitary conditions of an herbalist's premises periodically.
- (b) The said officer shall also make unannounced visits to the premises of the herbalist for purposes of enforcing paragraph 4 (a) above.
- (c) The said officer may request the herbalist to produce the license issued by the Assembly for inspection,
- (d) The Assembly 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.

5. Revocation

The Assembly 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.

3. Restoration

An herbalist, whose licence is revoked by in accordance with the preceding paragraph, shall apply for a restoration of the licence after satisfying conditions imposed by the Assembly, in accordance with advice from the Health Department of the Assembly.

4. Penalty

A person who contravenes this Bye-law commits an offence and is liable on summary conviction to a fine, not more than one hundred penalty units or a term of imprisonment of not less than thirty days and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid should be allotted to Ablekuma West Municipal Assembly

5. Revocation:

Any bye-law on Herbalist Bye-law in force immediately before the coming into force of this Bye-law is hereby revoked

6. Interpretation

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

“Herbalist” means anyone who practices alternative / traditional medicine and belong to traditional healers and alternative medicine practitioners’ association or any other recognized professional body.

“Assembly” means Ablekuma West Municipal Assembly

Made at a meeting of the Ablekuma West Municipal Assembly held on the 4th March, 2019

Presiding Member

HON CHARLES ROSS

Co-ordinating Director/Secretary

ABENA KWESIWAA KYEI

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of local Government.

ERNEST K. NYAGBE
Regional Co-ordinating Director and secretary to R.C.C

ABLEKUMA WEST MUNICIPAL ASSEMBLY
(Sale of Intoxicating Liquor) BYE-LAW, 2019

In exercise of the powers conferred upon the ABLEKUMA WEST MUNICIPAL ASSEMBLY (AbWMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this Bye-law is hereby made.

1. Licence

- (1) A person shall not distil or sell any intoxicating liquor either as a wholesale or retailer in any part of the Metropolis without a licence issued by the Assembly for that purpose.
- (2) The Assembly shall issue separate licenses 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 their premises.
- (4) The Assembly shall fix the fees payable for the licence so issued and such a license shall expire on the 31st December of the year in which the licence was issued.
- (5) The Assembly shall grant a license after the Environmental Department of the Assembly and the Police have conducted a survey certifying the suitability of the premises for either the distilling or sale of the intoxicating liquor.

2. Application to be in writing

- (1) Any person who needs a license under this Bye-law shall submit an application in writing to the Assembly which shall contain the name, the address, the place and type of liquor the applicant intends to sell or is selling.
- (2) The licence shall be issued, if the report of the Environmental Health Department and other relevant departments and agencies certifies the place as suitable for the activity.
- (3) Before a licence is issued to any applicant, the applicant and its workforce who are to handle the liquor, either through sale or otherwise shall submit themselves for medical examinations to be conducted by an accredited service provider or contracted service provider of the Assembly.

A health certificate of all such persons shall be issued as evidence that they are fit to sell liquor at their respective places of work and be renewed on expiry on yearly basis.

- (4) The Assembly 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 license operates with children under 18 years, the licence shall be revoked and shall only be restored after the Assembly has satisfied itself that the breach shall not continue.

3. Condition and Duration of License

A licence issued under this Bye-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.

4. Fees

The Assembly shall by a resolution fix the fees payable for the issuance of the licence.

5. Powers of Collection of Fees

- (1) An officer of the Revenue Department duly authorised by the Assembly shall, at all reasonable times take steps to recover the approved fees.
- (2) Where a person operates without the requisite license, the Assembly shall impose a penalty to be fixed by the Assembly on the person in addition to the payment of the approved fees.

6. Revocation of Licence

- 1) The Assembly 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.
- 2) A person shall not obstruct or otherwise interfere with any officer of the Assembly or other persons authorized by the Assembly in the performance of any duties assigned to them under this Bye-law.

7. Inspection

- (1) An officer from the Environmental Health and Sanitation Unit of the Assembly 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:
 - c. whether he is complying with the terms of the license,
 - d. Randomly test samples of the intoxicating liquor for analysis.

