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SUMMARY OF CONTENTS

	Page
Bye-laws	
Kumasi Metropolitan Assembly (Push Truck) Bye-laws, 1995	224
Kumasi Metropolitan Assembly (Control of Manufacturing of Charcoal) Bye-laws, 1995	224
Kumasi Metropolitan Assembly (Sale of Intoxicating Liquor) Bye-laws, 1995	225
Kumasi Metropolitan Assembly (Control of Economic Trees) Bye-laws, 1995	226
Kumasi Metropolitan Assembly (Herbalist) Bye-laws, 1995	227
Kumasi Metropolitan Assembly (Births and Deaths Registration) Bye-laws, 1995	227
Kumasi Metropolitan Assembly (Restaurant and Eating houses or Chop Bars) Bye-laws, 1995	229
Kumasi Metropolitan Assembly (Porters) Bye-laws, 1995	230
Kumasi Metropolitan Assembly (Billboards and Sign-Boards) Bye-laws, 1995	231
Kumasi Metropolitan Assembly (Kiosk-keepers) Bye-laws, 1995	232
Kumasi Metropolitan Assembly (Communal Labour) Bye-laws, 1995	233
Kumasi Metropolitan Assembly (Control of Mills) Bye-laws, 1995	234
Kumasi Metropolitan Assembly (House Owners and Occupiers) Bye-laws, 1995	234
Kumasi Metropolitan Assembly (Infectious Disease) Bye-laws, 1995.. .. .	235
Kumasi Metropolitan Assembly (Sanitation) Bye-laws, 1995	237
Kumasi Metropolitan Assembly (Cleaning) Bye-laws, 1995	238
Kumasi Metropolitan Assembly (Abatement of Nuisance) Bye-laws, 1995	240
Kumasi Metropolitan Assembly (Cemeteries) Bye-laws, 1995	242
Kumasi Metropolitan Assembly (Abatement of Litter) Bye-laws, 1995	243
Kumasi Metropolitan Assembly (Public Market) Bye-laws, 1995	245
Kumasi Metropolitan Assembly (Profession, Business and Trade) Bye-laws, 1995	249
Kumasi Metropolitan Assembly (Abatement of Noise) Bye-laws, 1995	250
Kumasi Metropolitan Assembly (Regulation of Vehicle Parking Places) Bye-laws, 1995	252
Kumasi Metropolitan Assembly (Cattle Pounds) Bye-laws, 1995	254
Kumasi Metropolitan Assembly (Control of Dogs) Bye-laws, 1995	255
Kumasi Metropolitan Assembly (Coach and Taxi) Bye-laws, 1995	256
Kumasi Metropolitan Assembly (Metropolitan Weekly Lotto) Bye-laws, 1995	260
Kumasi Metropolitan Assembly (Control of Poultry and Dwelling House) Bye-laws, 1995	261
Kumasi Metropolitan Assembly (Control of Hawkers) Bye-laws, 1995	263
Kumasi Metropolitan Assembly (Protection of Roads) Bye-laws, 1995	264

Kumasi Metropolitan Assembly (Push Trucks) Bye-laws, 1995

IN exercise of the powers conferred on the Kumasi Metropolitan Assembly by section 79 of the Local Government Act, 1993 (Act 462) these Bye-laws are made:

Licence to
push trucks.

1. (1) The owner or person in possession of any vehicle having wheels not propelled by mechanical means in use for the carriage of goods in the Metropolis shall take out a licence for such vehicle.

(2) Every licence issued under these Bye-laws shall expire on the 31st December, of the year in which it was issued.

Fees.

2. There shall be paid for any such licence a fee fixed by Resolution of the Kumasi Metropolitan Assembly.

Exhibition of
number plate.

3. Every vehicle for which a licence is issued shall have affixed therein the number plate assigned to it by the KMA.

Condition of
vehicle.

4. No licence shall be granted under section 1 of these Bye-laws in respect of a vehicle which in the opinion of the KMA or any other person authorised by the KMA in that behalf is in such a condition as to endanger persons or property.

Prohibition.

5. No person below the age of 18 shall push any vehicle which is subject to these Bye-laws and no user of such vehicle shall sit on them while it is in motion.

Rules of the
road.

6. The user of any such vehicle which is subject to these Bye-laws shall observe the normal rules of road traffic movement and shall keep close to the right hand side of the road.

Limitation of
operation of
vehicle.

7. No vehicle licensed under these Bye-laws shall operate between the hours of 5.30 p.m. and 5.30 a.m.

Offence.

8. any person who contravenes any of the provisions of these Bye-laws shall be guilty of an offence and shall on conviction be liable to a fine not exceeding ₵50,000.00 or imprisonment for a term not exceeding three months.

Application.

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

Interpretation.

10. In these Bye-laws unless the context otherwise requires, KMA means Kumasi Metropolitan Assembly.

Revocation.

11. Any Bye-laws on Push Trucks in existence in the area of authority of the KMA before the coming into force of these Bye-laws are hereby revoked.

Made at a meeting of the Assembly held on 28th December, 1995.

SIGNED

*Presiding Member
Kumasi Metropolitan Assembly*

SIGNED

*Metropolitan Co-ordinating Director
and Secretary to KMA*

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

SIGNED

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

Kumasi Metropolitan Assembly (Control of Manufacture of Charcoal) Bye-laws, 1995.

IN exercise of the powers conferred on the Kumasi Metropolitan Assembly by section 79 of the Local Government Act, 1993 (Act 462) these Bye-laws are made:

Prohibition of
Manufacture
of Charcoal.

1. (1) No person shall manufacture charcoal by burning in the area of authority of the KMA unless he obtains from KMA a licence to do so.

(2) For the avoidance of doubt, the KMA may grant such licence subject to such conditions as the Assembly may deem fit for the purpose of making the burning environmentally safe.

2. (1) No person shall sell charcoal in the area of authority of the KMA unless he obtains from the KMA a licence to do so.

Restriction on the sale of Charcoal.

(2) Any licence granted under sub-section (1) of this section shall be granted upon the payment of such fee as the Assembly may by resolution determine and shall expire on the 31st December, of the year in which it was issued.

3. Any person who contravenes any provision of these Bye-laws commits an offence and is liable on conviction to a fine not exceeding ₵200,000 or 12 months imprisonment or to both.

Offence.

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

Application

Made at a meeting of the Assembly held on 28th December, 1995.

SIGNED

*Presiding Member
Kumasi Metropolitan Assembly*

SIGNED

*Metropolitan Co-ordinating Director
and Secretary to KMA*

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

SIGNED

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

Kumasi Metropolitan Assembly (Sale of Intoxicating Liquor) Bye-laws, 1995

In exercise of the powers conferred on the Kumasi Metropolitan Assembly by section 79 of the Local Government Act, 1993 (Act 462) these Bye-laws are hereby made:

1. (1) No person shall distil or sell any intoxicating liquor either as a wholesale or retailer in any part of the Metropolis without a licence by the KMA.

Licence.

(2) Separate licence shall be issued for distillation and retailing and shall be issued yearly or as may be determined by the KMA.

2. (1) Every application for a licence shall be made in writing to an officer so designated by the Kumasi Metropolitan Assembly and shall contain sufficient particulars of the place and type of liquor the applicant intends to sell.

Application to be in writing.

(2) Such an application will be forwarded to the Police Officer in charge of the area for determining whether the area is suitable for such purpose.

(3) The officer when satisfied with such report from the police will endorse it to the KMA Licensing Officer for the licence to be issued.

3. Every licence—

(a) shall be subject to the provision in the Manufacture and Sale of Spirits Act of 1962, and

(b) shall be a yearly licence and shall determine on the last day of the year in which it was issued.

4. The fee payable for such licence shall be fixed by resolution of the Assembly to be approved by or on behalf of the Ministry of Local Government.

Fees.

5. (1) An Officer duly authorised by the KMA may, at all reasonable times take steps to recover the approved fees or to revoke any such licence where the proprietor—

Powers.

(a) has refused to pay the approved fee;

(b) is acting in a manner repugnant to the Assembly's interest;

(c) is acting in a way injurious to public interest; or

(d) does not use the place for the purpose for which it was originally intended.

(2) No person shall obstruct or otherwise interfere with any officer or other persons authorised by the Assembly in the performance of any duties assigned to them under these Bye-laws.

- Penalty. 6. Any person who distils or sells liquor without the requisite licence or contravenes any of these Bye-laws shall be guilty of an offence and shall on summary conviction be liable to a fine not more than ₵100,000 or in default to a term of imprisonment not exceeding 3 months or both.
- Interpretation. 7. Liquor means any distilled alcoholic drink or any liquor produced by boiling/fermenting of food substance (eg. malt, millet, sugar, etc.)
- Revocation. 8. All existing Bye-laws on sale of intoxicating liquor, are hereby revoked.

Made at a meeting of the Assembly held on 28th December, 1995.

SIGNED

*Presiding Member
Kumasi Metropolitan Assembly*

SIGNED

*Metropolitan Co-ordinating Director
and Secretary to KMA*

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

SIGNED

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

Kumasi Metropolitan Assembly (Control of Economic Trees) Bye-laws, 1995

In exercise of the powers conferred on the Kumasi Metropolitan Assembly by section 79 of the Local Government Act, 1993 (Act 462) these Bye-laws are hereby made:

- Prohibition. 1. (1) No person shall cut down any economic tree in the Metropolis unless he first obtains a permit in writing to do so from the KMA or with the written permit of the Lands Commission in the case of timber concessions.
- (2) A permit granted under these Bye-laws shall expire on the 31st December of the year in which it is granted.
- Trees to be replanted. 2. Any person who is granted a permit under these Bye-laws to cut an economic tree shall replant a tree and the same or similar stock within 30 days at the spot or in the vicinity where the tree is cut.
- Fees. 3. The fee payable to the Assembly for the permit shall be an amount fixed from time to time by resolution of the Assembly.
- Offences. 4. Any person who contravenes any of these Bye-laws commits an offence and shall be liable on conviction by a Court or Community Tribunal to a fine not exceeding ₵50,000.00 or to a term of imprisonment not exceeding three months.
- Interpretations. 5. In these Bye-laws unless the context otherwise requires; "economic tree" means any tree which provides any form of benefit to the Metropolis.
- Application. 6. These Bye-laws shall apply within the area of authority of the Assembly.
- Revocation. 7. Any Bye-law on control of economic trees in existence within the area of authority of the Assembly immediately before the commencement of these Bye-laws are hereby revoked.

Made at a meeting of the Kumasi Metropolitan Assembly held on the 28th day of December, 1995.

SIGNED

*Presiding Member
Kumasi Metropolitan Assembly*

SIGNED

*Metropolitan Co-ordinating Director
and Secretary to KMA*

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

SIGNED

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

Kumasi Metropolitan Assembly (Herbalists) Bye-laws, 1995

1. No herbalist shall practise within the area of authority of the Assembly unless he first—
 (a) registers with the Ghana Psychic and Traditional Healing Association; and
 (b) obtain a licence from the Assembly's Medical Officer of Health or unless he complies with any conditions which the Kumasi Metropolitan Assembly with approval by or on behalf of the Ministry of Local Government and Rural Development endorse on the licence. Licence.
2. A herbalist's licence issued under these Bye-laws shall be valid for one year from the date of issue. Duration of Licence.
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 despatch. Sanitary Conditions of a herbalist's premises.
4. An officer duly authorised by the Kumasi Metropolitan Assembly so to do may enter and inspect the sanitary conditions of a herbalist's premises and may request him to produce his licence for inspection. Inspection of premises.
5. Where a herbalist has been convicted on two occasions of an offence involving dishonest or improper conduct as a herbalist, or where he repeatedly fails to maintain good sanitary conditions in his premises, the Kumasi Metropolitan Assembly may revoke his licence. Revocation of Licence.
6. (1) Any person who breaches any of these Bye-laws shall be guilty of an offence and liable on conviction to a fine not exceeding ₵50,000 or in default to a term or imprisonment not exceeding three months. Penalty.
 (2) For each day an offence is committed after a written notice of the breach has been served on the offender a further penalty of ₵5,000 shall be imposed.
7. These Bye-laws shall apply within the area of authority of the Assembly. Application.
8. Any (Herbalists) Bye-laws in existence immediately before the coming into effect of these Bye-laws are hereby revoked. Revocation.

