



**ABLEKUMA CENTRAL MUNICIPAL ASSEMBLY
BY - LAWS, 2020**

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SECTION ONE

Ablekuma Central Municipal Assembly (Business Operating Permit) By-Law, 2020

In exercise of the powers conferred upon the Ablekuma Central Municipal Assembly (AbCMA) by section 181 of the Local Governance Act, 2016 (Act 936), this By-Law is hereby made.

Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Business Operating Permit) By-Law, 2020.

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

2 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.

3 A Business Operating Permit granted under this By-Law is valid up to 31st December of the year of issue.

A Business Operating Permit granted under this By-Law is not transferable.

Display of Business Operating Permit

4 A person who is granted a Business Operating Permit under this By-Law shall display the permit (certificate or receipt) in a conspicuous part of the premise on which the business is operated.

Fees

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

Liability to pay Property rate & other rates

6 (a) An owner of a rateable permanent or temporary property who is required to pay rate under any existing enactment shall in addition be required to apply for Business Operating Permit under this By-Law.

(b) There is to be imposed a flat rate approved by resolution of the Assembly and chargeable on lodgers of hotels, guest houses, motels and similar facilities within the administrative area of the Assembly.

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

Power of Entry

7 (a) Subject to the provision of this By-Law any officer or a person duly authorized by the Assembly may 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 By-Law

Withdrawal of permit and closure of Business

8 (a) The Assembly may withdraw or revoke any Business Operating Permit granted under this By-Law.

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

(c) The person granted the Business Operating Permit contravenes a provision of this by law.

(d) Suitability Health Reports and other Permits

9(a) Despite By-Law 1, a hospitality industry shall obtain suitability health certificate issued by the Municipal Environmental Health and Sanitation Unit.

(b) Assembly may for the purpose of enforcing the payment of the permit fee close down a business or suspend the activities until the permit fee is paid.

Winding up

10. Where a company or an entity winds up its entire business or suspends the operations, the company/ entity shall immediately notify the Assembly of the closure or suspension of business operation; otherwise the Assembly shall continue to bill the company or entity.

Failure to pay Business Operating Permit Fees

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

Penalty

A person who contravenes this By-Law commits an offence and is liable on summary conviction to a fine not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than 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 ten penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid shall be allotted to Ablekuma Central Municipal Assembly.

Application

12. This By-Law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

Interpretation

In this by-law unless the context otherwise requires –

“Assembly” means ABLEKUMA CENTRAL MUNICIPAL ASSEMBLY

“Business” includes occupation, profession or trade

“Undertakings” means any development that requires permit from E.P.A

“Hospitality” means eating, drinking, lodging, entertainment, or recreational premises

“Industry” means manufacturing or factory or mechanical shops or mills or production business.

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

.....

Hon Yakubu Abane Asoke
Presiding Member
Ablekuma Central Municipal Assembly
Assembly

Abdulai Alhassan Issifu
Municipal Co-ordinating Director
Secretary to Ablekuma Central Municipal

Approved by the Regional Co-ordinating Council, Greater Accra.

.....

Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC

SECTION TWO

Ablekuma Central Municipal Assembly (Profession, Business and Trade Self Employed)
By-Law, 2020

In exercise of the powers conferred upon the Ablekuma Central Municipal Assembly (AbCMA) by section 181 of the Local Governance Act, 2016 (Act 936), this By-Law is hereby made.

Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Profession, Business and Trade Self Employed) By-Law, 2020.

License

1. (1) A person shall not carry on any profession, occupation, trade or business in or upon any premises of land in the Municipality unless the AbCMA has issued a license in respect of such premises.
- (2) A license granted under this By-Law shall expire on the 31st December of the year it was issued.
- (3) A person who starts business profession or trade later than January in a year shall pay the full fees for the year approved by resolution of the Assembly.
- (4) A license granted under this By-Law shall be displayed in a conspicuous part of the premises or land and is not transferable.

Fee

2. There shall be charged for every license a fee to be prescribed and approved by resolution of the AbCMA.

Liability to pay property rate

3. 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 By-Laws for the time being in force.

Powers of entry

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

Revocation of license

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

Winding up

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

Failure to pay Business Permit Fee

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

Withdrawal of permit

8.(a) The AbCMA may withdraw or revoke any Business permit granted under this By-Law if any alteration is effected on premises or building for which the permit was granted without a written authority of the AbCMA or if the person granted the business permit contravenes any provision of this By-Law;

(b)The AbCMA 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 this By-Law commits an offence and is liable on summary conviction to a fine not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than 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 ten penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid shall be allotted to Ablekuma Central Municipal Assembly.

Application

10. This By-Law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

Interpretation

11. In this By-Law unless the context otherwise requires –

“AbCMA” means Ablekuma Central Municipal Assembly,

“Business” means an economic system in which goods and services are exchanged for one another or money, on the basis of their perceived worth.

“Trade” means commercial transaction involving the sale and purchase of goods, service or information.

“Profession” means occupation, practice or vocation requiring mastery of a complex set of knowledge and skills through formal education and or practical experience.

“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 N.G.O. or a registered company.

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

.....
Hon Yakubu Abane Asoke
Presiding Member
Ablekuma Central Municipal Assembly
Assembly

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Abdulai Alhassan Issifu
Municipal Co-ordinating Director
Secretary to Ablekuma Central Municipal

Approved by the Regional Co-ordinating Council, Greater Accra.

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Jemima Lomotey

Ag. Regional Co-ordinating Director and Secretary to the RCC

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

- Mechanics
- Vulcanizer
- 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
- Manufacturers of block
- Painters
- Blacksmith
- Canopy/Chair hirers
- Undertakers
- Motorbike Mechanics
- Event organizers
- Hawkers & Others as in the fee fixing resolution.

SECTION FOUR

Ablekuma Central Municipal Assembly (Control of Animals) By-Law, 2020

In exercise of the powers conferred upon the Ablekuma Central Municipal Assembly (AbCMA) by section 181 of the Local Governance Act, 2016 (Act 936), this By-Law is hereby made.

Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Control of Animals) By-Law, 2020.

Animals to be kept by permit

- (1) A person shall not keep any swine, cattle, sheep or goat and other wildlife in town/community in the area of authority of the Assembly, without a permit issued by the Assembly for that purpose.
- (2) Despite sub By-Law (1) a person may keep animals within the area of administration of the Assembly for the purpose of domestic, religious, commercial or customary purposes only.
- (3) A person may keep an animal under sub By-Law (2) if that person ensures that:
 - (a) The animal is kept in a pen/kraal which is well maintained and always kept clean
 - (b) In the case of large numbers of cattle, the cattle are restricted to well defined grazing area
 - (c) The animal does not constitute a nuisance by stench or noise to neighbours
 - (d) The animal is attended to by a veterinary officers or assistance, and
 - (e) Sanitary and other conditions or rules specified by the environmental health and sanitation unit and other relevant agencies are adhered to in respect of the animal
- (4) The number of goat and sheep to be kept in any dwelling house within town/community shall not exceed ten (10).

Cattle breeders

1. There 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.

Premises where animals are kept

2. A person shall not keep swine, cattle, goat, sheep or wildlife in a premise other than a designated area approved by the Assembly on application, Inspection of Premises.
3. An Environmental Health Officer of the Assembly and or Veterinary officer of the Assembly shall at any time enter a premise or a designated area where animal is kept for the purpose of inspecting the premises or designated area.
4. An Environmental Health Officer of the Assembly under sub By-Law (1) may impound an animal found in excess of the number specified in By-Law 1 (4)

Seizure of animals

5. (a) An Environmental Health officer of the Assembly shall impound any animal which is left unattended in a public place.
- 5(b) Despite By-Law 5 (1), A person may impound an animal that causes destruction to that person's property and immediately hand over such animal to the Assembly.

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

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

7. 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.

8. Where at the expiry of the period specified in By-Law 7, the animal remains unclaimed, the animal shall be sold by public auction by a licensed auctioneer or other person appointed by the Assembly for that purpose.

Obstruction

9. Any action of a person or group of persons that hinders the enforcement of the provision of this By-Law constitutes obstruction.

Offence

A person who contravenes this By-Law commits an offence and is liable on summary conviction to a fine not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than 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 ten penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid shall be allotted to Ablekuma Central Municipal Assembly.

Application

This By-Law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

Interpretation

“Assembly” means the ABLEKUMA CENTRAL MUNICIPAL ASSEMBLY.

“Animal” includes swine, goats, cattle, sheep, wildlife and other domestic animals.

“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.

Application

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

.....
Hon Yakubu Abane Asoke
Presiding Member
Director
Ablekuma Central Municipal Assembly
Municipal Assembly

.....
Abdulai Alhassan Issifu
Municipal Co-ordinating
Secretary to Ablekuma Central

Approved by the Regional Co-ordinating Council, Greater Accra.

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Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC

SECTION FIVE

Ablekuma Central Municipal Assembly (Sanitation) By-Law, 2020

In exercise of the powers conferred upon the Ablekuma Central Municipal Assembly (AbCMA) by section 181 of the Local Governance Act, 2016 (Act 936), this By-Law is hereby made.

Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Sanitation) By-Law, 2020.

PART 1

Disposal of Refuse

1. (a) No person shall place, cause or permit to be placed any carrion, filth, refuse or rubbish or any offensive or unwholesome matter, on any street, yard, premises, enclosure or open space within the Municipality.

(b) If any offender under By-Law 1(a) of this By-Law has not been identified or discovered the existence of any carrion or other substance mentioned in the said Section found close to any building shall be presumed to have been placed by the owner or occupier thereof.

Removal of weeds and rubbish

2.(a) The occupier(s) of any premises shall clear and keep free from all dirt, under bush, underwood, weeds, high grass, rubbish, rags, broken bottles and all offensive matter (filling up holes with stones, gravel, or other like materials) the streets or roads at the front, back sides, thereof, with the drains, gutters and channels, thereon.

(b) Provided that where two or more buildings abound on the streets or roads, the occupier of each shall keep clean only that half of the street or road nearest to his/her premises.

Obstruction

3. (a) Where the Assembly under its powers sets a day, as a Sanitation Day any person who on the afore mention Day obstructs (either physically/verbally) shall be guilty of an offence

(b) Any person, authorized to cleanse any area of the AbCMA but fail to do so, shall be guilty of an offence and liable to a fine of 50 penalty units or imprisonment for a term not exceeding one month.

Prohibition

4. (a) A person shall not cause a nuisance in any public or open space.

(b) No occupier of any premises shall by any act, allow the existence of a nuisance in his premises.

Prohibition of the deposit of waste materials into drains and open spaces

5. A person shall not deposit litter, refuse or other matter which may cause nuisance or block the passage provided for a gutter or drain.

Nuisance

6. (a) Any person who for the purpose of his/her trade, vocation or other business causes smell or other nuisance to the detriment of his/her neighbour or the public, shall be guilty of an offence.

(b) A person who flouts By-Law 6(a) shall be issued with ticket for spot fine of one hundred penalty units and not more than two hundred and fifty penalty units issued by a special task force set up under this By-Law for this exercise.

PART 11

Ownership of solid and liquid waste

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

Disposal of solid and liquid waste

2. Despite By-Law (1) the Assembly shall approve a system of waste management employed by a person for the collection, transportation or treatment of both solid and liquid waste within the area of administration of the Assembly.

3. 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.

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

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

(a) The disposal of all types of waste at any treatment and/or disposal site owned by the AbCMA 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.

Public toilet operations

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

(b) Despite By-Law 6(1) the AbCMA may franchise public toilet operations to private entities or license private commercial toilets to operate.

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

Grey Water Disposal & Drainage

7. 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

8. 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.

Liaison with Assembly, contractors and agents of the Assembly

9. An occupier or owner of a premise 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.

Provision of sanitary place of convenience

10 (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 domiciliary premises, the central management shall provide a sanitary standard place of convenience for the use of the occupants of the premises.

Onsite treatment plant

11. A person who establishes an onsite treatment plant for solid and liquid waste shall ensure that

(a) The treatment plant satisfies the requirements required by the Assembly, and

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

Public and private sewer

12. (a) All prospective applicants must apply to the AbCMA with four sets of block and site plan

(b) There shall be a preliminary assessment by Municipal Environmental Health and Sanitation Unit to establish site suitability.

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

(d) Connections to the sewer shall be under the supervision of the Municipal Environmental Health and Sanitation Unit and the works department.

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

Fees to be paid for services

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

PART 111

REGULATIONS UNDER THE SANITATION BY-LAWS

Category of Wastes

The following categories of waste shall be covered under this By-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 By-law.
- (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
 - c. clinical waste
 - d. e -waste
 - e. veterinary waste

Licensing for the Collection of Waste

2. (a) The Ablekuma Central Municipal 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.

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

Certification of Collection Vehicles and Equipment

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

Categories of Licensed Private Operators

4. According to the collection service prescribed by the AbCMA and the vehicle and equipment, and service requirements, licenses shall be categorized as large, medium or small scale.

5. According to (3) of this By-Law define the categories of private operators and the licensing requirements

Storage of Collection of Wastes

6. Where the AbCMA has arranged for the collection of household waste from any premises then the Assembly (or its certified agent) may by a notice served on the occupier of the premises, require him/her to place the waste for collection in receptacles which are of a kind and number reasonably specified in the notice.

7. Where a notice is served as per By-Law 6, the Assembly may provide for the receptacles free of charge or upon single payment or such periodical payments for the receptacle as s/he agrees with the Assembly.

8. A recipient of notice as per By-Law 7 shall provide the specified receptacle within a period specified in the notice if the notice does not specify provision by the Assembly.

9. The approved containers to be employed for specific types and levels of service are as indicated in By-Law 6 of this By-Law.

10. Where Assembly receive a complaint of a nuisance 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 the waste is 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 which, subject to By-Law 9 of this section, are of a kind and number reasonably specified in the notice.

Collection Times of Wastes

11. The Assembly shall serve notice of commencement of a collection service in areas specified for particular services and the notice shall indicate collection days and times.

Charges for the Collection of Wastes

Waste Disposal Arrangements

12. The AbCMA shall ensure that adequate arrangements are made by the Assembly for the purpose of disposal of all waste collected within its service area.

13. 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 during the life of operation of 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.

Prohibition of Unlicensed Disposal of Wastes

15. Except by regulation, 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.

Fees to be charged for the Disposal of Wastes

16. 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.

Offence

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 overgrowth of weeds & hedges, under bush, Pool of 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.

Penalty

A person who contravenes this Bye-Law commits an offence and is liable on summary conviction to a fine not less than one hundred (100) penalty units and not more two hundred and fifty (250) penalty units or a term of imprisonment of not less than thirty (30) days and not more than six (6) months or to both and in case of a continuing offence, is liable to a fine of not more than ten (10) penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid shall be allotted to Ablekuma Central Municipal Assembly.

Application

This By-Law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

Interpretation

“Assembly” means the ABLEKUMA CENTRAL 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

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

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Hon Yakubu Abane Asoke
Presiding Member
Ablekuma Central Municipal Assembly
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Abdulai Alhassan Issifu
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Approved by the Regional Co-ordinating Council, Greater Accra.

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Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC

SECTION SIX

Ablekuma Central Municipal Assembly (Litter Control) By-Law, 2020

In exercise of the powers conferred upon the Ablekuma Central Municipal Assembly (AbCMA) by section 181 of the Local Governance Act, 2016 (Act 936), this By-Law is hereby made.

Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Litter Control) By-Law, 2020.

Deposit of litter

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

2. A person shall not-

(a) Sweep or otherwise remove from any shop, vehicle, house or premises into any street, park, recreation ground or other public or open space to which the public has access, or in any ditch, water course, gutter or drain abutting on any street, any waste paper, shaving or other refuse or litter of any kind.

(b) Throw down and leave or cause or permit to be thrown down and left in any street, park, recreation ground or other public or open space for the purpose of advertising any bill, placard or other substances.

Conveyance

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

4. A person who flouts By-Law 1, 2 &3 shall be issued with ticket for spot fine of one hundred penalty units and not more than two hundred and fifty penalty units issued by a special task force set up under this by
-law for this exercise

Removal of falling filth or litter

5. The person shall cover the receptacle with a net, tarpaulin or a suitable material to prevent the litter from falling into or upon the street or any drain or gutter abutting thereon and shall where necessary for that purpose use a cart or other suitable vehicle or receptacle properly and sufficiently covered.

License

6. A license issued under the

(a) A prospective conveyer of any form of waste shall first apply to the ABCMA in writing for a license to collect and transport waste; The application shall indicate among others the nature of waste to be collected, the machinery available for that category of waste, the company's registration documents among others;

(b) The ABCMA in considering the application shall seek expert advice from the Waste Management experts or Section on the suitability of the applicant's vehicles to be used for the collection of the waste, the safety measures in place.