8. Prohibition

- (1) A licence holder shall not allow any person who has not attained 18 years to distil, buy or sell intoxicating liquor at his premises.
- (2) The licence holder shall demand proof of age and identity where the person seems not to have attained 18 years.
- (3) A licence holder shall not sell intoxicating liquor to a drunken person and shall ensure that the premises are not used for any disorderly activities.
- (4) A licence holder who contravenes any of the provisions of this Bye-law commits an offence and he shall be liable on conviction to a fine of between 60-100 penalty units and in default to a term of imprisonment not exceeding three months or both.
- (5) Where the default continues, the Assembly shall revoke the licence.

9. Penalty

A person who contravenes this Bye-law commits an offence and is liable on summary conviction to a fine, not more than one hundred penalty units or a term of imprisonment of not less than thirty days and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid should be allotted to Ablekuma West Municipal Assembly

10. Interpretation

In his 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.

“Assembly” means Ablekuma West Municipal Assembly

11. Revocation

Any bye-law on sale of intoxicating liquor in force immediately before the coming into force of this Bye-law is hereby revoked.

Made at a meeting of the Ablekuma West Municipal Assembly held on the 4th day of March, 2019

Presiding Member

HON CHARLES ROSS

Co-ordinating Director/Secretary

ABENA KWESIWAA KYEI

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of local Government.

ERNEST K. NYAGBE

Regional Co-ordinating Director and secretary to R.C.C

ABLEKUMA WEST MUNICIPAL ASSEMBLY
(Billboards or Sign-boards and Advertising) BYE-LAW, 2019.

In exercise of the powers conferred upon the ABLEKUMA WEST MUNICIPAL ASSEMBLY (AbWMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this Bye-law is hereby made.

1. License

- (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 Assembly for that purpose.
- (2) The prospective applicant must first present an application to the Assembly spelling out the kind of billboard, signboard or the advert to be placed. The application shall contain a sketch showing the sizes, heights and structural character of the advert.
- (3) The Assembly 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 Assembly.
- (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 license shall expire after the period specified.
- (5) An applicant (s) has a period of three (3) months to mount Billboard (s) / Signage (s) upon issuance of the permit.
- (6) An applicant (s) who fails to comply within the 3 months given under clause 1(5) WOULD require an approval of one TIME extension with one month duration.
- (7) Permit for a Billboard (s) /Signage (s) is renewable every year.
- (8) The prospective applicant shall display the number allotted by the Assembly, failure of which the Assembly shall notify the owner to display the number within three days.
- (9) Failure to display such number may result in removal of the advertisement without any further notice to the person who placed it and surcharge the owner with the cost of removal.
- (10) An applicant (s) SHALL notify and seek approval from the Assembly within 30 days prior to the transfer of ownership of a specific outdoor advertising structure for which a permit has been lawfully obtained.

2. Dilapidated billboards and signboards

- (1) Billboards, signboards 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 billboards, signboards or advert take no steps to either replace or remove, the same may be removed by the Assembly and thereafter impose a penalty on the defaulting owner (s).

3. Designated Locations

- (1) The Assembly reserves the right to determine the specific location or area suitable for the erection of one or more reflector directional signboards.
- (2) To avoid a cluster of directional signboards in an area, the Assembly may make provision for one general directional sign-board to accommodate the lot.

(3) In such a situation, the Assembly shall approve of a recognized individual or company with the requisite know-how to undertake the provision of the general reflector signboard based upon a dimension approved by the Metro Roads in conjunction with the relevant Department of Assembly.

(4) A prospective advertiser shall not choose a site for the erection of a billboard or signboard unless it has been inspected and approved by the Department of Physical Planning of the Assembly.

(5) The Assembly shall charge a fee to be determined by the resolution of the Assembly for the provision of spaces within the metropolis for posters.

(6) A poster pasted at an unauthorized location shall attract a penalty as stipulated in the fee fixing resolution of the Assembly.

4. Erection of boards without authority

Where a billboard or a signboard is erected without a license from the Assembly, 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 Assembly, the billboard or signboard is not suitably located. The owner shall regularize his application to the Assembly within *seven days* of the owner being notified in writing.

b. The billboard or signboard shall be removed without notice if in the opinion of the Assembly it is wrongly located and shall surcharge the owner with the cost of removal.

c. For the purposes 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.

5. Prohibition

(1) An advert shall not be erected on any electricity pole.