Made at a meeting of the Kumasi Metropolitan Assembly held on the 28th day of December, 1995.

SIGNED

*Presiding Member
Kumasi Metropolitan Assembly*

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*Metropolitan Co-ordinating Director
and Secretary to KMA*

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government

SIGNED

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

Kumasi Metropolitan Assembly (Births and Deaths Registration) Bye-laws, 1995

In exercise of the powers conferred on the Kumasi Metropolitan Assembly by section 79 of the Local Government Act, 1993 (Act 462) these Bye-laws are hereby made:

1. Every birth or death occurring within the metropolis shall be reported to the person appointed by the K.M.A. to receive reports (hereinafter referred to as "the Registrar") and to record such reports in books provided for the purpose (hereinafter referred to as the Registration). Births and deaths to be reported:

Registrar.

2. The Registrar shall—

- (a) keep two separate registers in which he shall record the details of every report made to him in respect of each birth or death respectively;
- (b) subject to the directions of the Assembly be responsible for the safe custody of the register;
- (c) make the register available at all reasonable times for inspection by any member of Kumasi Metropolitan Assembly or Medical Officer of Health or the Principal Registrar of Births and Deaths or his representative or for search by any member of the public;
- (d) submit returns in such manner and at such times as the Principal Registrar of Births and Deaths shall direct;
- (e) otherwise conform to the requirements of these Bye-laws.

Registration Assistants.

3. (1) The Kumasi Metropolitan Assembly may appoint such number of Registration Assistants as may be necessary.

(2) Registration Assistants shall perform the same duties as the Registrar but shall be responsible to the Registrar.

(3) Registration Assistant shall send to the Registrar certified extract of all entries in their registers during the previous month.

Custody of registers.

(4) Current registers when not actually in use and disused registers shall be kept in proper fire-proof safe which shall be kept security locked.

Persons to make reports.

(5) Reports in accordance with section 1 shall be made in writing or in person in the case of—

(a) births, by the mother of the child;

(b) deaths, by the head of the deceased's family or in his absence by the person finding or taking charge of the body.

Fees.

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

Forms of Registration.

(7) Registers shall be kept in the forms provided for registers of Births/Deaths and Burial respectively under the Births/Deaths and Burial Ordinance.

Birth Certificate.

(8) The Registrar shall upon registering any birth delivered to the reporter, upon payment of a fee fixed by resolution of the Kumasi Metropolitan Assembly and approved by or on behalf of the Ministry of Local Government, a certificate in the form "G" set forth in schedule 1 of the Births, Deaths and Burials Ordinance.

Time for Register.

(9) Every report required by these Bye-laws shall be made—

(a) in respect of death within seven days, and

(b) in respect of a birth within two months.

Inspection of registers.

(10) Any person shall be entitled on payment of an amount fixed by resolution of the Kumasi Metropolitan Assembly, to inspect any entry in the registers or to search the register at any reasonable time.

Copies as evidence.

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

Correction of registers.

(12) (1) Any clerical error in a register may if discovered at the time of making the entry, be corrected by or other entry shall be corrected nor any alternation made in any register save on the application of a party supplying information to the Registrar.

(2) No erasure shall be made in any register or certified copy or extract thereof, but if any correction is made a line of red ink shall be drawn through any word to be deleted so as to leave the word legible, and any word to be inserted shall be underlined or written in the margin opposite any correction.

(3) Where it is desired to change the name of a child whose birth and name have been registered, or record had been registered without record of a name, the Registrar, may, upon written application by the child's parent or guardian made within twelve months of the registration of the birth correct the register accordingly.

(13) Any person who wilfully registers or permits to be registered any false statement or who wilfully destroys or permits to be destroyed any entry, in any register shall be guilty of an offence and shall upon conviction be liable to a fine not exceeding ₵50,000 or in default to a term of imprisonment not exceeding one month.

Penalty.

(14) The Births and Deaths Bye-laws, 1987 are hereby repealed.

Revocation.

(15) These Bye-laws shall apply within the area of authority of the Assembly.

Application.

Made at a meeting of the Kumasi Metropolitan Assembly held on the 28th day of December, 1995.

SIGNED

*Presiding Member
Kumasi Metropolitan Assembly*

SIGNED

*Metropolitan Co-ordinating Director
and Secretary to KMA*

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

SIGNED

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

Kumasi Metropolitan Assembly (Restaurant, and Eating Houses or Chop Bars) Bye-laws, 1995

In exercise of the powers conferred on the Kumasi Metropolitan Assembly by section 79 of the Local Government Act, 1993 (Act 462) these Bye-laws are hereby made:

1. (1) No place shall be used as a restaurant or eating-house unless it has been approved and licensed by the Assembly.

Licence.

(2) Every licence (which in every case shall be subject to such conditions as the Assembly may impose) shall be a yearly licence and shall take effect from the date on which it is granted and it shall determine on the last day of the year in which the licence is issued.

Provision of separate eating house and kitchen.

(3) Every licence granted shall be personal to the licensee only and shall not be transferable.

2. In all premises used as a restaurant or eating-house there shall be provided—

(a) a separate room which shall be used solely as a public eating room;

(b) a separate kitchen which shall be used solely for cooking and for the preparation of food and liquid refreshment for use in the restaurant or eating house.

(1) Any room used as a public eating room in any restaurant shall not be less than five metres long, four metres wide and four metres high.

Requirement as to public eating room.

(2) The floor of every public eating-room shall be of concrete or other impervious material and the wall shall be capable of being washed.

(3) In every public eating room adequate lighting and ventilation shall be provided.

4. (1) Every kitchen in a restaurant or eating-house shall be of an approved type with a concrete floor, and in every such kitchen suitable fly-proof storage for foodstuffs shall be provided together with one or more tables for the preparation food.

(2) In every such kitchen adequately covered receptacles for the disposal of refuse shall be provided and maintained by the licensee.

5. In connection with every eating-house or restaurant suitable arrangements shall be provided by the licensee for the washing of places and utensils.

Washing of plates, etc.

6. No proprietor of a restaurant or eating-house or any person suffering from an infectious or contagious disease to take part in the preparation or serving of food in connection with the restaurant or eating-house.

Infected person.

- Nuisance. 7. Animals of fowls likely to cause nuisance shall not be kept in the compound of any restaurant or eating house.
- Obstruction. 8. No person shall obstruct or resist any Officer or any other person appointed by the KMA who is acting in the performance of duties relating to any of the purposes of these Bye-laws.
- Withdrawal of licence. 9. The KMA in its discretion may withdraw any licence under these Bye-laws if any alteration is made to any premises licensed thereunder or if the licensee is convicted under these Bye-laws.
- Offence. 10. Any person found guilty of a breach of any of these Bye-laws or a licence granted thereunder shall be liable on conviction to a fine not exceeding ₵100,000.00 or in default of payment to imprisonment for a term not exceeding three months.
- Interpretation. 11. Any 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 for the purpose of these Bye-laws.
- Revocation. 12. The bye-laws on control of Hotels, Restaurants and Eating-houses or Chop Bars) 1987, are hereby repealed.

Made at a meeting of the Kumasi Metropolitan Assembly held on the 28th day of December, 1995.

SIGNED
Presiding Member
Kumasi Metropolitan Assembly

SIGNED
Metropolitan Co-ordinating Director
and Secretary to KMA

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government

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

Kumasi Metropolitan Assembly (Porters) Bye-laws, 1995

IN exercise of the powers conferred on the Kumasi Metropolitan Assembly by section 79 of the Local Government Act, 1993 (Act 462) these Bye-laws are hereby made:

- Prohibition. 1. No person shall operate as a porter unless he obtains licence and wears the uniform prescribed by the KMA for that purpose.
- Registration. 2. Every porter shall register with the KMA and indicate his area or areas of operation.
- Uniform. 3. (a) It shall be unlawful for any porter to operate at any part of the Metropolis without the approved uniform.
 (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 KMA may approve.
- Withdrawal of licence. 4. The KMA reserves the right to withdraw the licence of any porter who is convicted of a criminal offence in the nature of theft, dishonesty or commits acts of insubordination or persistently breaches a provision (s) of these Bye-laws.
- Cleanliness. 5. It shall be the duty of every porter to keep his overall clean and to maintain a general appearance of personal cleanliness.
- Offence. 6. Any porter who contravenes any provisions of these Bye-laws commits an offence and shall be liable on conviction by a court or Community Tribunal to a fine not exceeding ₵20,000.00 or to a term of imprisonment not exceeding one month.
- Interpretation. 7. For the purposes of these Bye-laws, "a porter" means a carrier of goods or trolley pusher, "or carrier assistant at a trading shop, market, lorry stations and taxi ranks.
- Application. 8. These Bye-laws shall apply within the authority of "the Assembly".

Made at a meeting of the Kumasi Metropolitan Assembly held on the 28th day of December 1995.

SIGNED

*Presiding Member
Kumasi Metropolitan Assembly*

SIGNED

*Metropolitan Co-ordinating Director
and Secretary to KMA*

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

SIGNED

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

Kumasi Metropolitan Assembly (Billboards and Sign-Boards) Bye-laws, 1995

IN exercise of the powers conferred on the Kumasi Metropolitan Assembly by section 79 of the Local Government Act, 1993 (Act 462) these Bye-laws are hereby made:

1. (1) No person shall erect site or hang a billboard or sign-board within the area of authority of the Assembly unless he first obtains a licence from the Assembly. Licence.
 (2) The licence shall be valid as from the date of issue until the 31st day of December of the year in which it was granted, but in the case of a banner or a sign-board for an occasion the licence shall expire after the period specified.
 (3) The licence shall be granted upon the payment of a fee to be fixed by resolution of the KMA.
2. (1) Bill-boards and sign-boards that have become dilapidated or expired with time shall either be removed or replaced by the owners thereof. Dilapidated billboards and sign-boards.
 (2) Where the owners of dilapidated or expired bill or sign-boards take no steps to either remove or replace the same the KMA may on its own order its removal and thereafter impose a penalty on the defaulting owners.
3. (1) The KMA reserves the right to determine the area or junction that is suitable for the erection of one or more reflector directional sign-boards. Directional sign-boards.
 (2) In order to avoid a cluster of directional of sign-boards in an area the Assembly may order the affected persons to provide one general directional sign-board to accommodate the lot.
 (3) In such a situation the KMA shall approve of a recognised 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 Metropolitan Engineers Department of KMA.
4. Where a bill or sign-board is erected without the consent of the KMA— Erection of boards without consent.
 - (a) a penalty shall be imposed on the owner thereof if in the opinion of the KMA the bill or sign-board is suitably located.
 - (b) The bill or sign-board shall be removed without notice if in the opinion of the KMA its sitting is inimical to the view of motorists or the beauty of the location or planning purposes.
5. No site shall be chosen for the erection of a bill or sign-board unless it has been inspected and approved by the City Engineers Department of the KMA. Approved of sites by City-Engineer.
6. Any person who contravenes any provision of these Bye-laws commits an offence and shall on conviction by a Court or Community Tribunal be liable to a fine not exceeding ₵100,000.00 or to a term of imprisonment not exceeding 3 months. Offence and penalty.
7. Within the meaning of these Bye-laws "a bill or sign-board" includes a banner or placard made from cloth, wood or metal for occasions like funeral, procession, religious or secular activity; and 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 to pieces. Interpretation.
8. These Bye-laws shall apply within the area of authority of the KMA. Application.