7. After considering the application, the ABCMA shall issue a license subject to the payment of the approved fees determined by the resolution of the Assembly and other conditions which said in the license. The license shall expire on the 31st of December of the year in which the license was issued and shall be renewed yearly.

Revocation

8. This license may be revoked by the Assembly on the advice of the Environmental Health and Sanitation Unit where the holder has failed to comply with the provisions of the grant of the license and the provisions of this By-Law.

9. Notice to offenders

(a) A license may be revoked by the ABCMA after a written notice has been served on the defaulting party and given fifteen days to remedy the wrong but has failed and or refused to do so.

Application

This by-law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

.....
Hon Yakubu Abane Asoke
Presiding Member
Ablekuma Central Municipal Assembly
Assembly

.....
Abdulai Alhassan Issifu
Municipal Co-ordinating Director
Secretary to Ablekuma Central Municipal

Approved by the Regional Co-ordinating Council, Greater Accra.

.....

Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC

SECTION SEVEN

Ablekuma Central Municipal Assembly (Cleaning) By-Law, 2020

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

Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Cleaning) By-law, 2020

Removal of unauthorized Structure

1 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.

2 The Assembly shall remove without notice an article which is placed in front, behind or beside a building in a manner that:

- (a) Constitute a danger of obstruction to any person or vehicles or
 - (b) Provide accommodation for a person, animal or thing Obstruction in Public pathway
- 3 (1) A person shall not park a vehicle, goods or other things in a public pathway or pavement.

(2) A person shall not use the road or shoulders of the road for the purpose of washing or repairs.

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

- (a) Cause an obstruction of traffic or other users of the road, or
- (b) Otherwise constitute a nuisance to the public

Bills and Posters

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

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

(b) On property owned or occupied by that person

5. By-law 4 shall not apply to advertisement or posters for election or other notices initiated by the Government.

Cleaning

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

(2) An owner shall take due diligence to keep an undeveloped plot of land or unoccupied building in a developed area free from nuisance.

(3) Where an owner of undeveloped plot of land or unoccupied building in a developed area fails to keep it free from 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,

(4) The Assembly will take action to claim expenses incurred in preventing the occurrence of

such nuisance from the owner of plot of land or unoccupied building

(5) A commercial or industrial operator shall ensure that the premises of that operator is clean and kept neat at all times.

(6) Where a commercial or industrial operator fails to comply with by-Law 5 the Assembly shall notify the operator of the non-compliance and require the operator to clean the premises within three days.

(7) Where the operator fails to comply with by-Law 6 within the specified period, the Assembly shall undertake the cleaning and surcharge the operator with the cost of the cleaning

Commercial and industrial buildings

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

(9) Where the owner or occupier of a commercial building fails to comply with bye-Law 8, the Municipal Engineer or Physical Planning Officer or an Agent approved by the Assembly shall undertake the works required under sub by-Law 8 and surcharge the owner or occupier of the commercial or industrial building with the cost of the works.

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

(11) 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 by-law.

Nuisance

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

Indemnity of Authorized Persons

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

(14) 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

(15) The Assembly shall take care of any authorized person or agents who incurred or sustained injury during the cause of performing legitimate duties

Offence

A person who contravenes this By-Law commits an offence and is liable on summary conviction to a fine not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than 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 ten penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid shall be allotted to Ablekuma Central Municipal Assembly.

Interpretation

In this by-law unless the context otherwise requires –

“Assembly” means ABLEKUMA CENTRAL MUNICIPAL ASSEMBLY

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

“Municipal Engineer” means Head of the Works Department

“Premises” means any building, structure whatsoever and includes stalls, kiosk, metal containers, 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.

“Other things” includes heap of sand, stones, gravels, refuse, scraps, sacks of charcoal, sacks of coconut etc.

“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.

Application

This by-law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

.....
Hon Yakubu Abane Asoke
Presiding Member
Ablekuma Central Municipal Assembly
Assembly

.....
Abdulai Alhassan Issifu
Municipal Co-ordinating Director
Secretary to Ablekuma Central Municipal

Approved by the Regional Co-ordinating Council, Greater Accra.

.....

Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC

SECTION EIGHT

Ablekuma Central Municipal Assembly (Temporary Structure) By-Law, 2020

In exercise of the powers conferred upon the Ablekuma Central Municipal Assembly (AbCMA) by section 104 and 181 of the Local Governance Act, 2016 (ACT 936), this By-Law is hereby made

Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Temporary Structure) By-Law, 2020
Permit for structure

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 sandcrete 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 By-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 By-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 shall be allotted to Ablekuma West Municipal Assembly

8. Application

This By-law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

9. Interpretation

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

“Assembly” means Ablekuma Central 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

Application

This by-law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

.....
Hon Yakubu Abane Asoke
Presiding Member
Ablekuma Central Municipal Assembly
Assembly

.....
Abdulai Alhassan Issifu
Municipal Co-ordinating Director
Secretary to Ablekuma Central Municipal

Approved by the Regional Co-ordinating Council, Greater Accra.

.....
Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC

SECTION NINE

Ablekuma Central Municipal Assembly (Operation of Commercial Vehicles) By-Law, 2020
In exercise of the powers conferred upon the Ablekuma Central Municipal Assembly (AbCMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this by-law is hereby made.

Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Operation of Commercial Vehicles) By-law, 2020

Application and Fees

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

(2) No commercial vehicle registration shall be approved under these by-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, any other appropriate enactment at the time in force.

2. A person shall not paint, spray or equip any vehicle or cause or allow any vehicle painted, sprayed, equipped for use as a commercial vehicle without the authority of the licensing officer. The evidence of the registration shall be:

(a) A sticker affixed to the windscreen of the vehicle.

(b) The sticker shall be renewed annually, valid until the date (one year after the expiration of the previous permit) upon renewal of the appropriate permit.

3. (a) A commercial passenger vehicle registration shall not be approved unless the vehicle in respect for the registration has been licensed by the Driver Vehicle Licensing Authority (DVLA) for commercial operations. This shall be evidenced by the official colour of vehicle registration number plate affixed to the plate. Every vehicle registered under these bye-laws shall remain equipped and fitted in the manner under which it was originally licensed under the Driver Vehicle

Licensing Authority for commercial operations.

(b) All commercial vehicles must operate from an approved station and shall pay a daily toll for the use of the loading station by the revenue collectors or agents appointed by the Assembly

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

Issuance and display of license

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

Display of License

5. The driver of every vehicle operating bus services, minibus will be required to boldly display a destination board in front of the vehicle at all times and the vehicle shall have a sticker issued by the union which shall be affixed to it indicating the lorry station it is registered under.

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

(b) 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 AbCMA driver's license

Number of passengers

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

Duties of licensees

8. 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 AbCMA of any change in his postal, residential or office address within seven days of such change.

(d)Keep and maintain the commercial vehicle in good repairs.

A person permitted to drive a commercial vehicle under this by-law shall not:

(a)Permit any person other than the person licensed under this By-law to drive the commercial vehicle unless the person also holds a commercial driver's license from AbCMA (any other Assembly) but has no car.

(b)Remove, deface, alter, mutilate or cancel the license or any notice mark affixed to the commercial vehicle in pursuance of this By-law nor, allow or permit any other person to do same.

(c)Permit the commercial vehicle to be used for any unlawful purpose.

(d)Display any advertisement inside or outside the coach or taxi without the consent of AbCMA or the appropriate authorities as required by the by-laws of AbCMA with regard to fees.

Revocation of license

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

(b)The Court may make an order for the suspension or the prohibition of the use of the vehicle for transport services where the driver has been convicted under this by-law on two or more occasions for-

(a)Using the coach, minibus, bus or taxi for illicit purposes;

(b)Dishonesty; or

(c)Failing to keep or maintain the coach or taxi in a manner required by any enactment for the time being in force.

Records

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

(b) The licensing officer of the AbCMA shall keep a record of all commercial vehicles, buses and taxis registered under this by-law.

Monitoring and Enforcement

11. A task force established under this By-law at the transport department of the AbCMA shall routinely visit and mount road check points in conjunction with the police and the road safety committee to inspect the possession of vehicle stickers and AbCMA commercial driver license by drivers.

Duty to produce license

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

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

Restrictions

13(a) Every commercial driver providing transport services within the AbCMA shall obtain AbCMA commercial driver's license.

(b) A person shall not drive or hold himself out as a commercial driver within the jurisdiction of AbCMA unless the driver has obtained AbCMA commercial driver's license.

(c) A driver permitted under this By-Law as a commercial driver must possess a license to drive commercial vehicles issued by the Driver Vehicle Licensing Authority.

Duration of License

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

Lost license

15. Where a 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 by the applicant and upon payment of the prescribed fee.

Production of license

16. Every commercial vehicle driver shall have his commercial vehicle driver's license in his possession wherever the driver is acting as a commercial driver 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 AbCMA

Renewal of license

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

(a) His current driver's license

(b) Payment of prescribed fees

Suspension or withdrawal of license

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

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

19. This By-law 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 AbCMA which is in transit through the municipality, provided that the driver of such coach, minibus, bus or taxi shall not be guilty of an offence under this By-law.

False declarations

Any license obtained under this By-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.

Excess passengers

21 (a) A commercial vehicle shall not carry any number of persons in excess of the number allowed to be carried by the vehicle provided that for the purpose of this By-Law an infant in arms shall not count as a person and every child of twelve years of age shall count as one person.

(b) Not more than two persons including the driver in case of taxi or three in that of a coach (the driver inclusive) shall sit on the front seat.

(c) A driver of a taxi shall not carry luggage on the roof or on the bonnet.

(d) A person suffering from an infectious disease shall not be allowed to be carried with other passengers on a coach, minibus, bus or taxi.

22. A commercial vehicle or taxi shall not stop, halt or slow down his vehicle in such a way that his conduct amounts to an unreasonable obstruction of traffic.

23. (a) any commercial passenger vehicle shall not when a passenger has reached his destination, take steps to ensure that no article or luggage belonging to the passenger is left in the vehicle;

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

Prohibitions

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

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

(c) A commercial vehicle or taxi shall not charge more than the fares prescribed and approved by the Ablekuma Central Municipal Assembly in consultation with representatives of the major transport operator unions.

Taxi Ranks

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

Nuisance

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

Monitoring and enforcement

27. The Transport Department of AbCMA shall have a standing task force to monitor and ensure compliance with this by-law.

28. The Transport Department shall constitute a taskforce to monitor and ensure that all provisions of these bye-laws are properly adhered to.

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

30. All complaints arising out of application of this by-law should be forwarded to the Municipal Chief Executive for investigation and redress.

Provision of Lorry Park

31. 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 from unauthorized place unless that place has been designated for that purpose.

Lorry park fees

32. 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.

33. 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

34. (a) 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.

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

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

35. 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.

Mode of entering a lorry park/ Parking Lot

36. 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.

Accredited Bookmen

37. A license that is issued shall be renewed when it expires per agreement upon satisfactory performance.

38. 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.

Prohibitions

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

(b) 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

(c) A person shall not use a fuel station as a parking space except for refueling

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

(e) A person shall not sell any alcoholic beverage within 2 kilometers of the Lorry Park/Parking Lot

(f) A person shall not offload goods, food stuff or animals on the street or lanes adjacent to the Lorry Park/ Parking Lot

(g) 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.

Prohibition of use of motor cycle or tricycle for commercial purpose

40. (a) the licensing Authority shall not register a motor cycle or tricycle to carry a fare paying passenger.

(b) A person shall not use or permit a motor cycle or tricycle over which that response exercise control to be used for commercial purposes except for courier and delivery services.

(c) A person shall not ride on a motor cycle or tricycle as a fare paying passenger.

(d) A person who contravenes sub-regulation (1),(2) or (3) commit an offence and is liable on summary conviction to a fine of not more than 25 penalty unites or to a term of imprisonment of not more than thirty days or to both.

Offence

A person who contravenes this By-Law commits an offence and is liable on summary conviction to a fine 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, is liable to a fine of not more than ten penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid shall be allotted to Ablekuma Central Municipal Assembly.

Interpretation

In this By-Law unless the context otherwise requires –

“Assembly” means ABLEKUMA CENTRAL 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.

Application

This by-law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

.....
Hon Yakubu Abane Asoke
Presiding Member
Ablekuma Central Municipal Assembly
Assembly

.....
Abdulai Alhassan Issifu
Municipal Co-ordinating Director
Secretary to Ablekuma Central Municipal

Approved by the Regional Co-ordinating Council, Greater Accra.

.....
Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC

SECTION TEN

Ablekuma Central Municipal Assembly (Push Trucks) By-Law, 2020

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

Title:

1. This By-Law shall be cited as Ablekuma Central Municipal Assembly (Push Trucks) By-law, 2020

License

2. (1) The owner or person in possession of any vehicle having wheels not propelled by mechanical means in use for commercial purposes in the Municipality shall take out a license for such vehicle.

(2) A license issued under this By-Law shall expire on the 31st December, of the year in which it was issued.

Fees

3. The Ablekuma Central Municipal Assembly shall by a resolution fix the fees payable for the issuance of the license.

4. A vehicle issued with a license shall display it on the vehicle.

Condition of Vehicle

5. 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 vehicle does not endanger the life of persons or property.

Prohibition

6.(a) A person below the age of 18 years shall not push any vehicle within the area of jurisdiction of the Assembly.

(b) A person driving the vehicle and those helping the driver shall not sit on the vehicle while it is in motion.

Rules of the Road

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

Restrain on use of vehicle

8. (a) A vehicle licensed under this By-law shall not obstruct and endanger road users.

(b) A vehicle licensed under this By-Law shall not ply on streets within the residency, the Regional Coordinating Council and highways.

Enforcement

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

Monitoring

10. A monitoring team from the Assembly shall monitor the operations of the push truck to ensure compliance with this By-Law.

Offence

A person who contravenes this by-law commits an offence and is liable on summary conviction to a fine not less 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

Interpretation

In this By-law unless the context otherwise requires,

‘AbCMA’ means Ablekuma Central Municipal Assembly

‘Vehicle’ means push truck

‘Purposes’ means conveying goods from one point to another.

Application

This by-law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

.....
Hon Yakubu Abane Asoke
Presiding Member
Ablekuma Central Municipal Assembly
Assembly

.....
Abdulai Alhassan Issifu
Municipal Co-ordinating Director
Secretary to Ablekuma Central Municipal

Approved by the Regional Co-ordinating Council, Greater Accra.

.....
Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC

SECTION ELEVEN

Ablekuma Central Municipal Assembly (Porters) By-Law, 2020

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

Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Porters) By-law, 2020

Prohibition

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

Registration

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

Screening

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

Criminal Record

4. The police shall submit the criminal record to the Security Unit of the AbCMA who shall issue the applicant with the requisite application forms.

Processing of Forms

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

Vetting of Forms

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

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

Uniforms and Proof of identity

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

(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 AbCMA may approve.

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

Monitoring and Enforcement

9. The Security Unit and the Metro. Guards of the AbCMA shall conduct routine inspection of porters to ensure that all porters in the city comply with the provisions of this By-law.

Withdrawal of License

10. The AbCMA 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 By-law.

11. It shall be the duty of every porter to keep his overall dress clean and to maintain a general Appearance of personal cleanliness.

Offence

A person who contravenes this by-law commits an offence and is liable on summary conviction to a fine not less 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 ten penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid shall be allotted to Ablekuma Central Municipal Assembly.

Interpretation

For the purposes of this By-law,

“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,

“AbCMA” means Ablekuma Central Municipal Assembly and

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

Application

This by-law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

.....
Hon Yakubu Abane Asoke
Presiding Member
Ablekuma Central Municipal Assembly
Assembly

.....
Abdulai Alhassan Issifu
Municipal Co-ordinating Director
Secretary to Ablekuma Central Municipal

Approved by the Regional Co-ordinating Council, Greater Accra.

.....

Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC

SECTION TWELVE

Ablekuma Central Municipal Assembly (Control of Hawkers) By-Law, 2020

In exercise of the powers conferred upon the Ablekuma Central Municipal Assembly (AbCMA)

by section 181 of the Local Governance Act, 2016 (ACT 936), this by-law is hereby made

Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Control of hawkers)

By-law, 2020

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.

Particulars of Application

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

Duration of License

3. (a) A hawker's license issued shall expire on 31st December the year it is issued.

(b) A hawker's license may be revoked if that hawker continuously contravenes the conditions prescribed in the written permit.

Hawkers to produce license on demand

4(a) A hawker shall produce license on demand by an authorized agent of the Assembly

(b) A hawker commits an offence if that hawker refuses to produce license if the license is demanded by an authorized agent of the Assembly.

Cleanliness of food selling sites

5. An occupier of a space or selling site shall be responsible for maintaining the cleanliness of the space or selling site, and he shall at the close of each day thoroughly clean his place or selling site and sweep all rubbish from the space of selling and its surroundings and place the rubbish in dustbins or a site designated by the Assembly.

Prescribed outfit for food handlers

6 No handler of food meant for public consumption shall operate without wearing an outfit prescribed and approved by the AbCMA 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 AbCMA shall deem necessary.