(2) Signs which are located in such a manner as to obscure or otherwise physically interfere with the effectiveness of an official traffic sign, signal or device, or obstruct or physically interfere with the driver's view of approaching, merging or intersecting traffic.

(3) Signs not securely affixed to a substantial structure.

(4) Billboards and signs which are erected or maintained upon trees or painted or drawn upon rocks or other natural features

(5) An advert so placed, shall be removed and the owner surcharged with the cost of removing the advert.

6. Enforcement and Monitoring

(1) The Department of Development Planning /Physical Planning and the metro guards shall ensure the compliance and enforcement of the provisions of this Bye-law.

(2) For purposes of Bye-law, the enforcement team has power to remove any signboard or billboard wrongly located.

7. Revocation of a Permit

(1) A permit is revoked if the applicant (s) goes contrary to the conditions of the permit

(2) If approved location (s) is needed for future development

(3) Failure to affix permanent permit sticker within 48 hours after erection of the outdoor advertisement

(4) Failure to maintain an outdoor infrastructure such that it becomes obsolete and poses danger to public safety.

8. Penalty

A person who contravenes this Bye-law commits an offence and is liable on summary conviction to a fine, not more than one hundred penalty units or a term of imprisonment of not less than thirty days and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid should be allotted to Ablekuma West Municipal Assembly

9. Interpretation

In this Bye-law, 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;

“A dilapidated billboard or signboard” means, where the message contained thereon has expired or has become obliterated or it has fallen into a state of disrepair with parts falling into pieces.

“Assembly” means Ablekuma West Municipal Assembly.

10. Revocation

Any bye-law on Advertising Bye-law in force immediately before the coming into force of this Bye-law is hereby revoked

Made at a meeting of the Ablekuma West Municipal Assembly held on the 4th day of March, 2019

Presiding Member

HON CHARLES ROSS

Co-ordinating Director/Secretary

ABENA KWESIWAA KYEI

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of local Government.

ERNEST K. NYAGBE

Regional Co-ordinating Director and secretary to R.C.C

**ABLEKUMA WEST MUNICIPAL ASSEMBLY
(Control of Children) BYE-LAW, 2019**

In exercise of the powers conferred upon the ABLEKUMA WEST MUNICIPAL ASSEMBLY by section 181 of the Local Governance Act, 2016 (ACT 936), this By-law is hereby made.

1. Children at places other than school

1a. A child under the age of 18 years shall not be at a drinking bar, video or cinema house, funerals, concert shows, or other form of entertainment except in the company of a responsible adult.

1b. A child shall not be used as an aid in begging for alms or other social vices that exposes that child to an anti-social behaviour detrimental to society .

2. Child Labour

The use of child labour shall not be permitted within the area of authority of the Assembly.

3. Protection of children

(1) A person who is responsible for the care of a child whether biological relations or not, shall ensure that the child is protected against all forms of abuse.

(2) A person who is in responsible for a child shall provide the child with the basic necessity of life such as shelter, food, clothing, basic education and health care.

(3) A child shall be protected against physical or psychological harm and shall not be unduly exposed to any form of harm.

4. Penalty

A person who contravenes this Bye-law commits an offence and is liable on summary conviction to a fine, not more than one hundred penalty units or a term of imprisonment of not less than thirty days and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid should be allotted to Accra Metropolitan Assembly

5. Interpretation

In this Bye-law unless the context otherwise requires –

“Assembly” means Ablekuma West Municipal Assembly

“Child “means a person below the age of eighteen years.

“**Child Labour**’ means employment of children in any work that deprives children of their childhood, interferes with their ability to attend regular school, and that is mentally, physically, socially or morally dangerous and harmful.

6. Revocation

Any bye-law on control of children in force immediately before the coming into force of this Bye-law is hereby revoked.

Made at a meeting of the Ablekuma West Municipal Assembly held on the 4th day of March, 2019

Presiding Member

HON CHARLES ROSS

Co-ordinating Director/Secretary

ABENA KWESIWAA KYEI

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of local Government.

ERNEST K. NYAGBE

Regional Co-ordinating Director and secretary to R.C.C

ABLEKUMA WEST MUNICIPAL ASSEMBLY
(Special Levy) BYE-LAW, 2019

In exercise of the powers conferred upon the ABLEKUMA WEST MUNICIPAL ASSEMBLY (AbWMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this Bye-law is hereby made.