Made at a meeting of the Kumasi Metropolitan Assembly held on the 28th day of December 1995.

SIGNED

*Presiding Member
Kumasi Metropolitan Assembly*

SIGNED

*Metropolitan Co-ordinating Director
and Secretary to KMA*

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government

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

Kumasi Metropolitan Assembly (Kiosk-Keepers) Bye-laws, 1995

In exercise of the powers conferred on the Kumasi Metropolitan Assembly by section 79 of the Local Government Act, 1993 (Act 462) these Bye-laws are hereby made:

Application.

1. (1) No person shall construct or keep a kiosk in the Kumasi Metropolis for the transaction of any business without first applying to the Assembly for a licence to do so.

(2) Licence granted under these Bye-laws are temporary and the KMA reserves the right to order the removal of any kiosk if its location is considered unsuitable.

(3) Where such application is deposited with the Assembly there shall be attached thereto three site plans of the area where the kiosk is to be kept.

(4) When a licence is granted there shall be payable to the KMA such a fee as may be fixed by resolution of the KMA.

Display of
official
numbers.

2. All kiosk shall display the official numbers allocated to them in a conspicuous place on the kiosk.

Size of kiosk.

3. No kiosk shall exceed 120 sq. ft.

Former
licenses.

4. All licences in respect of the keeping of kiosk granted by the Assembly shall remain valid.

Offence.

5. (1) Any person who contravenes any provision of these Bye-Laws shall be guilty of an offence and shall on conviction be liable to a fine not exceeding ₵50,000.00 or to a term of imprisonment not exceeding three months.

(2) Notwithstanding any Court action instituted under sub-section 1 of this section the KMA may remove any unauthorised kiosk on giving three days notice to the owner of the kiosk.

Interpretation.

6. In these Bye-laws unless the context otherwise requires KMA means Kumasi Metropolitan Assembly.

Application.

7. These Bye-Laws shall apply within the area of authority of the Assembly.

Made at a meeting of the Kumasi Metropolitan Assembly held on the 28th day of December 1995.

SIGNED

*Presiding Member
Kumasi Metropolitan Assembly*

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*Metropolitan Co-ordinating Director
and Secretary to KMA*

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government

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

Kumasi Metropolitan Assembly (Communal Labour) Bye-laws, 1995

In exercise of the powers conferred on the Kumasi Metropolitan Assembly by section 79 of the Local Government Act, 1993 (Act 462) these Bye-laws are hereby made:

1. The KMA or any Town or area Council/Unit Committee or any person authorised by the Assembly (hereinafter referred to as the "Organising Authority") may from time to time organise communal labour in any town or village or electoral area within the metropolis, as the KMA or the Organising Authority deems necessary. Organisation of Communal labour.

2. (1) The KMA or Organising Authority may give at least seven days notice to residents of the relevant town or village or electoral area before the date set for the Communal labour. Notice of communal labour.

(2) The KMA or Organising Authority may, where the circumstances so require, give shorter notice as it may determine.

(3) The notice shall include—

(a) the date and time at which the Communal labour is to be organised.

(b) the nature of communal labour to be undertaken.

3. (1) Every able-bodied person resident in the relevant town or village or electoral area shall take part in any communal labour organised under section 1 of these Bye-laws. All able-bodied persons to attend communal labour.

(2) The KMA or Organising Authority may exempt any person from taking part in a communal labour organised by it if it is satisfied that—

(a) the person is sick;

(b) the person is required to appear before a Court or Tribunal or help the Police in any investigation;

(c) the person is attending the funeral of his relative or of such person as the KMA or Organising Authority may approve; or

(d) such circumstances exist in relation to the person as to make it unreasonable for him to take part in the Communal labour.

4. (1) Any person who contravenes these Bye-laws commits an offence and shall on conviction by a Court or Community Tribunal be liable to a fine not exceeding ₵20,000 or to imprisonment for a term not exceeding two months or to both. Offence.

(2) Any person who, without lawful justification or excuse, the proof of which shall be on him incites any person to refuse to take part in any communal labour organised under these Bye-laws commits an offence under these Bye-laws, and shall be liable on conviction to a fine not exceeding ₵50,000.00 or to imprisonment for a term not exceeding one month or to both.

(3) Subject to sub-paragraphs (1) and (2) of this paragraph, the Court or Tribunal may, in addition to any punishment imposed on any person order the person to undertake the communal labour, the nature and period the court or Tribunal may determine.

5. In these Bye-laws unless the context otherwise requires—

"able-bodied person" means a physically strong person who is eighteen years or above and below sixty-five years. Interpretation.

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

Made at a meeting of the KMA held on the 28th December, 1995.

SIGNED

*Presiding Member
Kumasi Metropolitan Assembly*

SIGNED

*Metropolitan Co-ordinating Director
and Secretary to KMA*

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

SIGNED

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

Kumasi Metropolitan Assembly (Control of Mills) Bye-laws, 1995

IN exercise of the powers conferred on the Kumasi Metropolitan Assembly by section 79 of the Local Government Act, 1993 (Act 462) these bye-laws are hereby made:

- Building and development permit to be obtained.** 1. No person shall operate a mill within the Kumasi Metropolitan Assembly's area of authority without first obtaining—
- (a) A development permit for the site from the Town Planning development of the K.M.A., and
- (b) A building permit from the Engineers Department of KMA.
- Licence.** 2. No person shall operate a mill without a licence from the Department of the KMA
- Permit fee and duration.** 3. (1) The permit fee for operating a mill shall be determined in accordance with the fee fixing resolution of KMA.
- (2) The permit shall expire on 31st day of December of the year of issue.
- Specifications for floor and wall of mill.** 4. (1) No person shall use a room or structure as a mill if
- (a) It is less than 4.2 metres long 3.6 metres wide and less than metres high from floor level; and
- (b) The floor is not made of concrete or others approved impervious material; and
- (c) The walls are not fly proof.
- Use of mill.** 5. No person shall use a mill as a living or bed room.
- Time of operation.** 6. A mill shall be opened to the public only between the hours of 4.a.m. and 7 p.m.
- Prohibited persons.** 7. No proprietor or person in charge of a mill shall allow any person suffering from an infectious disease to be present at the mill site.
- Penalty.** 8. A person who contravenes any provisions of these Bye-Laws commits an offence and is liable on summary conviction to a fine of exceeding ₵200,000.00 or in default to a term of imprisonment not exceeding 6 month or both.
- Revocation.** 9. Any Bye-laws on control of mills in force immediately before the passage of these Bye-laws are hereby revoked.
- Interpretation.** 10. In these Bye-Laws unless the context otherwise requires— "K.M.A. means Kumasi Metropolitan Assembly" "mill" means any building or structure with machinery for grinding corn pepper, cassava, groundnut or other foodstuff.

Made at a meeting of the Kumasi Metropolitan Assembly held on the 28th December, 1995.

SIGNED

*Presiding Member
Kumasi Metropolitan Assembly*

SIGNED

*Metropolitan Co-ordinating Director
and Secretary to KMA*

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government

SIGNED

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

Kumasi Metropolitan Assembly (House Owners and Occupier) Bye-laws, 1995

IN exercise of the powers conferred on the Kumasi Metropolitan Assembly by section 79 of the Local Government Act, 1993 (Act 462) these Bye-laws are hereby made:

- Responsibility.** 1. (1) It shall be the responsibility of every house owner/occupier to clear and keep clean all gutters public or private in or around his premises.

(2) It shall be the responsibility of every house owner/occupier to cause to be fixed a four feet electric lights (fluorescent tubes) or security lights on the four outside corners of the premises.

2. No house owner/occupier shall construct a gutter, a drainage or pipeline across a public way such as road or street except with the prior approval of the Metropolitan Engineer.

Construction
across public
way.

3. All house owners/occupiers shall cause all premises to be painted between reasonable intervals.

Painting.

4. All undeveloped plots shall be kept clear and clean of weeds at all times.

Undeveloped
Plots.

5. (1) No house owners/occupiers shall create a refuse dump in or immediately outside his premises

Prohibition.

(2) All house owners/occupiers shall get their cesspit emptied regularly to avoid causing nuisance to the neighbourhood.

6. Any person who contravenes any of these Bye-laws shall be guilty of an offence and shall be liable on conviction by a court or Public Tribunal to a fine not exceeding ₵100,000.00 or in default to a term of imprisonment not exceeding six months or both.

Penalty.

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

Application.

9. In these Bye-Laws unless the context otherwise requires—

Interpretation.

"KMA" means Kumasi Metropolitan Assembly. "Occupier" means any person who acts as a caretaker of any premises or is in occupation of premises.

"Around premises" means the area or space immediately outside the main outlay of the premises.

10. All other (House Owners and Occupiers) Bye-Laws within the area of authority of the KMA in existence immediately before the passage of these Bye-Laws are hereby revoked.

Revocation.

Made at a meeting of the Kumasi Metropolitan Assembly held on the 28th December, 1995.

SIGNED

*Presiding Member
Kumasi Metropolitan Assembly*

SIGNED

*Metropolitan Co-ordinating Director
and Secretary to KMA*

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

SIGNED

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

Kumasi Metropolitan Assembly (Infectious Disease) Bye-laws, 1995

In exercise of the powers conferred on the Kumasi Metropolitan Assembly by section 79 of the Local Government Act, 1993 (Act 462) these Bye-laws are hereby made:

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

Cleansing and
disinfecting
of premises
and articles.

2. If a person on whom the Notice is served does not inform the Assembly as required or having informed the KMA does not take the steps specified to the satisfaction of the KMA within the time specified, the K.M.A., 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. The KMA 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 delivery of the articles to an officer of the Assembly duly authorised within such time as may be specified in the Notice for removal for disinfection or destruction as the case may be.

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

Notification of infectious diseases.

5. (1) Where any inmate of any building or structure used for human habitation, not being a hospital is suffering from infectious disease, the head of the family to which the patient belongs shall as soon as he becomes aware of the fact send Notice thereof to the Medical Officer of Health. In the absence of a head of the family, the nearest relatives of the patient present in the building and in the absence of such relatives, any person in charge of or in attendance on the patients and in default of any such person, the occupier of the building or structure.

(2) Any person who fails to send the requisite notice shall be guilty of an offence under these Bye-laws unless he 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 a certificate stating the name of the patient, the nature of his illness and his address.

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

Prohibition on occupation involving risk of infection.

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

(2) A person who—

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

(2) having the care of a person whom he knows to be so suffering cause or permits that person to expose other persons to the risk of infection; or

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

Restriction on deposit of infected rubbish.

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

Restriction on laundry facilities for infected articles.

8. 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.

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

(2) If the occupier of a house ceases to occupy that house in which to his knowledge a person was within six weeks previously, been suffering from an infectious disease and fails to have it and all

articles there liable to:

- (a) retain infection disinfected to the satisfaction of the Medical Officer of Health or a qualified Medical Practitioner; or
- (b) fails to give to the owner of the house notice of previous existence of such disease he shall be guilty of an offence under these Bye-laws.