Food for sale to be raised from the ground

7. No occupier of any space or selling site shall offer for sale any bread, prepared grain food or any other articles of food, unless the articles are placed on a table or support raised at least 3 feet from the ground.

Food wrapper

8(a) Food seller shall not serve food in anything unless due care has been taken to make sure the food wrappers are hygienic;

(b) A designated officer of the Health Department shall have the responsibility of ensuring the compliance of this section of the By-law.

Protection of food from dust, flies and other contaminants

9.No article which is likely to be used for human consumption, shall be exposed either to dust or flies and shall be disposed of in such a manner as will satisfy the sanitation rules prescribed by AbCMA. Prohibitions

10.(a) A person of unsound mind, person suffering from vermin or from any contagious or infectious diseases shall be prohibited entry into a street market;

(b) No occupier of any space or selling site shall place any box, basket or other containers in the pathways or avenues of the market.

Offence

A person who contravenes this by-law commits an offence and is liable on summary conviction to a fine not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than 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 ten penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid shall be allotted to Ablekuma Central Municipal Assembly.

Interpretation

In this By-law 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 CENTRAL MUNICIPAL ASSEMBLY.

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 AbCMA may from time to time determine.

Application

This by-law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

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Hon Yakubu Abane Asoke
Presiding Member
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Abdulai Alhassan Issifu
Municipal Co-ordinating Director
Secretary to Ablekuma Central Municipal

Approved by the Regional Co-ordinating Council, Greater Accra.

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Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC

SECTION THIRTEEN

Ablekuma Central Municipal Assembly (Urban Passenger Transport Services) By-Law, 2020

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

Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Urban Passenger Transport Services) Bye law, 2020

Permit to operate

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

Application forms

2. (a) 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.
- (b) 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.
- (c) The Assembly shall on receipt of the application with all its attachments issue a receipt to a representative of the applicant who made the presentation after the payment of the requisite fees approved by a resolution of the Assembly.

Processing of application forms

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

(8) Evidence of unsatisfied demand, would include transport studies, representations, complaints and any case made by an application.

Operational permit

4(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 Ablekuma Central 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 Municipal Chief Executive 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 Municipal Chief Executive within 14 days from constituting the panel,

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

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

(10) Where the appeals panel refuses the grant of the permit, the applicant shall within 21 days of the decision appeal to the Regional Minister for a review of the decision.

(11) Where the appeal to the Regional Minister also refuses to grant the permit for operation, the applicant shall proceed to a court of law for redress.

(12) The panel in processing the application shall among others consider a detailed description of the route and time table in respect of the proposed service including pick up and set down points, inspect vehicles to be used including road worthy and insurance certificates and others.

Duration of permit

13(a) A permit granted under this by-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,

(b) 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,

(c) An applicant whose renewal is refused by the Assembly shall go through the appeal process existing under this by-law,

(d) The Assembly in rejecting the renewal of the operational permit shall be guided by whether the service to which the permit relates has been carried out efficiently or not, whether there have been frequent breaches or not and whether the applicant has complied with the conditions attached to the permit in this by-law.

Complaint Unit

14.(a) The Assembly shall set a compliant unit at the transport department to receive complaint from the general public concerning the operation of a permit holder at a bus terminal and on the routes provided to a permit holder,

(b) 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.

(c) All complaints should be forwarded in writing to the Assembly.

(d) 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,

(15) 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.

(16) The complaint unit shall give its findings within 14 days after hearing the parties and their findings must be written and read to the parties after duly inviting the parties to appear before them.

(17) Where the breach or offence is established against the permit holder, the permit holder shall be given a written warning by the complaint unit and where the breach continues, it shall be a ground for revoking or refusing to renew a permit.

Regulation

18.(a) The Assembly shall regulate the urban passenger transport services within its area of jurisdiction.

(b) Regulation of Urban Passenger Transport Services shall consist of the power to:

(c).require that Urban Passenger Transport Services for any designated area within their area of authority is operated under a permit,

(d)define routes, stopping places and terminals within part or the area of jurisdiction,

(e)invite and evaluate applications for route operating Permits and select from among the applicants,

(f).award route service contracts,

(g).award exclusive operating rights for a route, corridor or area to operators,

(h).restrict or exclude other operators from routes or corridors where route service contracts have been awarded,

(i)attach conditions to an urban passenger transport services permit in accordance with the Procedures,

(j)define and enforce services and vehicle quality standards in accordance with existing national regulations,

(k)establish mechanisms for the operations and management of passenger transport services,

(l)collaborate with any District Assembly for the performance of their respective functions

(m)relating to urban passenger transport services,

(n)Generally promote integration of urban passenger transport services.

Offences

19. A person commits an offence, if that person:

a) Provides or operates an urban passenger transport service without a Permit. The Task Force established under this by-law shall impound the vehicle subject to the payment of a fine of between 100-150 penalty units and signing a bond before a judge or magistrate or in addition imprisonment of six months.

b) Provides or attempts to provide an urban passenger transport service which is not in consonance with the terms and conditions of the permit. These offences shall include but not limited to:

(i) operating on a route different from that specified by the Permit, except at the time where there is clear evidence that the route was temporarily inaccessible,

(ii) operating beyond the permitted limits of the route,

(iii) operating at terminals not authorized under the permit,

(iv) stopping to allow passengers to board or alight at places which are not authorized by the Permit, and

(v) carrying passengers in excess of the permitted capacity of the vehicle,

Where a person contravenes by-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,

Where a person contravenes By-Law 9(1)(c) he shall be liable on conviction to the payment of one hundred penalty units or a revocation of his permit and debarment from applying for or being granted new permit for a period of up to two (2) years.

d) Operates or attempts to operate or ply for trade at a terminal without authorization from the Assembly in accordance with the approved procedures, amounts to an offence and the offender shall be liable on conviction to the payment of a fine of one hundred penalty units.

e) Obstructs the effective functioning of any urban passenger transport facility or infrastructure, including terminals, access to terminals, designated parking places, designated stopping places, priority lanes or dedicated running ways for passenger transport vehicles, or

f) Intimidates or unlawfully attempts to persuade any person employed by the Assembly to carry out its functions.

Where a person contravenes by-law 8 (1) (e) and 8 (1) (f), the offender shall be liable on conviction to the payment of a fine 100 penalty units or to a term of imprisonment not exceeding six months or to both.

Offences and Penalty

A person who contravenes this by-law commits an offence and is liable on summary conviction to a fine not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than 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 ten penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid shall be allotted to Ablekuma Central Municipal Assembly.

Application

This by-law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

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Hon Yakubu Abane Asoke
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Secretary to Ablekuma Central Municipal

Approved by the Regional Co-ordinating Council, Greater Accra.

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Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC

SECTION FOURTEEN

Ablekuma Central Municipal Assembly (Communicable Disease) By-Law, 2020

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

Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Communicable Disease) By-law, 2020

Cleansing and disinfecting premises and articles

1.(a)Where the AbCMA is satisfied upon the certification of a Registered Medical Officer of Health or the Environmental Health Officer that the cleansing and disinfection of any premises or articles would tend to prevent or check any dangerous or infectious disease;

(b)The AbCMA may by a notice in writing served on the owner of the premises or article, direct that it will at his cost to do the cleansing and disinfection or destruction unless within 24 hours after the receipt of the notice, he informs the AbCMA within the time specified in the Notice that he will take such measures as are specified therein to the satisfaction of the Assembly.

Notification of infectious diseases

2.If a person on whom the Notice is served does not inform the Assembly as required or having informed the AbCMA does not take the steps specified to the satisfaction of the AbCMA within the time specified, the AbCMA, may cause the premises to be cleansed and disinfected and the articles disinfected or destroyed and later recover the expenses reasonably incurred in so doing from the person on whom the Notice was served.

3.Where the evidence exist that the person on whom the notice is served is unable to foot the cost of the exercise, the person shall inform the AbCMA on the service of the notice to enable the AbCMA undertake the exercise.

4.The AbCMA may serve notice in writing on the owner of any bedding, clothing or other article which has been exposed to infection by any dangerous or infectious disease, requiring the delivering of the articles to an officer of the health department of the Assembly duly authorized within 24 hours for removal for disinfection or destruction as the case may be.

5. Where the owner fails to comply with this provision, the health officer shall with the help of the security ensure the delivery of the items for removal for disinfection or destruction as the case may be.

6. Without prejudice to By-law 2 hereof, any person who fails to comply with any of the requirements of any Notice served on him within the time specified in such notice shall be guilty of an offence.

7.(a) Where any inmate of any building or structure used for human habitation, not being a hospital is suffering from infectious disease, the head of the family to which the patient belongs shall as soon as he becomes aware of the fact send notice thereof to the Medical Officer of Health/ Municipal Environmental Health and Sanitation Unit of the AbCMA. In the absence of a head of the family, the nearest relatives or an adult inmate of the house in which the patient present in the building and in the absence of such relatives, any person in charge of or in attendance on the patient resides and in default of any such person, the occupier of the building or structure.

(b)Any person who fails to send the requisite notice shall be guilty of an offence under this By-

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.

(3)(a) A Medical Practitioner attending or called in to visit a patient shall as soon as he becomes aware that the patient is suffering from a dangerous or infectious disease, send to the Medical Officer of Health / Municipal Environmental Health and Sanitation Unit a certified information stating the name of the patient, the nature of his illness and his address.

(b) Any Medical Practitioner who fails to send certified information as required by these Bye-laws shall be guilty of an offence.

Prohibition on occupation involving risk of infection

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

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

(c) 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 gives land, sells, transmits or exposes without previous disinfection, any bedding, clothing or other articles which he knows to have been exposed to infection from any such diseases and which are likely to carry such infectious disease shall be guilty of an offence under this By-law.

Restriction on deposit of infected rubbish

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

Restriction on laundry facilities for infected articles

6. No person shall send or deliver to any laundry or public wash house, for the purpose of being washed or cleaned, any article or thing which he knows to have been exposed to infection from a disease, unless such articles or things have been disinfected by or to the satisfaction of the Medical Officer of Health.

7. (a) No person shall let or offer to let any house, room or other premises in which a person has to his knowledge been suffering from a dangerous or infectious disease, without having that house, room or other premises and all articles therein liable to retain infection, disinfected to the satisfaction of the Medical Officer of Health/Environmental Health Officer.

(b) 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 disinfected and all articles there liable to:

(c) Retain infection disinfected, to the satisfaction of the Medical Officer of Health /Environmental Health Officer ; or

(d) Fails to give to the owner of the house notice of previous existence of such disease he shall be guilty of an offence under this By-law.

Monitoring and enforcement

12. The health department and Municipal Environmental Health and Sanitation Unit shall ensure the compliance of this bye-law.

Offence

A person who contravenes this by-law commits an offence and is liable on summary conviction to a fine not less than one hundred and eighty penalty units and not more than two hundred and fifty (150) penalty units or a term of imprisonment of not more than six months or to both and in case of a continuing offence, is liable to a fine of not more than ten penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid shall be allotted to Ablekuma Central Municipal Assembly.

Application

This by-law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

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Hon Yakubu Abane Asoke
Presiding Member
Ablekuma Central Municipal Assembly
Assembly

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Abdulai Alhassan Issifu
Municipal Co-ordinating Director
Secretary to Ablekuma Central Municipal

Approved by the Regional Co-ordinating Council, Greater Accra.

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Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC

SECTION FIFTEEN

Ablekuma Central Municipal Assembly (Births and Deaths Registration) By-Law, 2020
In exercise of the powers conferred upon the Ablekuma Central Municipal Assembly (AbCMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this by-law is hereby made.

Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Births and Deaths Registration) By-law, 2020

Report of births and deaths

1.(a) The births and deaths registry of the AbCMA shall receive notice of births and deaths occurring within the municipality and to record such reports in books provided for the purpose (hereinafter referred to as the Registration).

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

Duties of the Registrar

2.The Registrar shall-

(a)Keep two separate registers to record the details of birth or death received at the office;

(b)Subject to the directions of the AbCMA, the Registrar shall ensure safe keeping of the registers;

(c)Make the registers available at all responsible times for inspection by an authorized member of AbCMA or Medical Officer of Health/ Municipal Environmental Health and Sanitation Unit or the Principal Registrar of Births and Deaths or his representative or for search by any member of the public;

(d)Submit returns in such manner and at such times as the Principal Registrar of Births and Deaths shall direct;

(e)Otherwise conform to the requirements of this By- law.

Appointment of Registration Assistants

3.(a) The AbCMA may appoint such number of Registration Assistants necessary to compliment the work of the Registrar;

(b)Registration Assistant shall perform the same duties as the Registrar but shall report to the Registrar;

(c)Registration Assistants shall send to the Registrar certified extract of all entries in their registers during the previous month;

(d)The Registrar shall keep under lock and key, registers not in use,

(e)The Registrar in accordance with by-law 1(a) shall receive reports in writing from the following persons:

Birth, by the mother, father or guardian of the child;

4.Deaths, by the surviving spouse of the deceased or the head or a principal member of the deceased's family or in his absence by the person finding or taking charge of the body.

Fees

The person making the report of births or deaths shall pay the necessary fee fixed by the resolution of the AbCMA.

Custody of Registers

5. The Registrar shall keep registers in the forms provided for register of Births, Deaths and Burial respectively under the existing law.

Issuance of Birth or Death Certificate

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

Power to Bury

7(a) All burials can only take place with a valid burial permit issued by the Births and Deaths Registry with the approval of Municipal Public Health.

(b) Where burial takes place without approval from Municipal Public Health, the AbCMA and the Births and Deaths Registry may cause the exhumation of the dead body for autopsy at the cost of the family if cause of death is not established by a qualified medical officer

Time for Registration

7. A person who has to make a report under this By-law shall do so as follows;

a. In respect of death within fourteen days, and

b. In respect of a birth within three months.

c. Where a person fails to make the report as stated under by-law 7 (a) & (b), the late report shall attract a penalty determined by a resolution of the AbCMA

Inspection of Register

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

Copies as evidence

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

Correction of register

10. (a) A clerical error in a register may if discovered at the time of making the entry, be corrected. An alteration detected after the entry in the register shall only be altered on the application of the party supplying the information to the Registrar.

(b) No erasure shall be made in any register or certified copy or extract thereof; any such erasure shall render same void.

(c) Without prejudice to Bye-law 10(1) above, any correction made shall be in respect of the register and not the certified copy. The person effecting the correction shall draw a line of red ink through the word but shall leave the word readable. Any word to be inserted shall be underlined or written in the margin opposite any correction.

(d) 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.

Offence

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 shall or carry out burial without burial permit approved by Municipal Environmental Health and Sanitation Unit commit an offence shall upon conviction be liable to a fine of two hundred and fifty penalty units or in default to term of imprisonment not exceeding six months or both. Fifty percent (50%) of the fine paid shall be allotted to Ablekuma Central Municipal Assembly.

Application

This by-law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

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Ag. Regional Co-ordinating Director and Secretary to the RCC

SECTION SIXTEEN

Ablekuma Central Municipal Assembly (Control of Pets) By-Law, 2020

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

Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Control of Pets) Bye-law, 2020

1. License

A person who keeps a dog within the area of authority of the Assembly shall obtain a license and badge from the Municipal Environmental Health and Sanitation Unit in respect of that dog.

The Municipal Environmental Health and Sanitation Unit of AbCMA shall before granting a license 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 License

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

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

3. Badges

A badge so issued by the assembly shall be kept on the dog at all times.

4. Keeper of dogs/pets

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

5. Power to seize and destroy dogs

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

Is not wearing a prescribe badge or appear to be a stray dog.

Where the owner of the dog is known by the officer and causes a notice of seizure to be served on him or her as soon as practicable.

A dog seized and detain under this bye-law shall be released to the owner if he produce a valid license in respect of the dog and pay a detention fee in accordance to the fee fixing resolution for each day that the dog has been detained

If a dog detained for more than fourteen days and the owner cannot be found or notice of detention is given to the owner and he does not pay impoundment fee and claim the dog within fifteen days the Health Directorate may cause the dog to be destroy or otherwise disposed.

6. Seizure of disease dogs

An authorized officer of the Assembly may seize a dog which has or is reasonably believed to have mange, rabies or other disease with the meaning of disease of animal Act, 1961 (Act 83).

7. License to be produced

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

8. Inoculation of Dogs

A person who keeps a dog shall have it inoculated once every year against rabies at the Department of Animal Health of the Ministry of Agriculture and obtain a certificate of that effect in respect of dog.

9. Control of other pets

The following animals can be considered as pets but must be subjected to a thorough veterinary medical examination to establish their suitability for licensing by the Assembly.

Cat

Monkey

Parrot

Rabbit

Grass cutter

Dove

Pigeon

Peacock

Quail

Apart from the animals started above, no other animals shall be used as pets in this jurisdiction

Penalty

A person who contravenes this by-law commits an offence and is liable on summary conviction to a fine not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than 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 ten penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid shall be allotted to Ablekuma Central Municipal Assembly.