1. Inspection of special levy

- (1) A community that intends to undertake development project may impose a special levy on the members with expressed consent of the Assembly.
- (2) The development projects for which these special levies may be collected shall include the provision and maintenance of
 - (a) Public toilets
 - (b) Community roads, drains and culverts
 - (c) bore-hole and hand dug well
 - (a) Community school, and
 - (b) Any other project for which the community may embark upon.

2. Amount to be paid

- (1) The Assembly shall approve of the amount to be levied on the community members.
- (2) The period and method of payment of these levies shall be decided by the community members.

3. Need and purpose

- (1) The need and purpose for the special levy, the amount to be paid, the manner and period of payment shall be decided by the community at a meeting.
- (2) A person shall be considered to have defaulted if that person fails to fully pay a special levy three months after imposing the special levy.

4. Rendering of accounts

- (1) The treasurer of the community or the unit committee shall annually render accounts of the monies that are collected, to the members of the community at a special durbar.
- (2) A copy of the statement of accounts rendered to the community shall be deposited with the area/town council under whose jurisdiction the community falls or the Assembly for their scrutiny and necessary action.

5. Penalty

A person who contravenes this Bye-law commits an offence and is liable on summary conviction to a fine, not more than one hundred penalty units or a term of imprisonment of not less than thirty days

and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid should be allotted to Ablekuma West Municipal Assembly

6. Interpretation

In this Bye-law unless the context otherwise requires –

“Assembly” means Ablekuma West Municipal Assembly

7. Revocation

Any bye-law on special levy in force immediately before the coming into force of this Bye-law is hereby revoked.

Made at a meeting of the Ablekuma West Municipal Assembly held on the 4th day of March, 2019

Presiding Member

HON CHARLES ROSS

Co-ordinating Director/Secretary

ABENA KWESIWAA KYEI

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of local Government.

ERNEST K. NYAGBE

Regional Co-ordinating Director and secretary to R.C.C

ABLEKUMA WEST MUNICIPAL ASSEMBLY

(Notices and Obstruction) BYE-LAW, 2019

In exercise of the powers conferred upon the ABLEKUMA WEST MUNICIPAL ASSEMBLY (AbWMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this Bye-law is hereby made.

1. Notices to be issued

(1) The Assembly or its authorized agents or officers may issue a notice of abatement, or demand for information.

(2) A notice issued by an authorized agent or officer of the Assembly may

- (a) Direct the remedy of a defect,
- (b) Require the submission of a relevant document,
- (c) Suspend an operation, physical development, or use of a facility,
- (d) Require an explanation why a legal action should not be instituted against an offender or,
- (e) Provide information or notify of impending action or
- (f) Demand the payment of outstanding bills, and
- (g) Specify a period which the specified action is to be taken.

2. Mode of Service

A Notice served under this Bye-law is sufficiently served, if the notice

- (a) Is served on the persons require to be served.
- (b) Is posted at the last known abode of the persons required to be served.
- (c) Is published in the print or electronic media, or
- (d) Is posted at a conspicuous place within the locality where the nuisance occurred.

3. Action for compliance with Court order

(1) The Assembly shall take necessary steps to carry out court orders that is directed.

(2) It is an offence for a person to refuse to receive notice issued through that person or to that person or to refuse to give information about an offender if that person is in a position to do so.

4. Enforcement of notice

The Assembly or its authorized officer may institute legal action of non-compliance to enforce the provisions in the notice where a person fails to fully comply with it.

5. Obstruction of officers

It is an offence for a person to obstruct an authorized agent or officer of the Assembly in the discharge of the duties of that officer or authorized agent by

- (a) refusing entry into premises
- (b) refusing to comply with a directive issued by the authorized agent or officer, or
- (c) Physically assault an authorized agent or officer.