10. Any person who contravenes any of the provisions of these Bye-laws commits an offence and shall on conviction be liable to a fine of an amount not exceeding €50,000.00 or in default of payment to a term of imprisonment not exceeding one month.

Offence.

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

Application.

Made at a meeting of the Kumasi Metropolitan Assembly held on the 28th December, 1995

SIGNED

*Presiding Member
Kumasi Metropolitan Assembly*

SIGNED

*Metropolitan Co-ordinating Director
and Secretary to KMA*

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

SIGNED

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

Kumasi Metropolitan Assembly (Sanitation) Bye-laws, 1995

In exercise of the powers conferred on the Kumasi Metropolitan Assembly by section 79 of the Local Government Act, 1993 (Act 462) these Bye-laws are hereby made:

1. (1) Where the KMA has set aside a place for the disposal of refuse 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 Metropolis.

Disposal of Refuse.

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

Removal of weeds and rubbish.

2. That occupier of any premises shall clear and keep free from all dirt, underbush, under-wood, weeds, high grass, rubbish, rags, broken bottles and all offensive matter (filling up holes with stones, gravel, or otherlike materials) the streets or roads at the front, back sides, thereof, with the drains, gutters and channels, thereon.

Provided that where two or more buildings abound on the streets or roads, the occupier or each shall be responsible for keeping clean only that half of the street or road nearest to his premises.

3. (1) No person shall cause a nuisance in any public or open space.

Prohibition.

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

4. (1) The removal of night soil from all premises in which private bucket latrines are kept shall be the responsibility of the house owner or occupier.

Night soil.

(2) Any occupier who fails to remove a bucket of night soil when it is full commits an offence.

5. No food seller shall serve or food in anything unless due care has been taken to make sure the food wrappers are hygienic.

Food wrappers.

6. No person shall deposit litter, refuse or other matter which may cause nuisance or block the passage provided for a gutter or drains.

Prohibition of deposit of gutter.

7. Any person who contravenes any of these Bye-laws commits an offence and shall be liable on conviction by a Court or Community Tribunal to a fine not exceeding €50,000.00 or to a term of imprisonment not exceeding 3 months.

Offence.

Interpretation.

8. In these Bye-laws unless the context other wise requires "Nuisance" includes:

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

(2) Any well, pond or tank, the water of which is tainted with impurities as to be injurious to the health of man or livestock.

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

Application.

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

Revocation.

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

Made at a meeting of the Kumasi Metropolitan Assembly held on the 28th of December, 1995.

SIGNED

*Presiding Member
Kumasi Metropolitan Assembly*

SIGNED

*Metropolitan Co-ordinating Director
and Secretary to KMA*

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

SIGNED

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

Kumasi Metropolitan Assembly (Cleansing) Bye-laws, 1995

IN exercise of the powers conferred on the Kumasi Metropolitan Assembly by section 79 of the Local Government Act, 1993 (Act 462) these Bye-laws are hereby made:

Unauthorised structures.

1. The Kumasi Metropolitan Assembly may order the destruction or removal of any unauthorised structures attached to any bar or restaurant.

(2) Where packing cases are arranged in front of a building in such a way that—

- (a) they constitute a danger or obstruction to any person, or
- (b) they provide accommodation of a sort for a person, animal or thing, they shall be removed without notice.

No person shall park vehicle, etc. in public pathway.

2. Any person who—

- (a) parks a vehicle; or
- (b) parks goods or their things in any public pathway or pavement shall be guilty of an offence.

3. (1) No posters, bills, placards, paper sheets or other materials used for advertisement shall be posted, stack on any wall, tree or fixtures other than—
- (a) space specifically provided or approved by the KMA for such purposes; or
 - (b) property owned or otherwise possessed or occupied by the advertiser.
 - (c) this paragraph shall not apply to advertisement or posters for elections or other such occasions initiated by the Government.
4. Any person who throws litter, refuse or other matter which may cause nuisance or block the water passage provided by a gutter or drain, shall be guilty of an offence.
5. Where the Assembly under its powers appoints a Health/Environmental Day, any person who on the Health Day obstructs—
- (a) any pupil or teacher of any school, or
 - (b) any person, authorised to cleanse any area of the KMA, shall be guilty of an offence and liable to a fine not exceeding €50,000 or imprisonment for a term not exceeding one month.
6. No bottles, empty cases spare parts of vehicles or derelict vehicles shall be placed, packed, or allowed to cause obstruction to traffic or other users of the road, be an eyesore or unpleasant to the public.
7. (1) To improve the scenic beauty of the Metropolis it shall be an offence for any pedestrian to walk through the Kejetia round-about.
- (2) Any pedestrian who violates these Bye-laws shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding €50,000 or in default to a term of imprisonment not exceeding one month.
8. (1) The frontage of every commercial or industrial building shall be concreted, cemented or otherwise solidly paved, slabbed, tiled or culverted by the owner or occupier to the satisfaction of the KMA Engineer.
- (2) Where the owner or occupier of a commercial or industrial building does not comply with the provision of sub-section (1) of these Bye-law the KMA's Engineer or the Town Planning Officer shall do so and recover the cost from the owner or occupier of the building concerned.
 - (3) Owners or occupiers of stores, shops, stalls and market spaces shall keep their doors and frontage clean and clear of litters, rubbish, filth or pool.
 - (4) Where a person is permitted or otherwise licensed to trade, work or use for any purpose the frontage of a building, the owner or occupier of the building or other licensor shall be solely or jointly liable with the licensee for the default of that person under this sub-section.
9. Any person who for the purpose of his trade, vacation or other business causes smell or other nuisance to the detriment of his neighbour or the public, shall be guilty of an offence.
10. No person authorised by the Assembly to destroy, remove or otherwise dispose of any thing under these Bye-laws shall be liable to any person for any loss whether sustained thereby.
11. Except where penalty is expressly provided, any infringement or breach of any of these Bye-laws may be met with abatement by the Assembly with or without notice or be punishable by a fine not exceeding €100,000.00 or in default of payment to a term of imprisonment not exceeding three months.

No posters, bills, etc. at unauthorised places.

No litter, etc. shall be thrown into a gutter or drain.
Obstructing a pupil, teacher or cleaner.

No bottles packing case etc. to be placed to obstruct traffic.

Walking through Kejetia prohibited.

Frontage of building to be cemented etc. and kept clean.

Nuisance.

No liability against authorised persons.

Penalty.

- Interpretation. 12. In these Bye-laws unless the context otherwise requires—
 "Building" means any structure whatsoever and includes stalls, kiosk, restaurants and bars.
 "Goods" include things and articles of any kind.
 "Vehicles" include trucks, cranes, lorries, cars, motor cycles tricycle, bicycles, carts and wagons.
 "Frontage" includes varandah and porch, and "Road" includes street, kerb, pavement, side walk footpath.
- Application. 13. These Bye-laws shall apply within the area of authority of the Assembly.
- Revocation. 14. Any (Cleansing) Bye-laws in existence within the area of authority of the KMA immediately before the coming into force of these Bye-laws are hereby revoked.
- Made at a meeting of the Kumasi Metropolitan Assembly held on the 28th of December, 1995.

SIGNED
Presiding Member
Kumasi Metropolitan Assembly

SIGNED
Metropolitan Co-ordinating Director
and Secretary to KMA

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government

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

Kumasi Metropolitan Assembly (Abatement of Nuisance) Bye-laws, 1995

In exercise of the powers conferred on the Kumasi Metropolitan Assembly by section 79 of the Local Government Act, 1993 (Act 462) these Bye-laws are hereby made:

- Abatement Notice. 1. (1) Where the Assembly is satisfied that a nuisance exists, it shall serve a notice (in these Bye-laws referred to as "Abatement Notice") on the person by whose act, default or sufferance the nuisance exists continues, or if, that person cannot be found the owner or occupier of the premises on which the nuisance arises.
- (2) An Abatement Notice shall require the person on whom it is served to abate the nuisance and to execute such works and to take such steps within such period as may be specified in the Notice.
- (3) Where the person causing the nuisance cannot be found, and it is clear that the nuisance does not arise or continue by the act, default or sufferers of the owner or occupier of the premises the Assembly may itself take such steps as may be required to abate the nuisance and to prevent a re-occurrence thereof.
- Nuisance Complaint. 2. (1) If the person on whom an Abatement Notice has been served makes default in complying with any of the requirements of the Notice, or if the nuisance although abated since the service of the Notice, is in the opinion of the Assembly, likely to re-occur on the same premises, the Assembly shall cause a complaint to be made to a court of competent jurisdiction for a summons to be issued requiring such person to appear before such Court.
- (2) Where any person is aggrieved by the existence of any nuisance such person may make a complaint with regard to such nuisance to a Court of competent jurisdiction for summons to be issued requiring the person by whose act, default or sufferance the nuisance arises or continues to appear before such Court.
- Nuisance Orders. 3. (1) Where on the hearing of a complaint made on non-compliance with an Abatement Notice, it is proved that the nuisance exists, or that although abated it is likely to re-occur on the same premises, the Court shall make a Nuisance Order for any of the following purposes:
- (a) An Abatement Order requiring the defendants to comply with all or any of the

requirement of the Abatement Notice, or otherwise to abate the nuisance within a time specified in the Order and to execute any works necessary for that purpose.

(b) A prohibition Order prohibiting a re-occurrence of the nuisance and requiring the defendant within a time specified in the Order to execute any works necessary to prevent a re-occurrence.

(c) A closing Order, prohibiting the use of the premises for human habitation provided that a closing Order shall be made only if the Court is satisfied that by reason of the nuisance, the premises are unfit for human habitation.

(2) Where on the hearing of a complaint made on non-compliance with an Abatement Notice it is proved that the alleged nuisance existed at the date of the making of the complaint it either existed or was likely to re-occur the court may order the defendant to pay the Assembly such reasonable sum as the Court may determine in respect of the expenses incurred by the Assembly in, or in connection with the making of the complaint and the proceedings before the court.

(3) If it appears to the Court that the person by whose act, default or sufferance the nuisance arises or the owner or occupier of the premises cannot be found, the nuisance order may be addressed to and executed by the Assembly.

(4) (a) On the hearing of a complaint, the Court may in addition to making a Nuisance Order impose a fine not exceeding the limit prescribed in these Bye-laws.

(b) Any person who fails to comply with the Abatement Order shall unless he proves that he has used all due diligence to carry out the Order be liable to such fine and such daily penalty for every day on which the offence continues not exceeding the limit prescribed in these Bye-laws.

(c) Any person who knowingly contravenes a prohibition or closing Order shall be liable to such daily penalty for every day on which the offence continues not exceeding the limit prescribed in these Bye-laws.

4. (1) Where a nuisance appears to be wholly or partly caused by the acts or defaults of two or more persons, the Assembly may, in its discretion institute proceedings against any one of, or all of them; any one or more of the persons proceeded against may be ordered to abate the nuisance for as far as it appears to court to be caused by his or their acts or defaults, or may be prohibited from continuing any acts or defaults which, in the opinion of the court, contribute to the nuisance or may be fined or otherwise punished and the costs may be apportioned as the Court may deem fair and reasonable.

Proceedings where several persons are liable.

(3) Where some or any of the persons, by whose acts or defaults a nuisance has been caused, have been proceeded against, they may without prejudice to any other remedy, recover in a summary manner, from the other persons who were not proceeded against, a proportionate part of the costs, of, and incidental to the proceedings and the abatement of the nuisance, and of any fine or costs ordered to be paid in the proceedings.

5. (1) Where a Nuisance Order has not been complied with the Assembly may abate the nuisance and do whatever may be necessary in execution of the Order.

Abatement of nuisance by Assembly.