Interpretation

In this by-law unless the context otherwise requires – “Assembly” means ABLEKUMA CENTRAL MUNICIPAL ASSEMBLY

Application

This by-law shall apply within the area of jurisdiction of the Ablekuma Central Municipal Assembly

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020.

.....
Hon Yakubu Abane Asoke
Presiding Member
Ablekuma Central Municipal Assembly
Assembly

.....
Abdulai Alhassan Issifu
Municipal Co-ordinating Director
Secretary to Ablekuma Central Municipal

Approved by the Regional Co-ordinating Council, Greater Accra.

.....
Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC

Ablekuma Central Municipal Assembly (Environmental Protection) By-Law, 2020
In exercise of the powers conferred upon the Ablekuma Central Municipal Assembly (AbCMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this by-law is hereby made.

Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Environmental Protection) Bye-law, 2020

Protection of the Environment

1. (a) Each household, operator of a factory, cesspool, toilet facility or any other business shall to take the necessary measures to protect the environment.

(b) Any discharges from a factory, industries, commercial mall, market, office or household shall meet the standards set by the Assembly or other regulatory agency.

Promotion of waste treatment systems

2. (a) A sanitation system for on –site treatment of excreta and other sanitation systems must meet standards as set by the Assembly or other regulatory agency.

(b) The Assembly shall promote decentralized waste water treatment systems to safe guard the environment.

Sand Winning activities

3. (a) A person shall not win sand or engage in a large scale sand winning activity within an area of authority of the Assembly unless that person has obtained a permit from the Assembly or Agency to that effect.

(b) The Agency shall assess the impact of the sand winning activity on the environment before a permit could be issued for the commencement of the activity.

(c) 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.

Control of bore-hole drilling operators

4. 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 bore-hole driller is in accordance with regulations stipulated by the Water Resource Commission before granting permit.

Protection of wet lands & water Bodies

5. (a) A person shall not undertake any 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 Assembly or an agency and the necessary impact assessment has been conducted.

(b) A person shall not undertake any activity that may destroy the specie of water organism or fish in such areas in a manner that result in the extinction or depletion of that specie of organism.

Control of tree felling& vegetation

6. A person shall not fell a tree without obtaining a permit from any of the following organizations;

(a) Department of Parks and Garden

(b) The Agency

(c) The Assembly

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

A person shall not cause bush fire or engage in an activity that destroy specie of a plant or

results in the extinction or depletion of that specie of plant.

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

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).

Disaster management

7. The Assembly shall take steps to prevent and manage disaster by the following measures;

(i) Develop a comprehensive database on hazards with the nature of biological, environmental, social, economic, natural, technological for the purpose of forecasting and planning disaster

(ii) Develop municipal wide and specific communication mitigation measures

(iii) Inculcate disaster risk assessment in project execution to forestall vulnerability to disaster risk

(iv) Operate a contingency or insurance to facilitate retention or transfer of disaster risk if it should occur

(v) The Assembly and community are responsible to Build resilience to reduce the impact of identified disasters

8. Penalty

A person who contravenes any of the provisions of this By-law commits a Penalty and shall be liable on summary conviction to a fine not more than one hundred penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both; and in case of a continuing penalty, he shall be liable to a fine of not more than one penalty unit for each day that the Penalty continues. Fifty percent (50%) of the fine paid shall be allotted to Ablekuma Central Municipal Assembly.

9. Interpretation

In this By-law unless the context otherwise requires –

- “Assembly” means ABLEKUMA CENTRAL MUNICIPAL ASSEMBLY
- “Agency” means the Environmental Protection Agency and
- “Ministry” means the Ministry of Works and Housing and Ministry of Sanitation and Water Resources
- “Disaster” means any occurrence that disrupts normalcy and causes loss of life, damage to property, economic loses, social life and management is beyond the one affected.

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020.

.....
Hon Yakubu Abane Asoke
Presiding Member
Ablekuma Central Municipal Assembly
Assembly

.....
Abdulai Alhassan Issifu
Municipal Co-ordinating Director
Secretary to Ablekuma Central Municipal

Approved by the Regional Co-ordinating Council, Greater Accra.

.....
Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC

SECTION EIGHTEEN

Ablekuma Central Municipal Assembly (Building/ Physical Development) By-Law, 2020
In exercise of the powers conferred on the Ablekuma Central Municipal Assembly by Section 104 and 181 of the Local Governance Act, 2016(Act 936) and the provisions of the Land use and Spatial Planning Regulations, 2019, L.I. 2384 and the National Building Regulations, 1996, L.I. 1630, this By-Law is hereby made.

Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Building/ Physical Development) By-law, 2020

1. Permits

(a) A person who intends to undertake any development shall require a planning permit or a development permit

i) Physical developments that require planning permit include

- temporary structure
- temporary activities that require the use of public space
- demolition
 - change of use
 - advertisement
 - consolidation
 - sub-division
 - mining in the nature of sand wining, quarrying and minerals extraction
 - disposal of industrial waste or chemical waste on land
 - excavation
 - change in colour scheme
 - removal of trees

ii) Physical development that require development permit include;

- erection of any building or structure except those exempted by law
- the making of structural alteration or transformation or a renovation to a building
- civil and engineering works
- regularization of existing structures
- redevelopment

(b) A person shall not carry out a physical development in the municipality except with the prior written approval in the form of a written permit issued by the Assembly.

(c) A person who carries out any physical development without permit commits an offence and is liable on summary conviction to a fine of not less than five hundred penalty units and not more than one thousand penalty units or to a term of imprisonment of not less than two years and not more than four years or to both.

(d) A person applying for a permit shall pay a non-refundable processing fee provided for in the Fee Fixing Resolution of the Assembly which does not constitute a planning/ development permit

(e) An applicant shall pay a development fee as stipulated in the fee fixing resolution upon

approval of an application for a permit.

(f) Payment of development fee does not constitute a permit unless the drawings for the intended development is approved by the Spatial Planning Committee and applicant duly notified

(g) A person who intends to undertake any development may be required to take specific remedial action or notify occupiers of buildings adjoining property owners within the immediate vicinity of the intended structure or development, if the intended structure or development may affect the easement or rights enjoyed by the adjoining properties or buildings in the immediate vicinity.

(h) Regularization of an unauthorized development shall attract a penalty at a rate stipulated in the fee fixing resolution of the Assembly.

(i) A person shall not use a building for any purpose or permit a building to be used for a public purpose unless a certificate of habitation for the building has been issued by the Assembly pursuant to the National Building Regulation, 1996 (L.I 1630).

(j) Where a developer does not comply with a development permit or where a developer does not comply with the conditions of the permit, the Assembly may revoke the development permit or may impose additional conditions of that permit.

(k) Revocation of a permit or an imposition of additional conditions on a permit may be subject to the payment of a penalty.

(l) a person who intends to develop shall undertake the necessary landscaping in and around the building where appropriate

2. Unauthorized Development

i. A building/development is considered unauthorized where

(a) a physical development has been carried out without a permit or is being carried out without a permit, or

(b) conditions incorporated in a permit are not complied with

ii. The Assembly shall give a written notice to the owner of the land to require that owner on or before a date specified in the notice to show cause in writing why the unauthorized physical development should not be prohibited, altered, abated, recovered or demolished.

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

iv. The Assembly may issue an enforcement notice demanding the immediate stoppage of

the execution of a development or of works carried out contrary to provisions of the legal instruments that govern the issuance of a permit or to the terms of an approved development plan.

v. A person who fails to comply with a notice to stop work commits an offence and is liable on summary conviction to a fine of not less than two hundred penalty units and not more than four hundred penalty units or to a term of imprisonment of not less than three months and not more than six months or to both the fine and term of imprisonment and in the case of a continuing offence to an additional fine of not more than four penalty units for each day that the contravention continues, after written notice has been served on the offender.

vi. 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.

3. Requirements for Application

A. Planning Permit

i. A person shall apply for a planning permit in the manner specified in Form 42A of the Schedule in the Landuse and Spatial Planning Regulation L.I 2384 and shall be addressed to the Spatial Planning Committee and be accompanied with four sets of each of the following:

- (a) evidence of a right or authorization to use the land in accordance with the laws of the country;
- (b) site plan to the scale of 1:2500 and conforming to the local plan of the area
- (c) block plan to the scale of 1:100 and 1:200 depending on the scale of development
- (d) zoning assessment and justification report if the application involves change of use or rezoning
- (e) relevant drawings where applicable
- (f) where applicable, reports relating to
 - i. Air or aviation safety;
 - ii. Radiation protection;
 - iii. Environmental protection;
 - iv. Fire safety;
 - v. Petroleum operations;
 - vi. Standard verification;
 - vii. Traffic impact
 - viii. Geo-technical impact;
 - ix. Hydrological impact; and
 - x. Structural impact

ii. Where the application is for a temporary structure permit, an applicant shall obtain and submit copies of all necessary approval permits and licenses from the relevant central and local government authorities.

B. Development Permit

i. A person shall apply for a development permit in the manner specified in Form 43A of the Schedule of the Landuse and Spatial Planning Regulation L.I 2384.

ii. The application shall be accompanied with four sets each of the following:

- a) A site plan to the scale of 1:2500 and conforming to the local plan of the area;
- b) A block plan to the scale of 1:100 or 1:200 depending on the scale of development
- c) Architectural drawings to the scale of 1:20 or 1:40;
- d) Structural drawings to the scale of 1:20 or 1:40;
- e) Evidence of a right or authorization to use the land in accordance with the laws of the country;
- f) A report on stakeholder consultation, where applicable; and
- g) Where applicable, reports relating to
 - i. Air or aviation safety;
 - ii. Radiation protection;
 - iii. Environmental protection;
 - iv. Fire safety;
 - v. Petroleum operations;
 - vi. Standard verification;
 - vii. Traffic impact
 - viii. Geo-technical impact;
 - ix. Hydrological impact; and
 - x. Structural impact

iii. 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.

4. Submission of Application and Processing

1. The District Spatial Planning Committee shall, within seven days after receipt of the application, acknowledge receipt of the application in writing and forward the application to the Technical Sub-Committee for processing.

2. The Technical Sub-Committee shall, within fourteen days after receipt of an application,

- a) Undertake initial zoning checks;
- b) Assign an application number to the application;
- c) Enter the application in the database;
- d) Circulate the application to the works department and other relevant institutions for review;
- e) Display a copy of the application in the Public Data Room; and
- f) Undertake a site inspection of the proposed development to ascertain

i. The veracity and feasibility of the issues and proposals indicated in the submission of the developer;

- ii. The plot size;
- iii. The plot location
- iv. Access size and alignment;
- v. Whether development has started or not;

- vi. The adjoining development type, size and scope;
- vii. Adjoining uses;
- viii. Issues of outright incompatibility caused or suffered by the proposed development;
- ix. Whether the land has been filthied or covered by hazardous, faecal matter or any offensive matter;
- x. Fire safety issues;
- xi. General environment concerns;
- xii. The coordinates of the parcel; and
- xiii. Any other relevant consideration.

3. The Technical Sub-Committee shall submit a report on its findings and recommendations to the District Spatial Planning Committee not later than twenty-one days after receipt of the application.

4. The District Spatial Planning Committee may, based on the recommendations of the Technical Sub-Committee, grant the application, refuse the application or defer the application for further information and assessment.

5. Where an application is granted, the District Assembly shall issue the developer with a permit certificate as set out in Form 42B or Form 43A accordingly of the Schedule within thirty days after receipt of the application.

6. Where an application is granted, the applicant shall pay a planning/development permit fee.

7. Where the application is refused or deferred, the Assembly shall write to the developer and assign reasons for the refusal or deferment.

5. Collection of Permit

(a) A successful applicant shall pay the approved development permit fee to the Assembly on receipt of the approval letter and submit the payment receipt to the Physical Planning Department / Works Department.

(b) A successful applicant (all things being equal) may collect building permit from the Assembly within 30 working days after submission of the development application.

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

6. Ventilation

i. A building must have adequate ventilation and lighting for people in it.

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

7. Access

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

8. Certificate of Habitation

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

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 shall be allotted to Ablekuma Central Municipal Assembly.

10. Interpretation

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

“Assembly” means Ablekuma Central 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.

Application

This By-law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

.....
Hon Yakubu Abane Asoke
Presiding Member
Ablekuma Central Municipal Assembly
Assembly

.....
Abdulai Alhassan Issifu
Municipal Co-ordinating Director
Secretary to Ablekuma Central Municipal

Approved by the Regional Co-ordinating Council, Greater Accra.

.....
Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC

SECTION NINETEEN

Ablekuma Central Municipal Assembly (Maintenance of Premises) By-Law, 2020

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

Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Maintenance of Premises) By-law, 2020

White washing and of painting

1 (1) a household or an owner or occupier of a premises within the area of administration of 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 to sub-paragraph (1) of paragraph 1, the Assembly shall undertake the painting and charge the owner, occupier or landlord with the expenses incurred in undertaking the painting as a debt.

Application of Building regulations

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

Inspection by Authorized Officers

3 An officer of the Assembly duly authorized may inspect the state of maintenance of any premises within the area of administration of the Assembly.

Powers of the Assembly

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

5 A household owner or occupier of premises who refuses to repair to keep the premises which is in a state of disrepair, dilapidation, collapse or threat to life and property after reasonable warning or notice by the Assembly shall be deemed to have contravened this by-law.
Abandoned Premises

6 Where a premise is abandoned and in a total state of disrepair, dilapidation or 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.

Demolition of Premises after 8 day notice

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

Uncompleted Dangerous Property

8 (1) the Assembly shall serve notice to the owner of an 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 demolish or complete it, the Assembly shall with or without further notice demolish the uncompleted house and surcharge its owner for the cost of demolition.

Penalty

A person who contravenes this by-law commits an offence and is liable on summary conviction to a fine not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than 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 ten penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid shall be allotted to Ablekuma Central Municipal Assembly.

Application

This by-law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

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Hon Yakubu Abane Asoke
Presiding Member
Ablekuma Central Municipal Assembly
Assembly

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Abdulai Alhassan Issifu
Municipal Co-ordinating Director
Secretary to Ablekuma Central Municipal

Approved by the Regional Co-ordinating Council, Greater Accra.

.....

Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC

SECTION TWENTY

Ablekuma Central Municipal Assembly (Environmental Protection) By-Law, 2020

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

Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Environmental Protection) By-law, 2020

Protection of the Environment

1(1) each household, operator of a factory, cesspool, toilet facility or any other business shall to take the necessary measure to protect the environment. Any discharges from a factory, industries, commercial mall, market, office or household must meet the standards set by the Assembly or other regulatory agency

Promotion of waste treatment systems

2(1) a sanitation system for on-site treatment of excreta and other sanitation systems must meet standards as set by the agency.

(2) The Assembly shall promote decentralized waste water treatment systems to safe-guard the environment

Sand Winning activities

3 (1) A person shall not win sand unless that person has obtained a permit from the Assembly or Agency to that effect.

(2) A person may engage in a large scale sand winning activity within an area of the Assembly only upon obtaining the necessary permit from the Assembly and the Agency.

(3) The Agency shall assess the impact of the sand winning activity on the environment before a person is issued with a permit under sub by-law 2 commences with the activity.

Control of bore-hole drilling operators

4. The Assembly shall

(a) Take steps to register each bore-hole drillers within the jurisdiction of the Assembly, and

(b) Ensure that the operation of bore-hole drillers are in accordance with regulations stipulated by the Water Resource Commission before granting permit to drill

Protection of wet lands & water Bodies

5 The assembly shall establish a demarcated wetland with a buffer zone.

(1) The AbCMA shall also erect a sign post at the site showing the demarcation of the area on the sign post.

(2) The AbCMA shall indicate on this sign post that under no circumstances shall any person or company undertake any exercise to change the condition of the resource area subject to protection under this by-law.

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

i) The changing of pre-existing drainage characteristics, flushing characteristics, sedimentation patterns, flow patterns and flood retention areas;

ii) Undertaking an activity that raises or lowers the water level or water table;

iii) The destruction of vegetation;

iv) Reclaiming a wetland for purposes of putting up a structure or undertaking any development in the designated area.

6(1) 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.

(2) A person shall not destroy species of water organism or fish in a manner that results in the extinction or depletion of that species of organism.

Prohibition

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

Exception

8. (1) The AbCMA shall however for emergency projects necessary for the protection of the health and safety of the public allow such work to be undertaken provided that the work is to be performed by or has been ordered to be performed by an agency of health has notified the AbCMA at least 72 hours prior to the work being undertaken

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

Control of tree felling & vegetation

9(1) 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

Duration and Conditions of grant

10(1) a permit granted under this By-law shall expire immediately that 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 Garden, who shall report the planting of the tree to a committee to be appointed by the Assembly.