6. Penalty

A person who contravenes this Bye-law commits an offence and is liable on summary conviction to a fine, not more than one hundred penalty units or a term of imprisonment of not less than thirty days and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid should be allotted to the Ablekuma West Municipal Assembly

7. Interpretation

In this Bye-law, unless the context otherwise requires –
“Assembly” means Ablekuma West Municipal Assembly

1. Revocation

Any bye-law on notices and obstruction in force immediately before the coming into force of this Bye-law is hereby revoked

Made at a meeting of the Ablekuma West Municipal Assembly held on the 4th day of March, 2019

Presiding Member
HON.CHARLES ROSS

Co-ordinating Director/Secretary
ABENA KWESIWAA KYET

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of local Government.

ERNEST K. NYAGBE

Regional Co-ordinating Director and secretary to R.C.C

ABLEKUMA WEST MUNICIPAL ASSEMBLY
(Protection of Roads) Bye-Laws, 2019

In exercise of the powers conferred upon the ABLEKUMA WEST MUNICIPAL ASSEMBLY (AbWMA) by section 181 of the Local Government Act, 2016 (ACT 936), this Bye-law is hereby made.

PART I

Prohibitions

1. Carriageway

- (1) A person shall not spill fuel and lubricants on any road in the Metropolis.
- (2) A person shall not damage any part of bitumen surface roads by dragging a heavy metal or wood or stone or any other material on the surface of a road.
- (3) A person shall not wash vehicle, material or article on the road.
- (4) A person shall not place or permit to be placed any material or article on the road.
- (5) A person shall not cook, fry or light any fire or any other material emitting heat on the surface of any road.
- (6) A person shall not use, pour or put corrosive material on the bitumen surface roads.
- (7) A person shall not cut a trench on any part of the road or bore a hole under any road without a permit from Assembly. All applications for cutting or boring shall pass through the Department of Metro Roads. A permit will be issued under the following conditions:
 - a) Assessment of associated cost as determined by Department of Municipal Roads
 - b) Payment of determined cost to Department of Municipal Roads
 - c) Pursuant to the issuance of the permit, the AbWMA through Department of Municipal Roads shall take all necessary steps to ensure safety of road users within the vicinity of the activity
- (8) The Department of Municipal Roads shall be responsible for the proper and timely reinstatement of the excavated area
- (9) The applicant shall undertake the excavation activity strictly as per guidelines specified in the approval letter.
- (10) The Department of Municipal Roads shall supervise the excavation activity

- (11) 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.
- (12) A person or a group of persons shall not block or erect a canopy on any road in the Ablekuma West Municipality for any funeral or social gathering without a permit from the authorized officer of the Assembly after an assessment by the Department of Municipal Roads and payment of the approved fee for such purpose as shall be determined by the resolution of the Assembly from time to time.
- (13) A person who washes vehicles on a road commits an offence. The vehicle shall be impounded and made to sign a bond before a Court of Law that the conduct shall not be repeated before releasing the vehicle.
- (14) A commercial vehicle washing bay that does not direct its waste water away from the road commits an offence. The Assembly shall issue a written notice to the owner of the washing bay to remedy the situation. If the offence continues after the notice has expired, the equipment 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 equipment.
- (15) In addition to the bond the person shall pay a spot fine of 40 penalty units.

(16) The Department of Municipal Roads shall form a task force to monitor and ensure compliance with the provisions of this Bye-law.

(17) It is an offence to keep a faulty vehicle for more than 2 hours on an urban road.

(18) It is an offence to trade in car booth sales, table top sales etc. on the carriageway and walkway or shoulder of the road.

(19) Any person or group of persons who erect advertising bill boards at intersections to obstruct visibility at the intersections commits an offence.

2. Drains

(1) Any person or group of persons who dumps any type of solid material into a drain commits an offence.

(2) Any person or group of persons that undertake an activity that physically damages the drain commits an offence.

(3) Any person or group of persons that undertake any activity which blocks the drain (partially or completely) commits an offence.

(4) Any person or group of persons who remove any type of drain cover (metal gratings or concrete slabs) commits an offence.

3. Walkways and Shoulders

(1) All pedestrian walkways shall remain open at all times to enable free and safe passage of pedestrians.

(2) 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 and others 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

(1) Road furniture shall consist of and not limited to road signs, crash barriers, bollards, traffic signals, street lights, hand and/or guard rails and road line markings.

(2) A person who removes any road furniture from its originally installed place, commits an offence

(3) Any person who crashes into road furniture shall reinstate same as per recommendations from the Department of Municipal Roads.