(2) Any expenses reasonably incurred by the Assembly in abating, or preventing the recurrence of a nuisance in respect of which a Nuisance Order has been made may be recovered by it.

Where the Order was made against some persons other than the Assembly.

(3) Where the Assembly proceeds to recover such expenses as aforesaid, the Court may apportion the expenses between persons by whose acts or defaults the nuisance was caused in such manner as the court may deem fair and reasonable.

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

Nuisance arising outside the metropolis.

7. Without prejudice to the preceding Bye-laws, where the requirements of an Abatement Notice have not been complied with the Assembly may abate the nuisance.

Abatement of Nuisance.

- Penalty. 8. Any person who fails without reasonable excuse (the proof of which shall lie on such person) to comply with any of the requirements of an Abatement Notice served on him shall be liable to a fine not exceeding €50,000 or imprisonment for a term not exceeding three months and to a further fine not exceeding €10,000 for each day on which the offence continues after the conviction of the defaulter.
- Interpretation. 9. In these Bye-laws unless the context otherwise so requires "Nuisance" includes:
- (i) any premises in such a state as to be prejudicial to health, life and property.
 - (ii) Any animal kept in such a state as to be prejudicial to health:
 - (iii) Any accumulation or deposit which is prejudicial to health, and
 - (iv) Any dust or effluvia caused by any trade, industry and being prejudicial to the health of the inhabitants of the neighbourhood.
- Revocation. 10. The abatement of Nuisance Bye-laws, 1987 is hereby revoked.
- Made at a meeting of the Kumasi Metropolitan Assembly held on the 28th of December, 1995

SIGNED

*Presiding Member
Kumasi Metropolitan Assembly*

SIGNED

*Metropolitan Co-ordinating Director
and Secretary to KMA*

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government

SIGNED

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

Kumasi Metropolitan Assembly (Cemeteries) Bye-laws, 1995

In exercise of the powers conferred on the Kumasi Metropolitan Assembly by section 79 of the Local Government Act, 1993 (Act 462) these Bye-laws are hereby made:

- Control of Cemetery. 1. The KMA shall for the purpose of these Bye-laws have the control and management of all cemeteries within the Metropolis.
- Plan of Cemetery. 2. The KMA shall cause a plan of a cemetery to be prepared by a licensed Surveyor, in which the position of all grave spaces and pathways shall be delineated and plotted and this plan shall be kept in the office of the sexton-in-charge of the cemetery.
- Infant/free burial. 3. 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. 4. In every cemetery grave space shall be 2.4 metres 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. 5. No grave in KMA Cemetery shall be less than 1.2m deep.
- Register of burials. 6. Each grave space delineated and plotted in the plan provided for in bye-law 2 of these Bye-laws 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 these Bye-laws.
- Vaults. 7. 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.
- Head Stones. 8. The foundation of a head stone or other memorial in the cemetery shall not extend more than 6m below the surface of the grave.
- Restrictions. 9. No burial shall be allowed without a permit issued by the KMA.
- Free Burials. 10. No free burial shall be allowed without the written authority of the Metropolitan Chief

Executive, which written authority shall specify the reasons why free burial is permitted in each case.

11. No burials shall take place in any cemetery, except between the hours of half past six and eleven o'clock forenoon or between the hours of three and six in the afternoon, without the written authority of the Metropolitan Chief Executive.

Hours of Burial.

12. Fees for grave and vaults in a cemetery shall be payable at the rate fixed by resolution of the Assembly and approved by or on behalf of the Ministry of Local Government.

Fee.

Except that for any space set aside for free burials no fee shall be charged.

13. No person shall commit any nuisance in a cemetery.

Nuisance.

14. Any person who contravenes the provisions of Bye-laws 9 and 11 commits an offence and shall on conviction be liable to a fine not exceeding ₵50,000 or in default of payment to imprisonment for a term not exceeding one month.

Penalties.

15. The Kumasi City Council (Cemetery) Bye-laws 1987 is hereby revoked.

Revocation.

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

Application.

Schedule of Resiter of Burial

Register of Burial in Assembly Cemetery.....

Number:.....

Name of person being buried.....

Registry Office.....

Grave Space Granted.....

Date on which Grave space was granted.....

Name of Grantee.....

Signature of Sexton.....

Made at a meeting of the Kumasi Metropolitan Assembly held on the 28th of December, 1995

SIGNED

*Presiding Member
Kumasi Metropolitan Assembly*

SIGNED

*Metropolitan Co-ordinating Director
and Secretary to KMA*

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government

SIGNED

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

Kumasi Metropolitan Assembly (Abatement of Litter) Bye-laws, 1995

In exercise of the powers conferred on the Kumasi Metropolitan Assembly by section 79 of the Local Government Act, 1993 (Act 462) these Bye-laws are hereby made:

1. No person shall place, deposit, throw and leave or cause to be placed, deposited, thrown down and left, otherwise than in 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 have access, or any ditch, water course, gutter or drain abutting on any street and glass, chinaware, earthenware, tin, carton, paper, bottles, nails or other sharp substances, orange peel, banana skin or the skin of any fruit or the leaves or refuse of any vegetable or any offensive, unwholesome or dangerous substance.

Deposit of litter in unauthorised Places.

2. No person shall—

(a) sweep or otherwise remove from any shop, house or vehicle into any street, park recreational ground or other public or open space, water course, gutter, or drain abutting on any street, any waste paper, shaving or other refuse or litter of any kind.

Litter not to be swept into street or specified places.

- (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.
3. Every person conveying any filth, dust, ashes, refuse or litter or any noxious or offensive matter or liquid in or through any street shall adopt all necessary precautions to prevent it falling into or upon such 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.
4. If during the conveyance of any filth, dust, ashes, refuse or litter some fall on the street, pavement or ground the person undertaking such conveyance shall cause same to be removed and clean the place on which such filth, dust, ashes, or refuse or litter falls.
5. If any person contravenes any of the provisions of these Bye-laws the KMA may by notice in writing served on such a person affixed to some conspicuous place near the article complained of require such person to remove and keep removed the said article within forty-eight hours from the date of the notice.
6. Every owner or occupier of any premises other than premises owned by the Ghana Government or an organ thereof who requires the Assembly to remove domestic refuse therefrom daily shall—
- submit an application in writing to the Assembly containing the address of such premises and other particulars sufficient to enable the premises to be clearly identified;
 - and at his own expense provide at a convenient place on the premises or at such other place as the KMA may direct a dustbin or other receptacle for containing refuse which shall be of metal with a close fitting lid and shall be of such dimensions as shall be approved in writing by the Assembly.
7. (1) If it appears to the KMA that there are no proper means of disposing domestic refuse in any residential areas and the Assembly is satisfied that in the interest of public health it is necessary that proper provision be made for that purpose, the Assembly may by notice in writing require the occupier of any premises in the area to provide such number of covered dustbins or other receptacles for the reception of domestic refuse of such material, size and construction as the Assembly may direct.
- (2) If the person on whom the notice is served fails to comply with its requirements within such period as may be specified therein, the KMA may itself provide the dustbins or other receptacles and cover the expenses reasonably incurred in so doing from the person in default.
8. No person, other than a person employed by the KMA in connection with the removal and disposal of refuse, shall disturb the material deposited or refuse.
9. The occupier of any premises shall not deposit or leave or cause to be deposited, placed or left in any dustbin provided for the reception of domestic refuse any liquid or faecal or matter.
10. The fee for the removal of domestic refuse which shall be payable in advance shall be determined by resolution of the KMA.
11. Notice requiring the KMA to discontinue the removal of domestic refuse shall be given in writing to the Legal Officer not less than 14 clear days to expire at the end of any calendar month.
12. These Bye-laws shall apply within the area of authority of the KMA.
13. Any Bye-laws on Abatement of litter in existence immediately before the coming into force of these Bye-laws is hereby revoked.
14. Any person who contravenes or fail to comply with any of these Bye-laws is guilty of an offence and shall on conviction by a court or community Tribunal be liable to a fine not exceeding c50,000.00 or imprisonment for a term not exceeding three months.

Conveyance
of fifth and
litter

Removal of
falling filth
and litter

Notice by
KMA to
Offenders.

Collecting
Refuse of
Individual
Persons,
Establishment
etc.

Prohibition.

Fees.

Notice.

Application.

Revocation.

Penalty.

15. In these Bye-laws unless the context otherwise requires—

Made at a meeting of the Kumasi Metropolitan Assembly held on the 28th of December, 1995.

SIGNED
*Presiding Member
 Kumasi Metropolitan Assembly*

SIGNED
*Metropolitan Co-ordinating Director
 and Secretary to KMA*

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government

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

Interpretation

Kumasi Metropolitan Assembly (Public Markets) Bye-laws, 1995

In exercise of the powers conferred on the Kumasi Metropolitan Assembly by section 79 of the Local Government Act, 1993 (Act 462) these Bye-laws are hereby made:

1. The KMA shall have control and management of the markets in the entire metropolis.
2. All markets shall be open to the public every day of the week that is from Monday to Saturday from 6 o'clock in the morning until 6 o'clock in the evening and on Sundays from 6 o'clock in the morning until 4 o'clock in the evening.
3. (1) Stores shall be allotted to allottees for sale of items or articles as the KMA may direct from time to time.
 2. Subject to subsection (1) of this paragraph all applications for the allotment of stalls shall be made to the KMA—Chief Superintendent of markets or to such other officer as the Metropolitan Chief Executive may for that purpose appoint.
 (3) Allotment of available stalls shall be in order of priority of application and upon payment of prescribed rent to the KMA.
 (4) The KMA may refuse allotment of any stall to an applicant previously convicted of an offence under these Bye-laws.
 (5) For the avoidance of doubt the grant of all stalls shall be made by the KMA
4. (1) The rent for a store in the markets shall be as specified by a resolution of the KMA from time to time.
 (2) On payment of rent for a stall a receipt specifying the period in respect of which it is paid shall be issued to the allottee and the receipt shall be prima facie evidence of the payment of rent for the specified period.
 (3) Failure to produce the receipt on demand by a person authorised by the KMA, shall render the occupier of a stall liable to ejection from the stall or be made to pay a penalty which shall be specified by a resolution of the KMA from time to time.
 (4) All rents may be paid in advance and where the rent is payable monthly or quarterly any part of a month or quarter shall count as entire month or quarter.
 (5) The period for which rent has been paid shall run from and include the day of allotment and shall expire on the last day of the period for which rent has been paid.
 (6) In case of an allotment by the month, the occupier of any stall shall give notice of intention to discontinue the use thereof at least seven days before the expiration of the period in respect of which rent has been paid, otherwise he shall be liable for rent in respect of the succeeding month.
5. (1) The KMA shall not be under any liability for any loss or damage to the property of any occupier of any store in a matter which is due to fire, theft, burglary or any other cause whatsoever.
 (2) All KMA tenants at the markets shall insure their properties against fire, theft/burglary or other foreseeable contingencies.

Control of Markets.

Hours of Operation.

Allotment of stalls, spaces and stores.

Rent.

KMA under no liability for loss or damage.