Replanting of economic tree

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

(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 species of a plant or bush animal in a manner that results in the extinction or depletion of that species of plant or bush 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.I1652).

Offences

A person who contravenes this by-law commits an offence and is liable on summary conviction to a fine not less than one hundred and seventy penalty units and not more than 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, is liable to a fine of not more than ten

penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid shall be allotted to Ablekuma Central Municipal Assembly.

Interpretation

In this by-law unless the context otherwise requires – “Assembly” means ABLEKUMA CENTRAL MUNICIPAL ASSEMBLY “Agency “means the Environmental Protection Agency and “Ministry “means the Ministry of Works and Housing

Application

This by-law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

.....

.....

Hon Yakubu Abane Asoke
Presiding Member
Ablekuma Central Municipal Assembly
Assembly

Abdulai Alhassan Issifu
Municipal Co-ordinating Director
Secretary to Ablekuma Central Municipal

Approved by the Regional Co-ordinating Council, Greater Accra.

.....

Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC

SECTION TWENTY ONE

Ablekuma Central Municipal Assembly (Wetlands Protection) By-Law, 2020

In exercise of the powers conferred upon the Ablekuma Central Municipal Assembly (AbCMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this by-law is hereby made
Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Wetland Protection) By-law, 2020

Establishment of Wetlands

1. (a) The AbCMA hereby establishes the Wetlands Protection By-law to protect the wetlands, water resources, and adjoining land areas under the jurisdiction of the AbCMA
- (b) For purposes of this by-law, the AbCMA shall collaborate with the Landuse and Spatial Planning Department, the Lands Commission, Environmental Protection Agency and Water Resources Commission in the Greater Accra Region to collect the data on wetlands, water resources and its adjoining lands.
- (c) Upon ascertaining, the areas in the AbCMA it shall proceed to publish in a paper that circulates in the Municipality, the electronic and print media all the areas concerned and inform the general public that no development shall take place in the designated area.
- (d) The AbCMA shall also erect a sign post at the site showing the demarcation of the area on the sign post.
- (e) The AbCMA shall indicate on this sign post that under no circumstances shall any person or Company undertake any exercise to change the condition of the resource area subject to protection

Under this by-law.

- (f) Examples of alteration or change include but are not limited to,
 - (i) The changing of pre-existing drainage characteristics, flushing characteristics, Sedimentation patterns, flow patterns and flood retention areas;
 - (ii) Undertaking an activity that raises or lowers the water level or water table;
 - (iii) The destruction of vegetation;
 - (iv) Reclaiming a wetland for purposes of putting up a structure or undertaking Any development in the designated area.

Discussions with traditional authority

2. (a) The AbCMA shall after ascertaining the various wetlands and displaying the areas, discuss this by-law with the traditional council in whose jurisdiction these wetlands occur and inform the traditional authorities that such areas shall not be granted for development.

Prohibition

3. (a) The AbCMA shall in conjunction with the Lands Commission refuse to grant permit for development or prepare a lease in respect of such area being demarcated to a prospective developer.

Exception

4. (a) The AbCMA shall however for emergency projects necessary for the protection of the health and safety of the public allow such work to be undertaken provided that the work is to be performed by or has been ordered to be performed by an agency of health and has notified the AbCMA at least 72 hours prior to the work being undertaken.
- (b) The AbCMA during the period of undertaking this work shall supervise the work through its Environmental Protection Agency to ensure that nothing is done to harm the ecology of the area.

Monitoring and enforcement

- 5. (a) The AbCMA shall form a standing committee consisting of five persons namely the Coordinating Director or his/her Deputy, the Solicitor/Retainer, the Head of Physical Planning, the Head of Disaster Prevention and Management Department and one person each from the Environmental Protection Agency and Water Resources Commission to ensure the compliance of this by-law by the traditional authorities and the prospective developers.
- (b) The AbCMA shall pay periodic visits to the sites designated as wetlands and natural resources areas to ensure that the areas are not being degraded.
- (c) Where a visit reveals any degradation, the standing committee shall inform the Chief Executive in writing with evidence of the activities which seeks to destroy the environment.
- (d) The AbCMA on receipt of the evidence shall have authority to enforce this by-law by issuing a violation notice(s) or administrative orders to restore the area to its original position.
- (e) Where the violation continues, the AbCMA shall institute both civil and criminal action to restrain the continuous degradation of the wetlands or the natural resource.
- (f) The Metro Guards of the AbCMA, including any Police Officer or other officer having police powers, shall have authority to assist the committee in terms of Section 5 (d) and (e) enforcement.

Offence

Any person who violates any provision of this by-law or administrative orders issued thereunder, shall be punished by a fine of not less than 120 penalty units. Each day or portion thereof during which a violation continues, or unauthorized fill or other alteration remains in place, shall constitute a separate offence, and shall attract a fine of 1 penalty unit. Fifty percent (50%) of the fine paid shall be allotted to Ablekuma Central Municipal Assembly.

Interpretation

6. In this by-law, AbCMA means Ablekuma Central Municipal Assembly, “wetlands” mean areas where water covers the soil, or is present either at or near the surface of the soil all year or for varying periods of time during the year, including during the growing season.

Application

This by-law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

.....
 Hon Yakubu Abane Asoke
 Presiding Member
 Ablekuma Central Municipal Assembly
 Assembly

.....
 Abdulai Alhassan Issifu
 Municipal Co-ordinating Director
 Secretary to Ablekuma Central Municipal

Approved by the Regional Co-ordinating Council, Greater Accra.

.....
 Jemima Lomotey
 Ag. Regional Co-ordinating Director and Secretary to the RCC

SECTION TWENTY TWO

Ablekuma Central Municipal Assembly (Cemeteries) By-Law, 2020

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

Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Cemeteries) By-law, 2020

Control of cemetery

1. (1) The AbCMA shall for the purpose of this By-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 AbCMA shall have a standard code of conditions to be followed by all the organizations.

(3) The Municipal Environmental Health and Sanitation Unit shall ensure that all cemeteries under the control of the AbCMA are kept neat and tidy at all time.

Permit to operate Private cemetery

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

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

(3) The AbCMA. Shall exercise oversight responsibilities over such cemeteries and all burial permits must be endorsed by the Municipal Environmental Health and Sanitation Unit.

(4) The granting of such permits shall take the form of franchise contract.

(5) The AbCMA may revoke such permits if operator continuously contravenes provisions in this by-law.

Control of Funeral Homes

3 (1) No person or entity shall own or operate a facility unless that facility is licensed by Municipal Environmental Health and Sanitation Unit. The facilities which apply are;

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

PERMIT to operate a facility

4 A person shall apply to the Municipal Environmental Health and Sanitation Unit for a permit / license to operate a facility. The license shall be renewed every two years

Revocation of Permit

5 Municipal Environmental Health and Sanitation Unit shall refuse to renew a license to own or operate a facility if operator fails to meet standards.

Plan of cemetery

6 There will 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 Municipal Environmental Health and Sanitation Unit in the Municipality.

Infant/free burial

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

Grave space

8 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.

Depth of grave

9 No grave in AbCMA cemetery shall be less than 1.2m deep and this shall have the certification of the Municipal Environmental Health and Sanitation Officer.

Register of burials

10 Each grave space delineated and plotted in the plan provided for in by-law 3 of this By-law 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 By-law.

Vaults

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

Cremation

12 The Municipal Environmental Health and Sanitation Unit of the AbCMA shall make arrangement for the provision of facilities for persons whose religious belief requires the cremation of their bodies.

Head Stones

13(1) the foundation of a head stone or other memorial in the cemetery shall not extend more than 6m below the surface of the grave.

(2) The Municipal Environmental Health and Sanitation Unit shall ensure compliance by all who intend to erect a memorial.

Restrictions

14(1) No burial shall be allowed without a permit issued by the AbCMA and the payment of the requisite fees.

(2) A relative of a deceased person shall apply for a burial permit with a 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 AbCMA shall by a special resolution fix the fees payable.

Free burials

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

Hours of burial

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

Fees

17(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 By-law 11 shall not attract any fee.

Nuisance

.18 (8) A person shall not commit any nuisance in a cemetery.

Monitoring and compliance

.19 (9) The Municipal Environmental Health and Sanitation Unit shall visit all cemeteries in the Municipality at least once in every two months to ascertain the level of compliance of this By-Law for necessary action(s) to be taken on issues raised during the visit.

Offence

A person who contravenes this by-law commits an offence and is liable on summary conviction to a fine not less than one hundred and seventy penalty units and not more than 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, is liable to a fine of not more than ten penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid shall be allotted to Ablekuma Central Municipal Assembly.

Interpretation

In this By-law unless the context otherwise requires, AbCMA means Ablekuma Central Municipal Assembly.

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 Municipal Environmental Health Officer	

Application

This by-law shall apply within the area of authority of the Ablekuma Central Municipal Assembly
Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

.....
Hon Yakubu Abane Asoke
Presiding Member
Ablekuma Central Municipal Assembly
Assembly

.....
Abdulai Alhassan Issifu
Municipal Co-ordinating Director
Secretary to Ablekuma Central Municipal

Approved by the Regional Co-ordinating Council, Greater Accra.

.....
Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC

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

Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Control of Poultry in Dwelling Premises) By-law, 2020

Limitation of poultry in dwelling houses

1. (1) Subject to provisions of this By-law, the maximum number of poultry that may be kept in a dwelling house within AbCMA's Administration area shall not be more than 50 birds.
- (2) Whenever the sanitary conditions of the poultry cause nuisances, the AbCMA shall order its closure.
- (3) The AbCMA shall notify the owner and give the owner a written notice of three months to look for an alternative location to keep the poultry.

Inspection and impounding of excess poultry

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

Housing of poultry

3 An owner or keeper of poultry who contravenes sub-paragraph (1) of paragraph 2 commits an offence under paragraph 7 and the court which records the conviction may in addition order the owner or keeper to dispose of the excess poultry within such time as it deems fit.

Disposal of droppings

4. (1) Litter or droppings cleared from deep litter or battery cages or any other structure housing the poultry shall be disposed of in accordance with the sanitation rules of the AbCMA;
- (2) Any such litter or droppings shall not be disposed of in a manner that constitutes a nuisance to residents in the area.

Stray poultry

5. (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 Public Health Department of AbCMA duly authorized, may impound any strayed or straying poultry which is found in a public place.

Custody of strayed poultry

6. An owner or occupier of any premises into which poultry stray, may impound them and shall within 24 hours, surrender them to AbCMA or arrange for the Municipal Environmental Health and Sanitation Unit to take possession of them,

Redemption of impounded stray poultry

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

Failure to pay

8 (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 Municipal Environmental Health Officer of AbCMA shall sell them by public auction and pay the proceeds from these to the finance officer of AbCMA, after deducting the expenses incurred for keeping the poultry.

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

Power to conduct inspection

9. An Environmental Health Officer of the AbCMA, and the Ministry of Food and Agriculture may at reasonable time during the day, enter any house in which he has reason to believe that poultry are being kept for the purpose of

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

(b) Finding if the conditions under which poultry are being kept to meet the requirement of this By-law.

Control of avian disease

10 The AbCMA has the power to order for culling or restriction on the movement of poultry in the course of avian disease outbreak to protect public health in conjunction with the Municipal Environmental Health and Sanitation Unit and Food and Agriculture Ministry.

Discretionary powers of AbCMA

11 Notwithstanding the provisions of this By-law, the AbCMA may, where it is satisfied that sufficient land is available for the purpose, authorize the keeping of poultry in excess of the limit specified in paragraph (1) subject to such condition relating to sanitation as it may be reasonably necessary in the public interest.

Offence

A person who contravenes this by-law commits an offence and is liable on summary conviction to a fine not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than 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 ten penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid shall be allotted to Ablekuma Central Municipal Assembly.

Interpretation

17. In this By-law unless the context otherwise requires

“AbCMA” means Ablekuma Central Municipal Assembly

“Health Officer” means the Municipal Environmental Health Officer,

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

Application

This by-law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

.....
Hon Yakubu Abane Asoke
Presiding Member
Ablekuma Central Municipal Assembly
Assembly

.....
Abdulai Alhassan Issifu
Municipal Co-ordinating Director
Secretary to Ablekuma Central Municipal

Approved by the Regional Co-ordinating Council, Greater Accra.

.....
Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC

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

Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Abatement of Noise) By-law, 2020

Place for sale of recorded music

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

License

2. (1) The prospective operator shall apply in writing to the AbCMA to inspect the premises designated for the sale of musical records or other recorded music and assess the place before granting a license;

(2) The AbCMA shall prescribe conditions for the applicant to fulfil before issuing the license. The conditions include complying with the noise level permitted under the 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.

Withdrawal of license

3. The AbCMA may withdraw a license issued under this By-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 this By-law or

(c) Conducts the business to pollute the environment.

Facilities for listening

4. 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.

Music played for advertisement

5. (1) A person shall not play or cause the playing of recorded music or recorded advertisement in public for the purpose of advertisement in such manner as to cause disturbance or nuisance to the public. For purposes of this By-law, the noise produced shall not exceed the permitted level under the law;

(2) A person who flouts By-law 5(1) shall be liable to pay a cost of abatement as in the fee fixing resolution.

(3) The AbCMA shall set up a task force to ensure compliance with this By-law with powers to confiscate all materials being used by the person.

(4) A person whose materials are confiscated shall within 7 days pay the appropriate penalty and further undertakes in writing that he or she shall not flout By-Law 5(1);

(5) If after the written undertaken, the breach continues, the AbCMA shall revoke the license granted to the person.

Music at night club and other places

6. (1) A proprietor of a night club, restaurant, drinking bar or other place of refreshment shall not play any music at the place so loudly as to cause disturbance or nuisance (i.e. above the permitted noise level under the law) to residents in the area.
- (2) Where recorded music is provided in a night club, restaurant, drinking bar, hotel or other place of refreshment or entertainment, the sound effect of the music shall remain and be heard only within the confines of the place.
- (3) In the case 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 grounds must not play music above the noise level required under the law.
- (5) The AbCMA shall set a task force to monitor operators' compliance with the provisions of this By-law in the municipality.

Religious institutions

7. (1) A church conducting a religious service shall not play any music or allow any music to be played or preach or pray at the service so loudly as to cause disturbances or nuisance to residents in an area.
- (2) Where music is played in a religious institution, the sound effect of the music shall remain within the confines of the buildings.
- (3) For the purposes of By-law 7(2), religious institutions must acquire sound insulators to enable the sound produced stay within the permitted sound level required under the law.
- (4) A person conducting a religious service where music is to be played or preaching of sermons shall be between 8 a.m. to 8 p.m.
- (5) Where a religious institution organizes an all-night service it shall have the facilities and gadgets to ensure that the sound effect of the music and any activity remains within the confines of the building.
- (6) Any religious institution shall not use loud speakers for call to worship and religious preaching between the hours of 9 p.m. and 7 a.m.

Excessive noise levels

8. (1) Where a religious institution, an individual, a music shop or a disc jockey flouts the bye-law on noise making, by making excessive noise, a person affected or the task force set up under this By-law shall set out to investigate the complaint;
- (2) The Municipal Environmental Health and Sanitation Unit in conjunction with the task force must first investigate the complaint by conducting independent checks. Where it is established that the noise is a nuisance the department will contact the offender with an abatement notice if necessary drawing the attention to the provisions of the By-law and warned to abate the nuisance.
- (3) If the offender fails to comply with the notice, the AbCMA shall impose cost of abatement 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.

Public preaching at Central Business Areas

9 (1) Public preachers shall obtain approval from the Municipal Environmental Health and Sanitation Unit.

10 (1) The permit so issued shall specify the conditions thereof.

(2) For the purposes of the provision in the preceding paragraph, the areas constituting the central business areas shall as specified in the schedule of this By-law unless the AbCMA in its discretion determines otherwise

Ban on Drumming and Noise making

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

Noise near hospital and public places

9. A person shall not within one hundred meters of a hospital, clinic, maternity houses or other place used for the reception or treatment of the sick, or any public library, place of worship, place of public assembly office or public holding.

(a) Sound or play upon or blow any musical or noisy instrument

(b) Sound or blow the horn of a motor vehicle unnecessarily or

(c) Make any noise which is a nuisance in any street, open space or other public place.

Noise near other premises

10. A person shall not in any street, open space or other public place or in connection with any shop, business premises or other place which adjoins any street, footway, pavement, sidewalk or other public place to which the public are admitted, or

(a) in or upon any other premises operating or causing or permitting or suffering to be operated any wireless, 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.

11. A person shall not be within one hundred meters of any shop, dwelling house, office or other premises, sound or play upon any musical or noisy instrument or sing or shout or blow the horn of any motor vehicle unnecessarily in any street to the annoyance or disturbance of any inmate or occupant thereof.

Noisy animals

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

Noisy hawking

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

established under this By-law.