(4) Any person who defaces road line markings and signs commits an offence.

5. Medians and Islands

(1) Any activity that hinders the usage of a Median and Islands poses great risk to pedestrians and motorists.

(2) The following types of encroachments shall constitute an offence;

(a) Erection or installation of stationary objects in the nature of tables, wooden kiosks, metal containers, etc. on medians and islands.

(b) Dumping of any material (sand, stones etc.) for any purpose.

(c) Digging through medians and islands.

(d) Operating Lorry stations within islands and bus stops.

(1) Obstructing access to pedestrian crossings.

PART II

1. Permit for Excavation

(a) No person shall, within the area of authority of the Assembly, undertake any excavation on any road without obtaining a permit from the Assembly for that purpose.

b) Where with such consent a person undertakes any excavation in any street, he shall -

(i) At his own expense cause it to be sufficiently fenced; and

(ii) Maintain sufficient light or a reflective device in a proper place on or near it at all times until the work for which the excavation was made is completed; and

(iii) Re-fill the excavated area to the satisfaction of the Assembly within such time as the Assembly may specify.

2. Application for Permit

(1) An application for a permit to carry out an excavation exercise in any street shall be made in writing and addressed to the Engineer of the Roads Department of the Assembly before excavation work begins.

(2) The application for the permit shall be in the form specified in the schedule to this Bye-law and approval thereof shall be signed by the Municipal Chief Roads Engineer or any other competent officer.

(3) A permit issued under the provisions of this Bye-law may be granted subject to conditions as the Assembly may determine in the interest of public safety and order within the jurisdiction of the Assembly.

PLEASE CLARIFY SUB-PARAGRAPHS 1 & 2 ABOVE

3. Permit fee

A permit fee determined by Assembly shall become payable at the time of issuance of a permit to carry out excavation exercise.

4. Creation of Nuisance Prohibited

Nothing in any permit granted under the provisions of this Bye-law shall be deemed to authorize the continuance of a nuisance or any condition injurious or likely to be injurious to any member of the public.

5. Recovery of Expense

In the event of any person to whom a permit is issued failing to observe any of the conditions specified in the permit or the provisions of this Bye-law, the Assembly may do whatever is necessary for the compliance of the provisions of this Bye-law and recover as a debt from such person any expense reasonably incurred by Assembly.

6. Responsibility of Assembly

The Assembly shall be solely responsible for the permanent reinstatement of all excavation exercises undertaken within the Municipality and it shall charge in addition to the permit fee reinstatement fees according to the material used, the measurement and the amount of the work involved.

7. Assembly not Liable to Damages

The Assembly shall not be liable by virtue of any permit issued under the provisions of this Bye-law for any damage or injury sustained by any person or animal during and after the time that the process of excavation is in progress.

8. Penalty

A person who contravenes this Bye-law commits an offence and is liable on summary conviction to a fine, not more than one hundred penalty units or a term of imprisonment of not less than thirty days and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid should be allotted to Ablekuma West Municipal Assembly

9. Interpretation

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

“Assembly” means Ablekuma West Municipal Assembly.

“Medians and islands” means safe storage for pedestrians.

10. Revocation

Any bye-law on excavation of streets bye-law in force immediately before the coming into force of this Bye-law is hereby revoked

Made at a meeting of the Ablekuma West Municipal Assembly held on the 4th day of March, 2019

Presiding Member

Co-ordinating Director/Secretary

HON. CHARLES ROSS

ABENA KWESIWAA KYEI

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of local Government.

ERNEST K. NYAGBE

Regional Co-ordinating Director and secretary to R.C.C

ABLEKUMA WEST MUNICIPAL ASSEMBLY
(Entertainment Licence) BYE-LAW, 2019

In exercise of the powers conferred upon the ABLEKUMA WEST MUNICIPAL ASSEMBLY(AbWMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this Bye-law is hereby made.

1. Entertainment Licence

(1) No person shall organize any form of entertainment within the administrative area of the Assembly without first obtaining a license for that purpose.

(2) Notwithstanding preceding paragraph, no license shall be required for-

(a) Entertainment devoted to charity, and

(b) Entertainment for which no fees are charged.