- Transfers, Subletting and succession, death etc.
6. (1) No occupier of any store, in a market shall sublet or share such store, except with the written consent of the Assembly.
- (2) Every licence granted by the KMA to any person to use or occupy any store/stall, table or space in any market shall be personal to the licence only, and the transfer of some or any part thereof or any transaction or dealing therewith such might by operation of law or equity have the effect of transferring same or any part thereof or any therein to any other person at any time without due notice to the KMA is prohibited.
- (3) Ownership of store cannot be assumed or devolved by way of succession. Upon the death of the tenant the interest in it automatically reverts to the KMA. (4) Where a tenant dies, the KMA should be notified of such death stating whether the deceased was occupying it or not.
- (5) Any relative of the deceased person who expresses an interest in the store should apply to the KMA within three months after notification for a fresh and proper tenancy agreement to be made with KMA.
- (6) Where the real tenant was not in occupation before his/her death, the KMA should be obliged in fairness or by way of equity transfer the interest in it to the person who was occupying it as a sub-lessee before his death.
- (7) In any other situation the Assembly reserves the right, or has got the discretion to decide who should occupy it depending on the objective conditions surrounding that situation.
- Transfer of Interest by person alive.
7. (1) Transfer of an interest in a store by a person who is alive can only be effected after the real tenant has submitted a formal application to the Metropolitan Co-ordinating Director stating clearly his intention and reason (s) for the transfer.
- (2) There shall be a market standing Committee whose membership shall be approved by the KMA to handle such transfer application.
- (3) In such situations, fees to be charged should be approved by the KMA.
- Desertion.
8. (1) The KMA reserves the right to re-enter any stores and re-allocate same to any interested person if—
- (a) the occupier deserts the store for 3 months without notice to the KMA.
- (b) fails to pay the rent due for 3 months;
- (c) the real tenant had sold it to a third party
- (d) or has relinquished his interest to third party without the written consent of the Assembly.
- Disputes.
9. (1) All market disputes shall be referred to the market Standing Committee of the KMA for determination.
- (2) Where a party is dissatisfied with the decision of the Standing Committee, he could appear to the Chief Executive of the KMA for a review of such decision within three months.
- (3) There shall be a review Committee of five comprising the Market Manager, the Estates Officer, the Solicitor of the Assembly as member Secretary and two other lawyers with the most senior counsel as the Chairman.
- (4) A party dissatisfied with the decision of the Review Committee has the right to go to the Law Court.
- Sale restricted to allotted store.
10. (1) No person shall sell at any place in any market other than the store allotted to him.
- (2) Any person who sells or purchases goods or stock near established markets other than approved places or erects stalls at places other than the established markets commits an offence and shall be liable for prosecution.
- Appropriation of parts of Markets.
11. Parts of the market shall be specially set aside by the KMA for the sale of specified articles and the sale of such articles shall be prohibited elsewhere in the market.

12. (1) A part of the market shall be specifically set aside by the Assembly for the use of daily sellers who shall pay to the KMA such daily fees has been fixed by resolution of the KMA. Daily Sellers.
- (2) A receipt shall be issued to such sellers and the ticket/receipt shall be prima facie evidence of the payment and shall be shown on request by an officer, agent or a person authorised by the KMA.
- (3) Failure to produce the receipt on demand by a person authorised by the KMA shall render the daily seller liable for ejection from the market or pay a penalty to be approved by a resolution of the KMA.
13. (1) An occupier of a Store, in a market shall be responsible for the cleanliness of his store at all times. Clearing of store.
- (2) Before cleaning the market at the close of the day every occupier shall thoroughly clear his store and its surroundings be swept and the refuse placed in the dustbins provided for the purpose.
14. (1) No occupier of any store/stall in the market shall expose any article of food for sale from a stall or from a table or other support of a minimum height of at least one and half metres from the ground. Prohibition on the exposure of food.
- (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 insect.
15. No person shall expose for sale in any market, any meat, bread, fish, palm-wine or cooked food unless the same is protected by means of screens of a pattern approved by the medical officer of health concerned. Screening of meat, etc.
16. No person suffering from any infectious or contagious disease shall enter or sell in any market. Infectious disease.
17. (1) Every occupier of a store shall during his occupation keep the same in a clean state, and shall scrub, sweep or otherwise clear away any dirt and rubbish before leaving the market at the end of the day's selling. Cleanliness.
- (2) Every occupier of a store or any other support for the purpose of exposing sale food there or shall wash with clean water before leaving at the end of the day's selling, such store/stall, table or other support.
- (3) All dirt, rubbish and sweepings shall be deposited in covered receptacles provided by the KMA for that purpose or approved refuse sites.
18. No person shall bring or cause to be brought into the market or keep therein any of the following: Prohibited articles
- (a) any live animal except birds;
- (b) the skin of any animal unless it is dry and properly cured;
- (c) a Sanitary Officer of the KMA who shall act on the advice of the Medical Officer of Health concerned or a person authorised by such Medical Officer of Health.
19. Fowls, ducks, guinea-fowls and turkeys offered for sale in the market shall be kept in coops or restrained in a human manner. Cooping of birds, etc.
20. Any person in charge of a child in the market shall be responsible for the good behaviour or such child and shall clear up any litter or any nuisance that such child may cause. Children.
21. Butchers and their assistants when engaged in carrying, handling or selling meat, shall wear clean clothes of style approved by the sanitary officer of the KMA who shall act on the advice of the medical officer of Health concerned in respect of such style of clothing. Butchers's clothing.
22. Any person who brings into the market or sell or offer for sale therein any article for human consumption which is unwholesome shall be guilty of an offence. Unwholesome food.
23. The market shall be open to the public during such hours as may be authorised by the KMA. Market hours.
24. No person shall use the market as a sleeping place. Prohibition.

- Rights of Entry Markets.** 25. It shall be lawful for the Metropolitan Chief Executive or his representative to enter the market at reasonable times and to inform the KMA of any non-compliance with these Bye-laws or to enforce same.
- Obedience to direct of KMA.** 26. Every person using the market shall obey the reasonable directions of the officers of KMA, including directions given for the purpose of cleanliness, order and regularity in such markets and of facilitating the conduct of business therein.
- Categorisation of markets.** 27. Markets in the Metropolis shall be divided into such categories and assigned such facilities as the KMA may determine.
- Application.** 28. These rules and bye-laws shall apply to the markets listed hereunder in the Schedule.
- Penalties.** 29. Any person who contravenes any of these Bye-laws shall be guilty of an offence and upon conviction be liable to a fine not exceeding ₵200,000.00 or to a term of imprisonment not exceeding six months.
- Interpretation.** 30. These Bye-laws unless the context otherwise requires—
 "KMA" means Kumasi Metropolitan Assembly
 "Market" means public market within Kumasi Metropolis.
 "Store" includes selling sites, stalls, spaces and places as shall be designated by KMA to be used for selling and buying purposes.
- Revocation.** 31. All bye-laws in operation immediately before these Bye-laws are hereby revoked.

*Schedule***Major Markets**

1. Central
2. Asafo

Satellite Markets (Established)

1. New Tafo
2. Old Tafo
3. Bantama
4. New Amakom
5. Kwadaso
6. Aboabo
7. Asawasi

Mini Markets

1. Ayigya
2. Ahinsan
3. Sofoline
4. Breman
5. Tarkwa-Maakro
6. Buokrom
7. Atonsu/Agogo

Made at a meeting of the Kumasi Metropolitan Assembly held on the 28th of December, 1995.

SIGNED

*Presiding Member
Kumasi Metropolitan Assembly*

SIGNED

*Metropolitan Co-ordinating Director
and Secretary to KMA*

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government

SIGNED

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

Kumasi Metropolitan Assembly (Profession, Business and Trade) Bye-laws, 1995

IN exercise of the powers conferred on the Kumasi Metropolitan Assembly by section 79 of the Local Government Act, 1993 (Act 462) these Bye-laws are hereby made:

1. (1) No person shall carry on any profession, occupation, trade or business in or upon any premises or land in the Metropolis unless the KMA has issued a licence in respect of such premises. Licence.
- (2) A licence granted under these Bye-laws shall be valid for one year, from 1st January to 31st December of each year.
- (3) A licence granted under this section shall be displayed in a conspicuous part of the premises or land, and is not transferable.
2. There shall be charged for every licence a fee to be prescribed by the KMA by resolution and approved by the Ashanti Regional Co-ordinating Council on behalf of the Local Government. Fee.
3. Any licence granted shall be without prejudice to the payment of property rate the owner of a rateable property of a permanent or temporary nature is required to pay under any Bye-laws for the time being in force. Liability to pay property rate.
4. (1) Any Officer or other person duly authorised by the KMA may at all reasonable times enter any building, premises or land in the Metropolis for the purpose of carrying out any inspection, enquiry or any other duties authorised by the KMA. Powers of entry.
- (2) No person shall obstruct or otherwise interfere with any officer or other person authorised by the KMA in the performance of any duties assigned to him under these Bye-laws.
5. (1) The KMA may revoke or withdraw any licence granted under these Bye-laws if any alterations are made to any premises or buildings for which the licence was granted authority of the KMA. Revocation of Licence.
- (2) KMA may close down any business or suspend its activities until the permit fee is paid for the operation of the business.
6. (1) If for any reason a company winds up its business activity or suspends its operations, the KMA shall be informed immediately about such a closure or suspension of business activities. Winding up.
- (2) A company that fails to comply with paragraph 6 of these Bye-laws shall continue to be billed by the KMA for its fees for Business permit.
7. A person who fails to pay the Business permit fees at the prescribed time shall pay the outstanding fees plus 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. Failure to pay business permit Fees.
8. (1) The KMA may withdraw or revoke any Business permit granted under these Bye-laws if any alterations are effected on premises or building for which the permit was granted without a written authority of the KMA or if the person granted the business permit contravenes any provision of these Bye-laws. Withdrawal permit and closure of business.
- (2) KMA may close down any business or suspend its activities until the permit fee is paid for the operation of the business.
9. Any person who contravenes any provision of these Bye-laws commits an offence and shall be liable on summary conviction to a fine not exceeding ₵200,000.00 or in default to a term of imprisonment not exceeding six months or both. Penalty.
10. These Bye-laws shall be within the area of authority of the KMA. Application.
11. In these Bye-laws unless the context otherwise requires—KMA means Kumasi Metropolitan Assembly. Interpretation.

Revocation. 12. Any Bye-laws on Profession, Business and Trade in force immediately before these Bye-laws are hereby revoked.

Made at a meeting of the Kumasi Metropolitan Assembly held on the 28th of December, 1995.

SIGNED
Presiding Member
Kumasi Metropolitan Assembly

SIGNED
Metropolitan Co-ordinating Director
and Secretary to KMA

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government

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

Kumasi Metropolitan Assembly (Abatement of Noise) Bye-laws, 1995

In exercise of the powers conferred on the Kumasi Metropolitan Assembly by section 79 of the Local Government Act, 1993 (Act 462) these Bye-laws are hereby made:

- Place for sale of records. 1. No place shall be used for the sale of musical records or other recorded music unless the place has been inspected, approved and licensed by the KMA.
- Licence. 2. (1) An application for a licence under these Bye-laws shall be made in writing to the KMA.
 (2) A licence may be issued subject to such condition as the KMA may prescribe.
 (3) A licence shall be annual licence and shall take effect from the day on which it is issued and shall expire on the 31st day of December of the year in which it was issued.
- Withdrawal of Licence. 3. The KMA may withdraw a licence issued under these Bye-laws where the owner of the premises—
 (a) after the issue of the licence makes an unauthorised alteration to any sound-proofed structure; or
 (b) is convicted of any offence under these Bye-laws.
- Facilities for listening. 4. In any premises used for the sale of musical records or other recorded music there shall be provided for listening a separate and proofed room equipped with such instruments and gadgets as to eliminate any loud noise or nuisance to the public.
- Music played for advertisement. 5. No person shall play or cause to be played records music in public for the purpose of advertisement in such a manner as to cause disturbance or nuisance to the public.
- Music in night clubs, etc. 6. (1) No proprietor of night club, restaurant, drinking bar or other place of refreshment shall play any music to be played at the place so loudly as to cause disturbance or nuisance 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 music shall be so provided as to be heard only within the confines of the place.
- Religious institution. 7. (1) No person conducting a religious service shall play any music or allow any music to be played 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 music shall be so provided as to be heard only within the confines of the institutions.
 (3) A person conducting a religious service where music is to be played before 6 a.m. or after 12 p.m. shall seek permission from KMA in writing except public and statutory holidays.