Offence

A person who contravenes this by-law commits an offence and is liable on summary conviction to a fine not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than 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 ten penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid shall be allotted to Ablekuma Central Municipal Assembly.

Interpretation

In this By-law unless the context otherwise requires-

“AbCMA” means Ablekuma Central Municipal Assembly.

SCHEDULE

1. Mataheko area
2. Mabrouk area
3. Laterbiokorshie
4. Gbortsui (Russia)
5. Abossey Okai
6. Adwenbu
7. Nmenmeete (Zongo)

Application

This by-law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

.....
Hon Yakubu Abane Asoke
Presiding Member
Ablekuma Central Municipal Assembly
Assembly

.....
Abdulai Alhassan Issifu
Municipal Co-ordinating Director
Secretary to Ablekuma Central Municipal

Approved by the Regional Co-ordinating Council, Greater Accra.

.....

Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC

SECTION TWENTY FIVE

Ablekuma Central Municipal Assembly (Slaughter House/ Slab) By-Law, 2020

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

Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Slaughter House/Slab) By-law, 2020

Premises for slaughter house

1. (1) No premises or place shall serve as a slaughter house unless the premises has been approved by the AbCMA
- (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 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 AbCMA before issuing the permit shall be guided by the expert advice from the Veterinary Officer and the Environmental Health Officer of the AbCMA.

Operational manual

2. The Veterinary and Environmental Health Officers 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 directions that the slaughter house may see fit to issue.

Display of Slaughter House By-law

3. A copy of this By-Law and a list of the registered slaughter-men shall be hanged at a conspicuous place in the slaughter-house to enable all persons working therein to know this by-law.

Infected person

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

Entry

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

Prohibitions

6. (1) No person shall rub or cause to be rubbed the inner sides of the skins upon the ground within any portion of the slaughter house.
- (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 meant for animals, house hold washing or work of any nature, other than is involved in the slaughter house

of animals and the dressing of carcasses, shall be permitted in the slaughter house.

Inspection of animals

7. Every animal intended for slaughter shall be brought to the lairage and presented for inspection to the Veterinary and Environmental Health Officers.

8. The Veterinary Officer shall not approve an animal for slaughter, if: -

- (a) It is less than 15 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 deceased or in a dying condition provided that an animal which has met with 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 the slaughter of which the slaughter house is not provided.

Any animal brought into the slaughterhouse in contravention of this By-Law shall be summarily removed under the orders of the Veterinary and Environmental Health Officers.

Maintenance of register

9 The Veterinary and Environmental Health Officers shall maintain a register in which he or she shall record: -

- (i) The age, class, sex and a brief description of each animal presented for slaughter.
- (ii) Name and address of the owner of the animal.
- (iii) Result of ante-mortem inspection.
- (iv) Result of post mortem inspection and
- (v) Fees recovered

Rejected animal

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

Infectious animal

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

12. Approved animals

(a) 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.

(b) 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 expenses from the owner.

Collection of fees

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

Inspection of slaughter materials

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

Place of slaughter

15. The Veterinary and Environmental Health Officers shall assign a place to each slaughterman for slaughtering and no animal shall be slaughtered by a slaughter man at any other place than the place assigned to him.

Slaughter of animals

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

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

(c) That 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.

Burial of carcass

17. (a) The Veterinary and Environmental Health Officers may cause to be buried or destroyed any carcass or part of a carcass found to be blown or stuffed.

(b) All carcasses shall after flaying and the cleaning, be presented to the Veterinary Officer for inspection.

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

(ii) Knives and other instruments that have been used for cutting or examining any diseased organ, gland or tissue shall not again be used for any purpose until they have been properly disinfected.

Condemned meat

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

Passed meat

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

Removal of carcass

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

(i) 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.

(ii) If any carcass or meat is removed in a vehicle the conveyance shall be such that the meat is well ventilated but at the same time invisible. The carcasses shall be hanged on hooks and not dumped on the floor of the vehicle.

Conveyance of meat

21. (a) Every person who conveys or causes to be conveyed meat from the slaughter house:

i Shall cause to be kept clean the inside and covering of the vehicle, the receptacle in which the meat is placed and such parts or any slings or other implements or apparatus used for loading or unloading as come into act with meat or its covering.

ii If the vehicle is open at the top, back or sides shall cause the meat to be adequately

screened and protected by means of a clean cloth or other suitable material and

iii Shall not permit any live animal or any other article to be conveyed in the vehicle at the same time as meat

Precautions

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

Animal to be slaughtered in slaughter house

23. (a) 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.

(b) 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

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

Care of animal before slaughter

24. A person who owns an animal to be slaughtered shall;

(a) Give sufficient water to the animal before sending it to the slaughtering floor

(b) Protect such animal from pain, harm and harassment.

(c) Animal to be slaughtered are to be allowed to have ample rest before slaughter.

Method of slaughter

25. 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.

26. A person shall not slaughter an animal at the sight of another animal

27. 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.

Maintenance of the slaughter house

28. 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.

Fees

29. Person who uses the services of the slaughter house shall pay fee in accordance with the fee fixing resolution of the Assembly.

Prevention of contamination

30. Measures must be taken to prevent contamination of slaughtered animal on the slaughter floor.

a. Slaughtered animal shall be handled and transported in a manner that avoids contamination

Condemnation & disposal of unwholesome animal

31(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.

Offence

A person who contravenes this by-law commits an offence and is liable on summary conviction to a fine not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than 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 ten penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid shall be allotted to Ablekuma Central Municipal Assembly.

Interpretation

In this by-law unless the context otherwise requires – “Assembly” means ABLEKUMA CENTRAL MUNICIPAL ASSEMBLY

‘Animal “ include sheep, goat, cattle, pig, dog

Application

This by-law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

.....

.....

Hon Yakubu Abane Asoke
Presiding Member
Ablekuma Central Municipal Assembly
Assembly

Abdulai Alhassan Issifu
Municipal Co-ordinating Director
Secretary to Ablekuma Central Municipal

Approved by the Regional Co-ordinating Council, Greater Accra.

.....

Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC

SECTION TWENTY SIX

Ablekuma Central Municipal Assembly (Communal Labour) By-Law, 2020

In exercise of the powers conferred upon the Ablekuma Central Municipal Assembly (AbCMA)

by section 181 of the Local Governance Act, 2016 (ACT 936), this by-law is hereby made.

Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Communal Labour) By-law, 2020

Organization of communal labour

The Assembly may organize communal labour through Zonal Council, Unit Committee or authorized person within the area of authority of the Assembly.

Notice of communal labour

(1) The Assembly shall give seven days' notice to the residents of the relevant town or village or electoral area before the date fix for the communal labour.

(2) Despite by-law (1), the Assembly may give shorter notice before a communal labour.

(3) The notice that is given 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 conditions.

(c) 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.

Offence

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

Interpretation

In this by-law unless the context otherwise requires – “Assembly” means ABLEKUMA CENTRAL MUNICIPAL ASSEMBLY

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

“Authorised body” means Environmental Health Officer”

Application

This by-law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

.....
Hon Yakubu Abane Asoke
Presiding Member
Ablekuma Central Municipal Assembly
Assembly

.....
Abdulai Alhassan Issifu
Municipal Co-ordinating Director
Secretary to Ablekuma Central Municipal

Approved by the Regional Co-ordinating Council, Greater Accra.

.....

Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC

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

Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Markets) By-law, 2020

Tenancy Agreement

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

Allotment of Stalls, spaces and stores

1. Stores shall be allotted to allottees 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 as a rule on such terms and conditions as Assembly may determine.
4. The grant of all stores shall be made by the Assembly.

Discontinuing of Occupancy

1 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 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

Rent

2 (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.

Assembly under No liability for Loss or damage

3 (1) The Assembly shall not be under any liability 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 Assembly tenants at the markets shall insure their properties against fire, theft, burglary or other foreseeable contingencies.

Sub-letting stores without consent

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

Sale restricted to allotted stores, etc.

5 (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 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 hundred (100) penalty units.

Only specified Article to be sold

6 (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

Cleaning of Stores

7 (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.

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

10. 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

Obstruction

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

Articles of food to be raised from the ground

12. (1) No occupier of any store in a market shall expose for any 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 and half meters from the ground.

(2) No article which is likely to be used for human consumption in the state in which it is exposed for sale shall be sold without adequate protection from dust, flies or other insects prohibited persons

13. (1) The Assembly shall refuse entry a person a right of 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 regularity in the market or for facilitating the dispatch of business therein

Offences and penalty

A person who contravenes this by-law commits an offence and is liable on summary conviction to a fine not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than 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 ten penalty unit for

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

Application

This by-law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

.....
Hon Yakubu Abane Asoke
Presiding Member
Ablekuma Central Municipal Assembly
Assembly

.....
Abdulai Alhassan Issifu
Municipal Co-ordinating Director
Secretary to Ablekuma Central Municipal

Approved by the Regional Co-ordinating Council, Greater Accra.

.....

Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC

SECTION TWENTY EIGHT

Ablekuma Central Municipal Assembly (Food Safety And Hygiene) By-Law, 2020
In exercise of the powers conferred upon the Ablekuma Central Municipal Assembly (AbCMA)

by section 181 of the Local Governance Act, 2016 (ACT 936), this by-law is hereby made.
Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Food Safety and Hygiene) By-law, 2020

License

1. (1) A person shall not designate a place as a hotel, motel, guest house, restaurant, chop bar, food joint, unless the premises has been approved and licensed by the AbCMA for that purpose.
- (2) A license issued under this By-law is subject to such conditions as the AbCMA shall impose;
- (3) A license issued shall take effect from the date on which it is granted and shall be 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.

Provision of separate places for eating, cooking and lavatory

2. (1) A hotel, motel, guest house, restaurant, premises 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

Requirement as to public eating room

- (2) 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.
- (3) The floor of every public eating-room shall have a minimum of concrete floor and the wall, capable of being washed or painted.
- (4) The proprietor of public eating-room shall provide adequate lighting, ventilation and keep the premises clean at all times.
- (5) the eating room shall be fly proof

3. (1) A kitchen in the aforementioned premises shall have a concrete floor, and in every such kitchen suitable fly-proof storage for foodstuffs, meat, fish and vegetables together with one or more tables for the preparation of food.
- (2) The licensee shall further provide adequately covered receptacles for storage and the disposal of refuse and maintain the kitchen to ensure cleanliness of the premises.
- (3) The Municipal Environmental Health and Sanitation Unit may direct on standards that are to be maintained by chop bars and food joints in accordance with scope of operation.

Washing of plates and others

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

Prevention of Contamination

1. Food shall be handled to avoid contamination from biological, chemical and physical contaminants Food shall be processed in a manner that protect the food from flies, or dirt or other animals.

2 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.

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

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

Infected Person

5. Infected persons suffering from

- a. boils
- b., discharges from the ear, nose throat.
- c. skin lesions
- d. diarrhea
- e. rhinitis / rhinorrhea / cold
- f. any other food borne communicable disease are to be exclude from the food premises

Sanitary Conditions to be kept on Premises

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

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

Personal hygiene by food handler

6 (1) A food handler shall, in the handling of food, use protective gear that is required to prevent contamination of food

(3) A food handler shall observe good personal hygiene

Food handler certification

7 (1) All food handlers shall be subjected to screening by service providers accredited by the Municipal Environmental Health and Sanitation Unit.

(2) All food handlers found fit to handle food shall be issued with valid health certificate by the Municipal Environmental Health and Sanitation Unit, which shall be renewed at the date of expiry.

(3) Food handlers shall produce health certificate on demand by an Environmental Health Officer of the AbCMA.

Use of Wholesome Ingredients

8 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.

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

Food Preservation

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

Withdrawal of license

11(1) The AbCMA in its discretion may withdraw a license issued under this By-law if;

- (a) An alteration is made to any premises licensed hereunder without the permission of the

AbCMA or the necessary planning authority;

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

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

(2) A licensee whose license is revoked shall apply for a fresh license to operate the premises as such after satisfying all the conditions of the AbCMA 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 AbCMA before a new license is issued.

Appeal

12(1) A person dissatisfied with the revocation of a license shall within 7 days from the day of the decision appeal to the Municipal Chief Executive for a redress.

(2) The Chief Executive on receipt of same shall constitute a panel of three comprising the Solicitor of the AbCMA the heads of the planning and Municipal Environmental Health and Sanitation Units of the AbCMA 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 M.C.E. containing the recommendations.

Offences

A person who contravenes this by-law commits an offence and is liable on summary conviction to a fine not less than one hundred and fifty penalty units and not more than 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, is liable to a fine of not more than ten penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid shall be allotted to Ablekuma Central Municipal Assembly.

Interpretation

In this by-law unless the context otherwise requires –

“Assembly” means ABLEKUMA CENTRAL MUNICIPAL ASSEMBLY

“AbCMA” means , ABLEKUMA CENTRAL MUNICIPAL ASSEMBLY

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

confectionary, water, beverage (nonalcoholic and alcoholic) 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 By-law.

Application

This by-law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

.....
Hon Yakubu Abane Asoke
Presiding Member
Ablekuma Central Municipal Assembly
Assembly

.....
Abdulai Alhassan Issifu
Municipal Co-ordinating Director
Secretary to Ablekuma Central Municipal

Approved by the Regional Co-ordinating Council, Greater Accra.

.....
Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC

SECTION TWENTY NINE

Ablekuma Central Municipal Assembly (Bakery) By-Law, 2020

In exercise of the powers conferred upon the Ablekuma Central Municipal Assembly (AbCMA)

by section 181 of the Local Governance Act, 2016 (ACT 936), this by-law is hereby made.
Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Bakery) By-law, 2020

Bakeries to be licensed

1 A person shall operate a bakery or manufacture flour from a licensed premises approved 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) Keeps a separate room for staff changing room? Condition of rooms

3. (1) A room for storage of flour, baking of bread, display of bread, and sale of bread shall be protected from rodent and other vermin.

(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 relevant to the bakery for sleeping purpose and keeping of personal belongings.

Provision of sanitary condition

4. (1) An operator of a bakery shall provide sanitary convenience to the staff as may be directed by the Environmental Health Officers.

(2) An operator of a bakery shall make sufficient provision for the disposal of solid waste and waste water from the premises.

Personal hygiene by food handler

5 (1) A bakery staff shall, in the handling of food, use protective gear that is required to prevent contamination of food

(2) A bakery staff shall observe good personal hygiene

Food handler certification

6 (1) All food handlers shall be subjected to screening by service providers accredited by the Municipal Environmental Health and Sanitation Unit.

(2) All food handlers found fit to handle food shall be issued with valid health certificate by the Municipal Environmental Health and Sanitation Unit, which shall be renewed at the date of expiry.

(3) Food handlers shall produce health certificate on demand by Environmental Health Officers of the AbCMA.

Prohibitions

7(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 food in the bakery.

Fire Precaution

8(1) where cylinders are used, then all cylinders is 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, water sprinklers may be employed to fight out breaks as an immediate measure to stop the spread of fire.

(3) Fire safety posters are to be displayed and all necessary standard operating procedure must be followed.

Inspections

9 (1) An Environmental Health Officer of the Assembly shall have the power to enter a bakery for the purpose 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 duties under this by-law.

Offences

A person who contravenes this by-law commits an offence and is liable to a summary conviction of a fine not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than 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 ten penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid shall be allotted to Ablekuma Central Municipal Assembly.

Interpretation

. In this by-law unless the context otherwise requires –

“Assembly” means ABLEKUMA CENTRAL 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

“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

Application

This by-law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

.....
Hon Yakubu Abane Asoke
Presiding Member
Ablekuma Central Municipal Assembly
Assembly

.....
Abdulai Alhassan Issifu
Municipal Co-ordinating Director
Secretary to Ablekuma Central Municipal

Approved by the Regional Co-ordinating Council, Greater Accra.

.....
Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC

SECTION THIRTY

Ablekuma Central Municipal Assembly (Control of Mills) By-Law, 2020
In exercise of the powers conferred upon the Ablekuma Central Municipal Assembly (AbCMA)

by section 181 of the Local Governance Act, 2016 (ACT 936), this by-law is hereby made.
Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Control of Mills)
By-law, 2020

Building and Development permit

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

License

2. A person shall not operate a mill without a license from the Department of Physical Planning of the AbCMA

Fees

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

Dimension of premises

4. (1) A person shall not use a room or structure as a mill if;
 - (a) It is less than 4.2 meters long, 3.6 meters wide and less than 5 meters high from the floor level; and
 - (b) The floor is not made of concrete or others approved impervious material; and
 - (c) The walls are not fly- proofed.

Prohibition

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

Times of operation

6. A mill shall be opened to the public only between the hours of 6am and 6pm

Prohibited person

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

Food handler certification

- 8(1) All food handlers shall be subjected to screening by service providers accredited by the Municipal Environmental Health and Sanitation Unit.
(2) All food handlers found fit to handle food shall be issued with valid health certificate by the Municipal Environmental Health and Sanitation Unit, which shall be renewed at the date of expiry.
(3) Food handlers shall produce health certificate on demand by an authorized officer of the AbCMA.