(3) A license issued under this Bye-law, shall

(a) Not be transferable, and

(b) Be valid only for the day or year in which it is issued.

2. Activities for which license may be issued

(1) The Assembly shall issue a license for-

(a) concerts ,theatrical performances, videos shows, cinemas, fairs, circus, dances, discotheques and other entertainment to which money or reward is given, and

(b) Billiard, horse racing, soccer and lawn tennis, unless these activities are being devoted to charity

(2) The Assembly shall determine the fees to be paid under this Bye-law by a resolution of Assembly.

3. Hours of Operation

Any activity for which a license is issued under this Bye-law, shall take place between 2pm and midnight on a specified day.

4. Right of Entry

(1) An authorized officer of the Assembly shall have the right of entry to any premises of entertainment for purpose of inspection.

(2) No person shall obstruct or prevent an officer acting in pursuance of the provisions of the preceding paragraph of this Bye-law.

5. Power to revoke license

The Assembly may revoke an entrainment license if the licensee is convicted of an offence against any provisions of this Bye-law.

6. Interpretation

“Assembly” means Ablekuma West Municipal Assembly.

7. Penalty

A person who contravenes this Bye-law commits an offence and is liable on summary conviction to a fine, not more than one hundred penalty units or a term of imprisonment of not less than thirty days and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid should be allotted to Ablekuma West Municipal Assembly

8. Revocation

Any bye-law on regulation of Entertainment License Bye-law in force immediately before the coming into force of this Bye-law is hereby revoked

Made at a meeting of the Accra Metropolitan Assembly held on the 4th March, 2019

Presiding Member

HON. CHARLES ROSS

Co-ordinating Director/Secretary

ABENA KWESIWAA KYEI

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of local Government.

ERNEST K. NYAGBE

Regional Co-ordinating Director and secretary to R.C.C

**ABLEKUMA WEST MUNICIPAL ASSEMBLY
(Vehicle Dealers) BYE-LAW, 2019**

In exercise of the powers conferred upon the ABLEKUMA WEST MUNICIPAL ASSEMBLY (AbWMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this By-law is hereby made.

1. Application to operate as vehicle dealer

No person shall operate as vehicle dealer or keep vehicles in an enclosure or open space for sale by himself or on behalf of others within the jurisdiction of the Assembly without applying for permitting to do so.

2. Vehicle Dealers Permit

An applicant for a vehicle dealer's permit shall comply with the following conditions

- a. the park or grounds on which the vehicles are displayed shall be suitably fenced; and
- b. there shall be conspicuous sign board advertising the sales;
- c. the park shall be adequately equipped with firefighting mechanism

3. Fees

The Assembly may grant a permit to engage in the sale of vehicles on the payment of a fee as shall be specified by a resolution of the Assembly.

4. Submission of site plans

An application submitted to the **Ablekuma West Municipal Assembly**, shall be accompanied with three site plans of the park or enclosure.

5. Sitting of office

A site for sale or display of vehicle shall have an office from which receipts of sales of vehicles shall be issued.

6. Dimension

A park or enclosure used for the purposes of dealing in the sale of vehicle shall not be less than 61metres by 30 metres in dimension.

7. Discretion to withdraw dealer's license

Notwithstanding any sanction that may applied, the Assembly may withdraw a vehicle dealers licence for stated reasons upon giving the dealer, a 30 days' notice where there is continuous contravention of the provisions of this Bye law.

8. Individual vehicle sale exempted

For the avoidance of doubt, this Bye- law shall not apply to any disposal of only one vehicle by an individual who is not a dealer in vehicles.

9. Penalty

A person who contravenes this Bye-law commits an offence and is liable on summary conviction to a fine, not more than one hundred penalty units or a term of imprisonment of not less than thirty days and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid should be allotted Ablekuma West Municipal Assembly

10. Revocation

Any bye-law on regulation of Vehicle Dealers Bye-law in force immediately before the coming into force of this Bye-law is hereby revoked

Made at a meeting of the Ablekuma West Municipal Assembly held on the 4th March, 2019

Presiding Member

HON CHARLES ROSS

Co-ordinating Director/Secretary

ABENA KWESIWAA KYEI

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of local Government.

ERNEST K. NYAGBE

Regional Co-ordinating Director and secretary to R.C.C