8. (1) To forestall persistent overcrowding and conjections on the streets, pavements and pedestrian walks in the central business area of KMA, public preaching and or playing of religious audio and video cassette with message of Evangelistic in nature or for purposes of propagation of a religion is not permitted at the central business area of KMA without a written permission from the KMA. Public preaching at central business area.
- (2) For the purposes of the provision in the preceding paragraph, the areas constituting the central business area shall be as specified in the schedule of these Bye-laws unless the KMA in its discretion determines otherwise.
9. No person shall within one hundred metres of a hospital, clinic, maternity house or other place used for the reception or treatment of the sick, or any public library place of worship, place of public assembly office or public building. Noise near hospital and public building etc.
- (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.
10. No person shall 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 Noise near other premises.
- (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.
11. No person shall within one hundred metres 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.
12. No person shall 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 animals.
13. No person shall for the purpose of hawking selling, distributing, or advertising any articles or goods or buying or collecting any rags, bones, bottles or so 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 on duty. Noisy hawking or buying of articles.
14. (1) Any person who contravenes any of these Bye-laws or any condition attached to a licence thereunder shall be guilty of an offence and liable on conviction to a fine not exceeding €20,000.00 or in default to a term of imprisonment not exceeding three months; and Penalty.
- (2) In the case of a continuing offence, the offender is liable to an additional €10,000.00 in respect of each day on which the offence continues.
15. These Bye-laws shall apply within the area of authority of the KMA. Application.
16. Any Bye-laws on Abatement of Noise in existence immediately before the coming into force of these Bye-laws are hereby revoked. Revocation.
17. In these Bye-laws unless the context otherwise requires— Interpretation.
- “KMA” means Kumasi Metropolitan Assembly

SCHEDULE

1. Kejetia Roundabout
2. Adehyeman Gardens
3. Adum
4. Asafo Market Area
5. Railways
6. Post Office Square

Made at a meeting of the Kumasi Metropolitan Assembly held on the 28th of December, 1995

SIGNED

Presiding Member
Kumasi Metropolitan Assembly

SIGNED

Metropolitan Co-ordinating Director
and Secretary to KMA

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government

SIGNED

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

Kumasi Metropolitan Assembly (Regulation of Vehicle Parking Places) Bye-laws, 1995

IN exercise of the powers conferred on the Kumasi Metropolitan Assembly by section 79 of the Local Government Act, 1993 (Act 462) these Bye-laws are hereby made:

Provision of Lorry Parks.

1. (1) No driver of a motor vehicle plying for public hire of fares shall in the public part of towns between 6 a.m. and 6 a.m. load or unload or permit the loading of passengers or goods, except at the place providing for the purpose by the KMA.

(2) Nothing in these Bye-laws shall prohibit—

(i) the loading or unloading of passengers or goods from any private store, dwelling house, shop, market or other place neither the city in the event of an accident or bonafide breakdown of the vehicle.

Fees to be paid to KMA.

2. (1) No person or group of persons shall have the right to establish a lorry park neither the Metropolis without the prior approval of the KMA.

(2) These shall be payable to KMA for the use of a parking place in respect of each motor vehicle a parking fee fixing resolution of the KMA and approved by or on behalf of the Ministry of Local Government.

Tickets To be issued for Fees.

3. A driver of a vehicle shall pay the prescribed fee to the person appointed by the KMA as a Collector of parking fees who shall issue a receipt to him which he shall produce on demand by an officer authorised by KMA.

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

(3) The attendant/Collector shall issue a ticket in respect of each payment specifying the amount paid, and the date of issue and the registration number of the vehicle and such ticket shall be available only for the motor vehicle indicated these on and shall not be transferred.

(4) The ticket so issued, shall be valid from the time the vehicle is parked to the time it moved away from its parking place.

Regulation of Use of Lorry Park.

4. (1) Every driver of a motor vehicle using the lorry park shall—

(2) Enter the lorry park by the opening marked "Entrance" and leave by the opening "Exit".

(3) Park his motor vehicle in the lorry park in such space as may be indicated to him by the attendant.

(4) Secure his motor vehicle from movement by keeping the hand brake on or adopting any other effective means.

(5) Refrain from necessary blowing of the horn.

(6) Not permit the execution of any substantial repairs or to work upon his vehicle except such as may be absolutely necessary.

Prohibition of Use of Fire. Rubbish, etc.

5. No person shall kindle any fire or use any naked light in the lorry park.

6. No person shall deposit or cause to be deposited any refuse, rubbish or any offensive matter on the lorry park except at such places as may be provided for that purpose.

Nuisance.

7. No person shall cause any nuisance in the lorry park.

Access to Premises.

8. No person shall park a vehicle at a place in an unreasonable manner so as to prevent access to any premises.

9. (1) A vehicle parked in contravention of paragraph 4 (3) of these Bye-laws shall be complied by the KMA or its authorised agents. Clamping of vehicles.
- (2) An owner of the clamped vehicle shall pay a sport fine in accordance with the fee fixed by KMA by resolution before the vehicle would be released to him.
10. No filling station in the Metropolis shall be used as lorry parked except for the purpose of refuelling. Filling Stations not to be used as lorry Parks.
11. (1) Any person(s) who wish to operate in any of the KMA's approved lorry parks as bookmen obtain a licence to do so from the KMA fee for the licence shall be fixed by resolution of the KMA; Operating of Bookmen.
- (2) Notwithstanding the provision in sub-section (1) the KMA reserves the right to revoke the licence of any bookman in the event of acting in a manner prejudicial to the good discipline and operation of its lorry parks.
12. (1) The KMA or its authorised agents shall tow any vehicle parked at an unauthorised place upon the following conditions— Towing of vehicles.
- (a) the vehicle being towed shall be deposited at a place to be decided by KMA.
- (b) the driver or person in charge of the towed vehicle shall pay a spot fine in accordance with the fee fixed in resolution of the KMA before the vehicle is released to him; and
- (c) the KMA shall not be responsible for any damage caused to a vehicle being towed or for any missing article in that vehicle during or after the towing.
13. Any person bringing foodstuffs or animals into the lorry park the vehicle for the purposes of off-loading in the streets or lanes adjacent to the park. Foodstuffs or livestock in loading at a lorry park shall be undertaken at the appropriate market by their owners within two hours after the arrival of the cargo. Prohibition.
14. No person shall sell akpeteshie or any intoxicating liquor in a lorry park. No person shall sell Akpeteshie at Lorry Parks.
15. Any person contravening any of the provisions of these Bye-laws shall be guilty of an offence and shall be liable on conviction to a fine of c100,000.00 or in default to a term of imprisonment for a term not exceeding three months. Offence.
16. These Bye-laws shall apply to all approved lorry parks in the Metropolis and the streets specified in the schedule. Application.
17. The Lorry Parks Bye-laws, 1987 is hereby repealed. Revocation.
18. In these Bye-laws unless the context otherwise requires:— Interpretation.
- "KMA" means Kumasi Metropolitan Assembly" "Driving" 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 charge or control of the vehicle.
- "Motor Vehicle" means any mechanically propelled vehicle intended or adopted for use on roads; "place" includes street, pavement or an open space.

SCHEDULE

1. Fuller Road in front of Central Market.
2. Suame Road—Morroco Shoe Store.
3. Atta Commender Road.
4. Maxwell Road near Labour Office
5. Bantama High Street
6. Antoa Road
7. Lake Road (Brewery)
8. Sunyani Road (Sofoline)
9. Mampong Road (Wesley College)

Made at a meeting of the Kumasi Metropolitan Assembly held on the 28th of December, 1995.

SIGNED
Presiding Member
Kumasi Metropolitan Assembly

SIGNED
Metropolitan Co-ordinating Director
and Secretary to KMA

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government

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

Kumasi Metropolitan Assembly (Cattle Ponds) Bye-laws, 1995

IN exercise of the powers conferred on the Kumasi Metropolitan Assembly by section 79 of the Local Government Act, 1993 (Act 462) these Bye-laws are hereby made:

- | | |
|-------------------------------|---|
| Seizure of unattended Cattle. | 1. Any person authorised by the KMA who finds any cattle at large in any public part of the Metropolis without any public person in charge thereof may seize and impound such cattle in the place set aside by the KMA for that purpose. |
| Prohibition. | 2. The rearing and or the keeping of cattle in any premises or in any part of the Metropolis otherwise than for immediate slaughter or in such public place as the KMA may provide for that purpose, is forbidden and any cattle kept in contravention of these Bye-laws may be seized by any person authorised by the KMA and placed in a pond. |
| Cattle to be kept by Permit. | 3. Notwithstanding paragraph 2 of these Bye-laws a person may keep animals within the area of administration of KMA for domestic, religious or customary purposes upon the conditions that the animals— <ul style="list-style-type: none"> (a) as kept in a pen which is well maintained and always kept clean; and (b) do not constitute a nuisance by such or noise to neighbours; and (c) are attended to by veterinary officers or assistants and that owners as to ensure that sanitary rules specified by M.O.H. are maintained. |
| Detention of Cattle. | 4. Where any Officer, agent, or servants of KMA impounds cattle under paragraph 1 of these Bye-laws— <ul style="list-style-type: none"> (a) The K.M.A. shall not be liable for any cattle that may die after it has been impounded. (b) An owner of any impounded cattle may retrieve it on conditions as may be determined by the KMA. |
| Owner of Cattle to pay fee. | 5. Any cattle placed in a pound may be detained there until the owner pays to the KMA a fee covering the impounding and the maintenance of the cattle as may from time to time be fixed by resolution of the KMA. |
| Sale of Impounded Cattle. | 6. Any cattle remaining in the pound for more than seven days for which no fee has been paid by the owner shall be sold by public auction, and the proceeds paid to the KMA. |
| Interpretation. | 7. In these Bye-laws unless the context otherwise requires—
"Cattle includes horse, sheep, goats and pigs". |
| Application. | 8. These Bye-laws shall apply within the area of authority of the KMA. |
| Revocation. | 9. Any Bye-laws on cattle ponds in existence within the area of authority of the Assembly immediately before the coming in force of these Bye-laws are hereby revoked. |

Made at a meeting of the Kumasi Metropolitan Assembly held on the 28th December, 1995.