Monitoring and Enforcement

10 The physical planning department, Municipal Environmental Health and Sanitation Unit of the AbCMA shall monitor and enforce the provisions of this By-law.

Offence

A person who contravenes this by-law commits an offence and is liable on summary conviction to a fine not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than 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 ten penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid shall be allotted to Ablekuma Central Municipal Assembly.

Interpretation

In this By-Law unless the context otherwise requires-

“AbCMA means Ablekuma Central 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

Application

This by-law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

.....
Hon Yakubu Abane Asoke
Presiding Member
Ablekuma Central Municipal Assembly
Assembly

.....
Abdulai Alhassan Issifu
Municipal Co-ordinating Director
Secretary to Ablekuma Central Municipal

Approved by the Regional Co-ordinating Council, Greater Accra.

.....

Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC

SECTION THIRTY ONE

Ablekuma Central Municipal Assembly (Growing and sale of crops) by-law, 2020

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

Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Growing and Sale of Crops) By-law, 2020

Requirement and Registration

1. No person shall grow crops at a place other than on land within his premises unless he has registered with the Environmental Health Authority furnishing his name and address and the description of the site where the crops are to be grown.

Watering and Irrigation

2. No crops shall be watered or irrigated by 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.

Infected persons

3. (1) No person who has discharging wound or sore or the symptoms of any infectious diseases shall take part in the growing or sales of crops.

Food handler certification

6 (1) All food handlers shall be subjected to screening by service providers accredited by the Municipal Environmental Health and Sanitation Unit.

(2) All food handlers found fit to handle food shall be issued with valid health certificate by the Municipal Environmental Health and Sanitation Unit, which shall be renewed at the date of expiry.

(3) Food handlers shall produce health certificate on demand by an authorized officer of the AbCMA.

Sale of crops

4 No crops shall be sold, offered or displayed at any other place than in a market, stall, store or kiosk

5 No crops shall be displayed for sale on a road, pavement or sidewalk

Crops unfit for sale

6 (1) the Municipal Environmental Health and Sanitation Unit may, where he considers necessary in the interest of public health, declare any crop unfit for human consumption

(2) No crops declare unfit for human consumption shall be sold, offered or displayed for sale as human food.

Interpretation

In this by-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

Offences

A person who contravenes this by-law commits an offence and is liable on summary conviction

to a fine not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than thirty days and not more than three 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 shall be allotted to Ablekuma Central Municipal Assembly.

Application

This by-law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

.....
Hon Yakubu Abane Asoke
Presiding Member
Ablekuma Central Municipal Assembly
Assembly

.....
Abdulai Alhassan Issifu
Municipal Co-ordinating Director
Secretary to Ablekuma Central Municipal

Approved by the Regional Co-ordinating Council, Greater Accra.

.....

Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC

SECTION THIRTY TWO

Ablekuma Central Municipal Assembly (Herbalists) By-Law, 2020
In exercise of the powers conferred upon the Ablekuma Central Municipal Assembly (AbCMA)

by section 181 of the Local Governance Act, 2016 (ACT 936), this by-law is hereby made.
Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Herbalist) By-law, 2020

License

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

Duration of License

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

Sanitary Conditions of herbalist's premises

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

Inspection of premises

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

Revocation

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

Restoration

6. A herbalist whose license is revoked by virtue of this by-law shall apply for a restoration of the license after satisfying conditions imposed by the AbCMA in accordance with advice from

the health department of the AbCMA

penalty

A person who contravenes this by-law commits an offence and is liable on summary conviction to a fine not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than 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 ten penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid shall be allotted to Ablekuma Central Municipal Assembly.

Interpretation

“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 Central Municipal Assembly

“A.b.C.M.A” means Ablekuma Central Municipal Assembly

Application

This by-law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

.....
Hon Yakubu Abane Asoke
Presiding Member
Ablekuma Central Municipal Assembly
Assembly

.....
Abdulai Alhassan Issifu
Municipal Co-ordinating Director
Secretary to Ablekuma Central Municipal

Approved by the Regional Co-ordinating Council, Greater Accra.

.....

Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC

SECTION THIRTY THREE

Ablekuma Central Municipal Assembly (Sale of Intoxicating Liquor) By-Law, 2020
In exercise of the powers conferred upon the Ablekuma Central Municipal Assembly (AbCMA)

by section 181 of the Local Governance Act, 2016 (ACT 936), this by-law is hereby made.
Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Sale of Intoxicating Liquor) By-law, 2020

License

1. (1) A person shall not distil or sell any intoxicating liquor either as a wholesale or retail in any part of the Municipality without a license issued by the AbCMA for that purpose.
- (2) The AbCMA 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 license before selling intoxicating liquor at the premises.
- (4) The AbCMA shall fix the fees payable for the license so issued and such a license shall expire on the 31st December of the year in which the license was issued.
- (5) The AbCMA shall grant a license after the Municipal Environmental Health and Sanitation Unit of the AbCMA and the Police have conducted a survey certifying the suitability of the premises for either the distilling or sale of the intoxicating liquor.

Application to be in writing

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

Condition and Duration of License

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

Fees

4. The AbCMA shall by a resolution fix the fees payable for the issuance of the license.

Powers of Collection of Fees

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

Revocation of License

6. The AbCMA may revoke any such license where the proprietor or any person acting in that capacity

- a. has refused to pay the approved fee;
- b. is acting in a manner repugnant to the Assembly's interest;
- c. is acting in a way injurious to public interest; or
- d. does not use the place for the purpose for which it was originally intended.

7. A person shall not obstruct or otherwise interfere with any officer of the AbCMA or other persons authorized by the AbCMA in the performance of any duties assigned to them under this By-law.

Inspection

8. (1) An officer from Municipal Environmental Health and Sanitation Unit of the AbCMA may enter upon the premises of the distiller or seller of liquor for purposes of inspecting the premises used for distilling or selling of the intoxicating liquor in respect of:
- a. whether the licensee is complying with the terms of the license,
 - b. randomly test samples of the intoxicating liquor for analysis.

Prohibition

9. (1) A licensee shall not allow any person who has not attained 18 years to distill, buy or sell intoxicating liquor at the premises of the licensee.
- (2) The licensee shall demand a proof of age and identity where the person seems not to have attained 18 years.
- (3) A licensee shall not sell intoxicating liquor to a drunken person and shall ensure that the premises are not used for any disorderly activities.
- (4) A licensee who contravenes any of the provisions of this by-law commits an offence and is 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 license shall be revoked by the AbCMA

Offence

A person who contravenes this by-law commits an offence and is liable on summary conviction to a fine not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than 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 ten penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid shall be allotted to Ablekuma Central Municipal Assembly.

Interpretation

10. In this By-law unless the context otherwise declares,
“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,
“AbCMA” means Ablekuma Central Municipal Assembly.

Application

This by-law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

.....
Hon Yakubu Abane Asoke
Presiding Member
Ablekuma Central Municipal Assembly
Assembly

.....
Abdulai Alhassan Issifu
Municipal Co-ordinating Director
Secretary to Ablekuma Central Municipal

Approved by the Regional Co-ordinating Council, Greater Accra.

.....

Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC

SECTION THIRTY FOUR

Ablekuma Central Municipal Assembly (Billboards or Sign-Boards and Advertising) By-Law,
2020.

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

Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Billboards or Sign-Boards and Advertising) By-law, 2020

License

1. (1) A person shall not erect, site or hang a billboard or sign-board or paint a building or any open space for purposes of advertising within the area of authority of the Assembly unless the person first obtains a license from the AbCMA for that purpose.
- (2) The prospective applicant must first present an application to the AbCMA spelling out the kind of billboard, signboard or the advert to be placed out. The application shall contain a sketch showing the sizes, heights and structural character of the advert.
- (3) The AbCMA shall vet the application by considering among others the location, size and its propriety before issuing a license for the advert after the payment of the appropriate fees fixed by a resolution of the AbCMA
- (4) A license 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) The AbCMA shall grant the license upon the payment of the fees fixed by the resolution of the AbCMA;
- (6) The prospective applicant shall display the number allotted by the AbCMA, failure of which the AbCMA shall notify the owner to display the number within three days.
- (7) Failure to display such number may result in removal of the advertisement without any further notice to the person who placed it out and the cost of removal surcharge on the owner.

Dilapidated billboards and sign-boards

2. (1) Bill-boards, sign-boards or any advert that have become dilapidated or expired with time shall either be replaced or removed by the owners thereof.
- (2) Where the owners of dilapidated or expired bill, sign-boards or advert take no steps to either replace or remove, the AbCMA may on its own order its removal and thereafter impose a penalty on the defaulting owners.

Designated Locations

3. (1) The AbCMA reserves the right to determine the specific location or area suitable for the erection of one or more reflector directional sign-boards.
- (2) To avoid a cluster of directional sign-boards in an area the Assembly may make provision for one general directional sign-board to accommodate the lot.
- (3) In such a situation the AbCMA shall approve of a recognized individual or company with the requisite know-how to undertake the provision of the general reflector sign-board based upon a dimension approved by the Municipal Roads Department in conjunction with the relevant Department of Assembly.
- (4) A prospective advertiser shall not choose a site for the erection of a bill or sign-board unless it has been inspected and approved by the department of physical planning of the AbCMA
- (5) The AbCMA shall at a fee to be determined by the resolution of the Assembly provide spaces within the municipality for posters.
- (6) A poster pasted at an unauthorized location shall attract a penalty as stipulated in the fee

fixing resolution

Erection of boards without authority

4. Where a bill or sign-board is erected without a license from the AbCMA, 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 AbCMA the bill or sign-board is suitably located. The owner of such a sign shall regularize his application to the AbCMA within seven days of the owner being notified in writing.

b. The bill or sign-board shall be removed without notice if in the opinion of the AbCMA it is wrongly located and surcharge the owner with the cost.

c. For the purpose of this By-law, a house or any open space painted with any product shall constitute an advertisement and the provisions of this By-law shall apply to same.

Prohibition

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

Enforcement and Monitoring

6. (1) The Development Planning Unit or Physical Planning Department and the Metro Guards shall ensure the compliance and enforcement of the provisions of this By-law.

(2) For purposes of By-law 6(1), the enforcement team has power to remove any signboard or billboard wrongly located.

Offence

A person who contravenes this by-law commits an offence and is liable on summary conviction to a fine 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, is liable to a fine of not more than ten penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid shall be allotted to Ablekuma Central Municipal Assembly.

Interpretation

7. Within the meaning of this By-law

“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 “bill or sign-board” is dilapidated if the message contained thereon has expired or has become obliterated or it has fallen into a state of disrepair with parts falling into pieces,

“AbCMA” means Ablekuma Central Municipal Assembly.

Application

This by-law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

.....
Hon Yakubu Abane Asoke
Presiding Member
Ablekuma Central Municipal Assembly
Assembly

.....
Abdulai Alhassan Issifu
Municipal Co-ordinating Director
Secretary to Ablekuma Central Municipal

Approved by the Regional Co-ordinating Council, Greater Accra.

.....

Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC

SECTION THIRTY FIVE

Ablekuma Central Municipal Assembly (Control of Children) By-Law, 2020
In exercise of the powers conferred upon the Ablekuma Central Municipal Assembly (AbCMA)

by section 181 of the Local Governance Act, 2016 (ACT 936), this by-law is hereby made.
Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Control of Children) By-law, 2020

Children at places other than school

1. 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.

Child Labour

2. The use of child labour shall not be permitted within the area of authority of the Assembly

Protection of children

3. (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 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.

Offence

A person who contravenes this by-law commits an offence and is liable on summary conviction to a fine not less than twenty five penalty units and not more than 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, is liable to a fine of not more than ten penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid shall be allotted to Ablekuma Central Municipal Assembly.

Interpretation

4. In this by-law unless the context otherwise requires –

“Assembly” means ABLEKUMA CENTRAL 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.

Application

This by-law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

.....
Hon Yakubu Abane Asoke
Presiding Member
Ablekuma Central Municipal Assembly
Assembly

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Abdulai Alhassan Issifu
Municipal Co-ordinating Director
Secretary to Ablekuma Central Municipal

Approved by the Regional Co-ordinating Council, Greater Accra.

.....

Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC

SECTION THIRTY SIX

Ablekuma Central Municipal Assembly (Special Levy) By-Law, 2020

In exercise of the powers conferred upon the Ablekuma Central Municipal Assembly (AbCMA)

by section 181 of the Local Governance Act, 2016 (ACT 936), this by-law is hereby made.
Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Special Levy) By-law, 2020

Inspection of special levy

1. (1) A community that intends to undertake development project in respect of by-law 2 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
 - (e) Community school and
 - (f) Any other project for which the community may embark upon

Amount to be paid

2. (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.

Need and purpose

3. (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 fully pay a special levy for after three months of imposing the special levy

Rendering of accounts

4. (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 Zonal Council under whose jurisdiction the community falls or the Assembly for their scrutiny and necessary action.

Offences

A person who contravenes this by-law commits an offence and is liable on summary conviction to a fine 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, is liable to a fine of not more than ten penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid shall be allotted to Ablekuma Central Municipal Assembly.

Interpretation

In these by-law unless the context otherwise requires –

“Assembly” means ABLEKUMA CENTRAL MUNICIPAL ASSEMBLY

Application

This by-law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

.....
Hon Yakubu Abane Asoke
Presiding Member
Ablekuma Central Municipal Assembly
Assembly

.....
Abdulai Alhassan Issifu
Municipal Co-ordinating Director
Secretary to Ablekuma Central Municipal

Approved by the Regional Co-ordinating Council, Greater Accra.

.....

Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC

SECTION THIRTY SEVEN

Ablekuma Central Municipal Assembly (Notices and Obstruction) By-Law, 2020
In exercise of the powers conferred upon the Ablekuma Central Municipal Assembly (AbCMA)

by section 181 of the Local Governance Act, 2016 (ACT 936), this by-law is hereby made.
Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Notice and Obstruction) By-law, 2020 Notices to be issued

1(1) The Assembly or an authorised agents or officers may issue a notice of abatement, or demand for information

(2) A notice issued by an authorised 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) Demand the payment of outstanding bills and
- (f) Specify a period which the specified action is to be taken.

Mode of Service

2 A Notice under bye-law 1 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.

Action for compliance with Court order

3 (1) If the opinion of the Assembly, the court order had not been complied with, then a non-compliance of court order proceedings shall be instituted against the offender

(2) It is an offence for a person to refuse to receive notice issued through that person or to that person or refuse to give information about an offender if that person is in a position to do so.

Obstruction of officers

4 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

Offences

A person who contravenes this by-law commits an offence and is liable on summary conviction to a

Fine not less than one hundred and seventy 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, is liable to a fine of not more than ten penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid shall be allotted to Ablekuma Central Municipal Assembly.

Interpretation

In this by-law unless the context otherwise requires –

“Assembly” means ABLEKUMA CENTRAL MUNICIPAL ASSEMBLY

Application

This by-law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

.....
Hon Yakubu Abane Asoke
Presiding Member
Ablekuma Central Municipal Assembly
Assembly

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Abdulai Alhassan Issifu
Municipal Co-ordinating Director
Secretary to Ablekuma Central Municipal

Approved by the Regional Co-ordinating Council, Greater Accra.

.....
Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC

SECTION THIRTY EIGHT

Ablekuma Central Municipal Assembly (Protection of Roads) By-Law, 2020
In exercise of the powers conferred upon the Ablekuma Central Municipal Assembly (AbCMA)

by section 181 of the Local Governance Act, 2016 (ACT 936), this by-law is hereby made.
Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Protection of Roads) By-law, 2020

PART I

Prohibitions

Carriageway

1. A person shall not spill fuel and lubricants on any road in the Municipality.
2. (1) 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.
(2) A person shall not wash vehicle, material or article on the road.
(3) A person shall not place or permit to be placed any material or article on the road.
(4) A person shall not cook, fry or light any fire or any other material emitting heat on the surface of any road.
(5) A person shall not use, pour or put corrosive material on the bitumen surface roads.
- (6) (1) A person shall not cut a trench on any part of the road or bore under any road without a permit from AbCMA All application for cutting or boring shall pass through the Department of Municipal Roads. A permit will be issued under the following conditions:
 - a) Assessment of associated cost as determined by Department of Urban Roads
 - b) Payment of determined cost to Department of Urban Roads
 - c) Pursuant to the issuance of the permit, the AbCMA through Department of Urban Roads shall take all necessary steps to ensure safety of road users within the vicinity of the activity
(2) The Department of urban Roads shall be responsible for the proper and timely reinstatement of the excavated area
(3) The applicant shall undertake the excavation activity strictly as per guidelines specified in the approval letter.
(4) The Department of Urban Roads shall supervise the excavation activity
3. A person shall not off-load or dump any item(s) or goods on any road or adjoining shoulder or walkway so as to constitute obstruction to road and pedestrian traffic.
4. A person or a group of persons shall not block or erect a canopy on any road in the Municipality for any funeral or social gathering without approved permit from the authorised officer of the AbCMA after an assessment by the Department of Urban Roads and payment of the approved fee for such purpose as shall be determined by the resolution of the AbCMA from time to time.
- 5 (1) A person who washes vehicles on a road commits an offence.
(2) A person who washes vehicles on the road shall have the vehicle impounded and made to sign a bond before a Court of Law that the conduct shall not be repeated before releasing the vehicle.
(3) A commercial vehicle washing bay that does not direct its waste water away from the road commits an offence. The AbCMA shall issue a written notice to the owner of the premises to remedy the situation. If the offence continues after the notice has expired, the 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.
(4) In addition to the bond the person shall pay a spot fine of 40 penalty units.
(5) For purposes of by-law 5(3), the Department of Municipal Roads shall form a task force

to monitor and ensure compliance with the provisions of this by-law.

6. It is an offence to keep a disabled vehicle for more than 2 hours on an urban road.

7. It is an offence to trade in car booth sales, table top sales etc. on the carriageway and walkway or shoulder

8. Any person or group of persons who erects advertising bill boards at intersections to obstruct visibility at the intersections commits an offence.

Drains

11 Any person or group of persons who dumps any type of solid material into a drain commits an offence.

12 Any person or group of persons that undertake an activity that physically damages the drain commits an offence.

13 Any person or group of persons that undertakes any activity which blocks the drain (partially or completely) commits an offence.

14 Any person or group of persons who removes any type of drain cover (metal gratings or concrete slabs) commits an offence.

Walkways and Shoulders

15 All pedestrian walkways shall remain open at all times to enable free and safe passage of pedestrians.

The following types of encroachments shall constitute an offence;

(1) Erection or installation of stationary objects in the nature of tables, wooden kiosks, metal containers, boundary fence wall etc. on the pedestrian walkway.

(2) Dumping of any material (sand, stones etc.) for any purpose

(3) Digging through walkways and/or shoulder

(4) Driving on a walkway and/or shoulder

(5) Digging and placing of signs in any road shoulder and walkway

Road Furniture

16 Road furniture shall consist of and not limited to road signs, crash barriers, bollards, traffic signals, street lights, hand and/or guard rails, road line markings etc.

(1) A person shall not remove any road furniture from its originally installed place

(2) For the purpose of item 1 above a person shall pay a fine of 120 penalty units

(3) Any person who crashes into road furniture shall reinstate as per recommendations from the Department of Urban Roads.

(4) Any person who defaces road line markings and signs commits an offence.

Medians and Islands

17 Any activity that hinders the usage of a Median and Islands poses great risk to pedestrians and motorists.

The following types of encroachments shall constitute an offence;

(1) Erection or installation of stationary objects in the nature of tables, wooden kiosks, metal containers, etc. on medians and islands.

(2) Dumping of any material (sand, stones etc.) for any purpose.

(3) Digging through medians and islands.

(4) Lorry stations within islands and bus stops pose risks to pedestrians and motorists hence any person who operates any transport station within an island commit an offence.

(5) Access of pedestrian crossings shall be kept opened and unrestricted at all times

PART II

Permit for Excavation

1 (1) no person shall within the Assembly area of administration shall undertake any excavation on any road without obtaining a permit from the Assembly for that purpose.

(2) Where with such consent a person undertakes any excavation in any street the person shall -

(i) At his/her own expense cause it to be sufficiently fenced and

(ii) maintained sufficient light or a reflective device in a proper place on or near it at all time 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.

Application for Permit

2. (1) An application for a permit to carry out an excavation exercise in any street shall be made in writing addressed to the Engineer of the Roads Department before excavation work begins.

(2) The application for the permit shall be in the form specified in the schedule to this by-law and shall only be signed by the Municipal Roads Engineer or any other competent officer when the application is approved.

Permit fee

A permit issued under the provisions of this By-law may be granted subject to conditions as the Assembly may determine in the interest of public safety and order within the Assembly area of administration.

3. A permit fee determined by Assembly shall become payable at the time of issuance of a permit to carry out excavation exercise.

Creation of Nuisance Prohibited

4. Nothing in any permit granted under the provisions of this by-law shall be deemed in any manner to authorize the continuance of a nuisance or any condition injurious or likely to be injurious to any member of the public.

Recovery of Expense

5. In the event of any person to whom a permit is issued failing to observe any of the conditions specified in the permit or any provisions of this By-law, the Assembly may do whatever is necessary for the compliance of this By-law and recover as a debt from such person any expense reasonably incurred by Assembly.

Excavation to be responsibility of Assembly

6. The Assembly shall be solely responsible for the permanent reinstatement of all excavations exercise undertaken within the Municipality and it shall charge in addition to the permit fee reinstatement fees according to the material used and the dimension of the work involved.

Assembly not Liable to Damages

7. The Assembly shall not be liable by virtue of any permit issued under the provisions of this by-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.

Offence

A person who contravenes this by-law commits an offence and is liable on summary conviction to a fine 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 three months or to both and in case of a continuing offence, is liable to a fine of not more than ten penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid shall be allotted to Ablekuma Central Municipal Assembly.

Interpretation

20. In this By-law unless the context otherwise requires:
“ AbCMA” means Ablekuma Central Municipal Assembly,
“medians and islands” means safe storage for pedestrians.

Application

This by-law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

.....
Hon Yakubu Abane Asoke
Presiding Member
Ablekuma Central Municipal Assembly
Assembly

.....
Abdulai Alhassan Issifu
Municipal Co-ordinating Director
Secretary to Ablekuma Central Municipal

Approved by the Regional Co-ordinating Council, Greater Accra.

.....

Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC

SECTION THIRTY NINE

Ablekuma Central Municipal Assembly (Entertainment License) By-Law, 2020

In exercise of the powers conferred upon the Ablekuma Central Municipal Assembly (AbCMA) by section 181 of the Local Governance Act, 2016 (ACT 936), this by-law is hereby made.
Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Entertainment License) By-law, 2020

Entertainment License

(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 sub-paragraph (1) of this 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 sub- paragraph (1) of this paragraph shall
- (a) not be transferable and
 - (b) be valid only for the day or year in which it is issued

Activities for Which license May be Obtained

2 (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 sub paragraph (1) of this paragraph by a resolution of Assembly.

Hours of Operation

3 (1) Any license issued under this by-law shall permit any activity for which the license was issued to take place between 2pm and midnight on a specified day.

Right of Entry

4. (1) An officer of the Assembly duly authorised, 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 under sub-paragraph (1) of paragraph 4 of this by-law

Interpretation

In this By-law unless the context otherwise requires:

“Assembly” means Ablekuma Central Municipal Assembly

“AbCMA” mean, Ablekuma Central Municipal Assembly

Offences

A person who contravenes this by-law commits an offence and is liable on summary conviction

to a fine 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, is liable to a fine of not more than ten penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid shall be allotted to Ablekuma Central Municipal Assembly.

Application

This by-law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

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Hon Yakubu Abane Asoke
Presiding Member
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Abdulai Alhassan Issifu
Municipal Co-ordinating Director
Secretary to Ablekuma Central Municipal

Approved by the Regional Co-ordinating Council, Greater Accra.

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Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC

SECTION FORTY

Ablekuma Central Municipal Assembly (Control of Commercial Entertainment Centres For Children) By-Law, 2020

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

Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Control of Commercial Entertainment Centres for Children) By-law, 2020

License

1. (a) Any person or entity operating a commercial entertainment centre for children shall take out a license from the AbCMA before operating same.

(b) A prospective operator of an entertainment centre shall apply to the AbCMA for the issuance of a license to operate the centre.

(c) The AbCMA shall issue out licenses to established centres upon a recommendation by the Department of Social Welfare and Community Development of the Assembly after deliberations with the Building Inspector of the Assembly, and a Fire Officer from the Fire Service.

(d) The AbCMA shall by a resolution fix the fees for the issuance of the license.

(e) The Social Welfare Officer, the Building Inspector and the Fire Service Officer shall examine all applications and advise the Assembly whether to issue the license or not to the applicant.

Safety and security of the Centre:

2. (a) In considering the suitability of the location of the centre, the Assembly shall take into consideration, the location of the centre, the accessibility and security of the premises so used.

No centre shall operate from a home.

(b) The Assembly shall before granting and/or renewing a license to a centre, examine the premises to ascertain the suitability in the nature of spacious premises, good ventilation and adequate firefighting equipment to ensure the safety of the premises to be used.

(c) Where there are defects at the centres premises, the officials of AbCMA shall inform the operator to remedy whatever defects detected by the inspection team before renewing or granting a new license.

(d) The operator of the centre shall not produce excessive noise so as to cause nuisance to the neighbourhood.

The centre shall observe all the rules on abatement of noise provided under AbCMA's by-law.

Protection of Children

3. (a) An entertainment centre shall be used to screen games for children.

(b) games depicting gambling, prostitution, smoking, drinking and any other unhealthy and unacceptable behaviour shall not be screened to the children to expose them to physical, psychological, emotional and moral dangers.

(c) A child below the age of sixteen (16) years shall not patronize an entertainment centre during school hours except during weekends and holidays and shall be accompanied by a responsible adult.

(d) A child shall not attend any centre after 6.00 pm unaccompanied by a responsible adult.

Monitoring and Enforcement

4. (a) The Social Welfare Officers of the Assembly and officials of the Metro Guards shall monitor compliance of this by-law to ensure the safety of the children.

(b) The Social Welfare Staff and the Municipal Guards shall pay periodic visits to these centres to inspect the premises and also ascertain compliance under this by-law.

Penalty

5. (a) Any person, who violates any provision of this by-law or administrative orders issued hereunder, commits an offence and is punishable by a fine of 100 penalty units.

(b) The owner after the payment of the fine shall make an undertaking to comply strictly with the provisions of this by-law in the interest of the children.

(c) A subsequent breach by the centre's operator will amount to a revocation of the centres license which shall only be restored, through a thorough assessment by the team of inspectors named in this by-law.

Interpretation

In this By-law unless the context otherwise requires:

“ AbCMA” means Ablekuma Central Municipal Assembly,

“Children” means those less than 16 years,

“Commercial Entertainment Centre” means video or game center.

Application

This by-law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

.....
Hon Yakubu Abane Asoke
Presiding Member
Ablekuma Central Municipal Assembly
Assembly

.....
Abdulai Alhassan Issifu
Municipal Co-ordinating Director
Secretary to Ablekuma Central Municipal

Approved by the Regional Co-ordinating Council, Greater Accra.

.....
Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC

SECTION FORTY ONE

Ablekuma Central Municipal Assembly (Use of Classrooms And School Premises For Religious And Social Purposes) By-Law, 2020

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

Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Use of Classrooms and School Premises for Religious and Social Purposes) By-law, 2020

1. No person, group of persons or any religious body shall use a classroom for the observance or celebration of religious functions within the area of administration of the AbCMA unless approval from the AbCMA has been obtained.

Period for operation

2. (a) A religious body which has been given approval by this by-law to use a classroom shall benefit from such approval only for the period specified and under the conditions as shall be determined by the AbCMA

a. The conditions shall be as follows;

i. The Churches / bodies applying for school sites should be well established and shall be bodies interested in providing facilities for the enhancement of educational facilities in an area of administration of the AbCMA

ii. They shall be financially sound and capable to undertake building projects for schools in accordance with specifications as the AbCMA may direct;

iii. They shall pay a fee stipulated per month to the AbCMA in accordance with fee fixing resolution of the AbCMA

AbCMA's contribution

3. a) The AbCMA shall contribute workmen and technical advice when the needs arise as a complement to the efforts for the church / body where the church or body has enough funds and has satisfied the conditions stated in Section 3 of this by-law.

a. Bodies / churches shall cooperate with local communities so that the schools shall become Community School when created.

Cite for new school

4. Schools to be established shall not be cited near existing AbCMA schools or other public schools in order that their enrolment shall be maximised.

Permission of furniture

5. a. The Church/ Body shall provide furniture for newly established schools initiated by them.

i. The school also built shall be in the public system under the AbCMA's education unit

ii. The Church / Body shall be represented on the school committee which shall be formed to run the school

iii. An agreement shall be executed between the church / body and the AbCMA vesting the property in the latter.

Inspection of premises

6. An officer duly authorized by the AbCMA to conduct inspection may enter and inspect the condition of the premises and may request any person/ group of persons, Church/ religious body to produce its license for inspection as required by paragraph I of this by-law.

Penalty

7. A person or group of persons, Church / religious bodies contravening any of the provisions of this by-law commits an offence and shall be liable on summary conviction to a fine

not less than 100 penalty units and not more than 250 penalty units or in default to a term of imprisonment not less than 6 months and not more than twelve months or to both.

Interpretation

8. In this by-law unless the context otherwise required:

“ AbCMA” means Ablekuma Central Municipal Assembly,

“Classroom” means Schools rather than Private schools.

Application

This by-law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

.....

Hon Yakubu Abane Asoke
Presiding Member
Ablekuma Central Municipal Assembly
Assembly

.....

Abdulai Alhassan Issifu
Municipal Co-ordinating Director
Secretary to Ablekuma Central Municipal
Assembly

Approved by the Regional Co-ordinating Council, Greater Accra.

.....

Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC

SECTION FORTY TWO

Ablekuma Central Municipal Assembly (Vehicle Dealers) By-Law, 2020

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

Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Vehicle Dealers) By-law, 2020

Application to operate as vehicle dealer

1 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 in the administrative area of AbCMA without applying to the AbCMA for permitting to do so.

Vehicle Dealers Permit

2 An applicant for a vehicle dealers 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 fire-fighting mechanism

Fees

3 AbCMA 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 AbCMA

Submission of site plans

An application submitted to the Ablekuma Central Municipal Assembly, shall be accompanied with three site plans of the area where park or enclosure is to be located.

Sitting of office

4 A site for sale or display of vehicle shall have an office from which receipts of sales of vehicles shall be issued.

Dimension

5 A park or enclosure used for the purposes of dealing in the sale of vehicle shall not be less than 61metres by 30 meters

Discretion to withdraw dealers license

6 Notwithstanding any sanction which may applied, AbCMA may withdraw a vehicle dealers license for stated reasons upon giving the dealer 30 days' notice where there is continuous contravention of this by-law.

Individual vehicle sale exempted

7 For the avoidance of doubt these bye laws shall not apply to any disposal of only one vehicle by an individual not owing up as a general dealer in vehicles.

Offence

A person who contravenes this by-law commits an offence and is liable on summary conviction to a fine not less than one hundred and eighty 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, is liable to a fine of not more than ten penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid shall be allotted to Ablekuma Central Municipal Assembly.

Application

This by-law shall apply within the area of authority of the Ablekuma Central Municipal Assembly

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

.....
Hon Yakubu Abane Asoke
Presiding Member
Ablekuma Central Municipal Assembly
Assembly

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Abdulai Alhassan Issifu
Municipal Co-ordinating Director
Secretary to Ablekuma Central Municipal

Approved by the Regional Co-ordinating Council, Greater Accra.

.....
Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC

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

Title: This By-Law shall be cited as Ablekuma Central Municipal Assembly (Internet Café) By-law, 2020

Internet Café License

1. No person shall under take or perform in the area of authority of the Ablekuma Central Municipal Assembly any internet cafe or similar act without first obtaining a license from the Assembly and having paid to the Assembly a fee fixed by resolution of the Assembly.

Children below the age of 18 years

2. No owner or proprietor of internet cafe shall allow a child below the age of 18years to enter and operate any game on the internet.

Hours of Operation

3. Any person operating an internet cafe within the area of authority of the Assembly shall operate between the hours of 6 am to 10 pm.

Cyber Fraud:

4. Any owner or proprietor who allows his cafe to be used by any person or group of persons to commit crime or fraud shall have his license revoked and shall be liable on conviction to a fine as prescribed by this by-law

Offence:

5. Any person who contravenes any provision of this By-law commits an offence and is liable on conviction to a fine not less than 100 penalty units and not exceeding 250 Penalty Units or a term of imprisonment not less than six months and not more than twelve months or to both the fine and imprisonment. Fifty percent (50%) of the fine paid shall be allotted to Ablekuma Central Municipal Assembly.

Application:

6. This By-Law shall apply within the area of authority of the Ablekuma Central Municipal Assembly.

Made at a meeting of the Ablekuma Central Municipal Assembly held on the 26th of May, 2020

.....
Hon Yakubu Abane Asoke
Presiding Member
Ablekuma Central Municipal Assembly
Assembly

.....
Abdulai Alhassan Issifu
Municipal Co-ordinating Director
Secretary to Ablekuma Central Municipal

Approved by the Regional Co-ordinating Council, Greater Accra.

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Jemima Lomotey
Ag. Regional Co-ordinating Director and Secretary to the RCC