SIGNED
Presiding Member
Kumasi Metropolitan Assembly

SIGNED
Metropolitan Co-ordinating Director
and Secretary to KMA

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government

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

Kumasi Metropolitan Assembly (Control of Dogs) Bye-laws, 1995

IN exercise of the powers conferred on the Kumasi Metropolitan Assembly by section 79 of the Local Government Act, 1993 (Act 462) these Bye-laws are hereby made:

1. (1) No person shall keep any kind of dog or bitch unless he applies for and obtain a licence from the KMA to do so. Prohibition of keeping dogs.
- (2) The KMA shall before granting a licence satisfy itself that the dog has been duly vaccinated against rabbies on the production of a signed Certificate issued by the Veterinary Officer to this effect.
- (3) A badge shall be provided to the keeper by the Licensing Officer which badge shall be kept on the dog at all times whilst the licence remains in force.
- (4) A licence issued under these Bye-laws shall expire on the 31st December of the year in which it is used.
- (5) A licence shall be issued on the payment of such fee as may be determined by resolution of the KMA.
2. (1) A dog in respect of which a licence is granted shall be confined in a house by the owner between the hours of 6.30 a.m. and 6.30 p.m. and shall not be allowed to be at large within that period. Stray dogs.
- (2) It shall be lawful for any Police Officer, Health Officer or any person authorised by the KMA to seize any stray dog found at large and bring it before a Magistrate or Tribunal who may direct that the dog be returned to its owner or assigned to a suitable person or make such order as he may think fit.
3. Any person in whose custody, charge or possession or on whose premises a dog is found shall, for the purpose of these Bye-laws, be deemed to be keeper of such dog unless the contrary is proved. Keepers of dogs.
4. An Officer of KMA authorised in that behalf may seize any dog which is suffering or which he reasonably believes to be suffering from manganer, rabbies or other disease within the meaning of the Disease of Animals Act, 1916 (Act 83). Seizure of diseased dog by KMA Officer.
5. A person who has a dog licence in force shall produce it within twenty-four hours on request by an officer of the KMA in that behalf. Licence to be produced on demand
6. A person who keeps a dog shall have it inoculated once every year against rabbies at the Department of Animal Health and obtains a Certificate to that in respect of the dog. Innoculation of dogs.
7. Any person who contravenes any provision of these Bye-laws commits an offence and shall on conviction by a court or Community Tribunal be liable to a fine not exceeding c50,000.00 or to a term of imprisonment not exceeding two months. Offence.
8. These Bye-laws shall apply within the area of authority of the KMA. Application.
9. Any Bye-laws on Control of Dogs in existence within the area of authority of the KMA immediately before the coming into force of these Bye-laws are hereby revoked. Revocation.

Prohibitions.

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

KMA means Kumasi Metropolitan Assembly.

Made at a meeting of the Kumasi Metropolitan Assembly held on the 28th December, 1995.

SIGNED

*Presiding Member**Kumasi Metropolitan Assembly*

SIGNED

*Metropolitan Co-ordinating Director
and Secretary to KMA*

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government

SIGNED

*Regional Co-ordinating Director and Secretary to R.C.C.***Kumasi Metropolitan Assembly (Coach and Taxi) Bye-laws, 1995**

In exercise of the powers conferred on the Kumasi Metropolitan Assembly by section 79 of the Local Government Act, 1993 (Act 462) these Bye-laws are hereby made:

Licence

1. (1) Every vehicle intended for use as a coach or taxi shall not be so used unless in addition to being licensed under Road Traffic Regulations or any other appropriate enactment of the time being in form it is licensed by the KMA for use as a coach or taxi.

(2) Every application for coach or taxi licence shall be made in writing to the licensing officer of the KMA.

(3) No coach or taxi licence shall be granted under these Bye-laws unless the vehicle in respect of which the licence is required has been licensed as a commercial vehicle and certified as road worthy in accordance with the provisions of the Road Traffic Regulations.

Application for coach or taxi licence.

2. (1) An application for a coach or taxi licence shall be made by delivering two complete forms of application to the Licensing Officer.

(2) The Licensing Officer may if he is satisfied with the particulars supplied authorised the applicant by way of an endorsement on the application forms to have the vehicle painted or sprayed and equipped for use as a coach or taxi (as the case may be).

(3) No person shall paint or spray or equip any vehicle or caused or allow any vehicle to be painted or sprayed or equipped for use as a coach or taxi without the authority of the Licensing Officer.

Conditions for grant of licence.

3. (1) No Coach licence shall be granted unless the vehicle in respect of which the licence is applied for:

(a) has a double door at the back that of or two doors or right hand side for easy passage by passengers;

(b) has a light inside;

(c) is equipped with seats for an approved number of persons.

(d) displays the illuminated word "Coach" on the top front thereof;

2. No taxi licence shall be granted unless the vehicle in respect of which the licence is applied for:—

(a) Has four doors;

(b) Is painted for use as a taxi

(c) has a boot;

(d) has a light inside; and

(e) displays the illuminated word "Taxi" on the top front thereof.

(3) Every coach or taxi licensed under these Bye-laws shall remain equipped and fitted in the manner under sub-sections (1) and (2).

4. A Coach or Taxi licence shall be obtained quarterly or yearly and the fee payable for such licence shall be fixed by resolution of the Assembly. Fee payable.
5. The licensing officer shall issue a registration number to the applicant who shall display boldly such numbers on a number plate and place same in front and the rear of the coach or taxi as the case may be. Issue and display of registration number.
6. The driver named in the Insurance Policy to drive a coach or taxi shall affix his photograph duly stamped by the KMA to the dash-board of the coach or taxi. Display of photograph.
7. No taxi shall be licensed to carry more than five persons including the driver and no coach shall be licensed to carry more than the approved number of persons. No standing passengers shall be allowed in respect of coach. Number of passengers.
8. (1) Every person to whom a coach or taxi licence has been granted under these Bye-laws shall— Duties of licenses.
- (a) observe all traffic regulations including pedestrian crossing;
 - (b) display the licence or cause the licence to be displayed on the coach or taxi in respect of which the licence has been granted.
 - (c) notify the Assembly of any change in his postal, residential or office address within seven days of such change.
 - (d) keep and maintain the coach or taxi in good repairs.
- (2) No persons to whom a coach or taxi licence has been granted under these Bye-laws shall—
- (a) permit any person other than the person licensed under paragraph 12 of these Bye-laws to drive the coach or taxi.
 - (b) remove, deface, alter, mutilate or cancel the licence or any notice mark affixed to the coach or taxi in pursuance of these Bye-laws nor, allow or permit any other person to do same.
 - (c) permit the coach or taxi to be used for any unlawful purpose.
 - (d) no driver of a coach or taxi should display any advertisement inside or outside the coach or taxi without the consent of KMA or the appropriate authorities as required by-law.
9. (1) A coach or taxi licence shall be revoked by the KMA where the taxi or coach to be road worthy or otherwise causes to be in conformity with any of these Bye-laws. Revocation of Coach or Taxi Licence.
- (2) The Court may make an order for the suspension or renovation a coach or taxi licence where the licensee has been convicted under these Bye-laws, on two or more occasions for—
- (a) using the coach 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.
10. A record of all coaches and taxis licensed under these Bye-laws shall be kept by the licensing officer. Records.
11. Every licensed driver, shall, on being requested so to do by a member of the police service or an officer duly authorised by the KMA produce his coach or taxi licence to such member of the police service or an officer of the Assembly. Duty to produce licence.
12. (1) No person shall drive or hold himself out as the driver of a coach or taxi unless he has obtained and is in possession of a valid licence granted to him by the KMA. Coach or Taxi Driver's Licence
- (2) No coach or taxi drivers licence shall be granted under these Bye-laws unless the applicant has been granted a licence to drive commercial vehicles and possess a driver's licence other than a private driver's licence.

Examination of Applicant for Taxi Driver's Licence.

13. (1) An examination shall be held for each applicant for a taxi driver's licence.
- (2) The examination shall be oral and shall test each applicant on—
- (a) The general knowledge of the provisions of these Bye-laws;
 - (b) Familiarity with the city of Kumasi general and in particular with the following
 - (i) shall route to places of importance including hotels and cafes;
 - (ii) Roads, streets, stations parks, hospitals and clinics within the city of Kumasi; and
 - (iii) The main routes from the city of Kumasi to places outside it.

14. (1) The examination of applicants under the preceding section shall be conducted by a Board of Examination consisting of the Legal Officer of the KMA and Police Officer not below the rank of an Assistant Superintendent of Police appointed by the Inspector General of Police.

(2) The Board shall meet at least once every month at such time and place as shall be notified by the Manager by a notice published in the *Gazette*.

(3) At an examination, the Board shall request the production by the applicant of his current driver's licence and a receipt for the payment of current basic rates to ensure that he has been a competent driver resident in the city of Kumasi.

(4) No examination shall be required in respect of each driver's licence.

Procedure for issue of Taxi Driver's Licence.

15. Where the Board is satisfied that the applicant has proved himself in the course of the examination to be a fit and proper person to hold a taxi driver's licence each member of the Board shall endorse his approval on the applicant's form and shall return it to the licensing Officer who shall issue a taxi driver's licence on the payment of the prescribe fee.

Duration of Licence.

16. A coach or taxi driver's licence shall remain in force for a person of one year unless sooner revoked or suspended.

Lost Licence.

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

Production of Licence.

18. Every coach or taxi driver shall have his coach or taxi driver's licence in his possession wherever he is acting as a coach or taxi driver or when appearing before any court and shall on request produce the licence for inspection by police office or any officer duly authorised by the KMA.

Renewal of Licence.

19. An applicant for the renewal of a licence shall submit to the licensing officer.

- (a) An application letter;
- (b) His current driver's licence and
- (c) the licence for which an application for renewal is made, Taxi or Coach driver's.

Suspension or withdrawal of Coach or Taxi.

20. No taxi or coach driver's licence shall be suspended or withdrawn under these Bye-laws unless—

- (a) the drivers licence of the holder has become suspended or withdrawn or
- (b) a court law to orders.

21. These Bye-laws shall not apply to—

- (a) Any vehicle which is the property of the Government statutory body, board or Corporation; or an
- (b) Any coach or taxi licensed other than by the KMA which is in transit through the City of Kumasi, provided that the driver of such coach or taxi shall be guilty of an offence under these Bye-laws if he plies within the Metropolis.

22. Any licence obtained under these Bye-laws as a result of false declarations or representations shall be null and void and any fee paid for such licence shall not be recoverable. False declaration.
23. No coach or taxi shall carry any number of persons in excess of that allowed to be carried by the coach or taxi provided that for the purposes of these Bye-laws an infant in arms shall not count as a person and every child of twelve and above shall count as one person. No excess of persons allowed.
24. (1) Not more than two persons in the case of taxi or three in that of a coach (the driver inclusive) shall sit on the front seat. Prohibitions.
- (2) No luggage shall be carried on the roof or on the bonnet of any taxi.
- (3) No person suffering from an infectious disease shall be allowed or carried on a coach or taxi.
25. No coach or taxi shall stop, halt or slow down his vehicle in such a way that his conduct amounts to an unreasonable obstruction of traffic.
26. (1) Every coach or taxi driver shall 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. Luggage.
- (2) No coach or taxi driver shall retain portion of or otherwise unlawfully deal with, any article or luggage left in his vehicle.
27. No coach or taxi driver shall charge more than the fare prescribed and approved by the Ghana Private Road & Transport Union of Trade Union Congress.
28. The KMA may provide taxi ranks subject to such conditions and rules as to the use thereof as it may prescribe. Ranks.
29. No driver shall blow the horn of his vehicle nor make any unnecessary noise users of the road. Nuisance.
30. Any person who contravenes any of these Bye-laws shall be guilty of an offence and shall be liable on conviction to a fine not exceeding ₵100,000.00 in default to a term of imprisonment not exceeding one month. Penalty.
31. In these Bye-laws unless the context otherwise requires— Interpretation.
- “Coach” 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 reward (e.g. trotro).
- “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 authorised by him to act as such.
32. All Bye-laws on Coaches and Taxi in force immediately before the coming into force as these Bye-laws are hereby revoked. Revocation.

Made at a meeting of the Kumasi Metropolitan Assembly held on the 28th December, 1995.

SIGNED
*Presiding Member
 Kumasi Metropolitan Assembly*

SIGNED
*Metropolitan Co-ordinating Director
 and Secretary to KMA*

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

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

Kumasi Metropolitan Assembly (Metropolitan Weekly Lotto) Bye-laws, 1995

In exercise of the powers conferred on the Kumasi Metropolitan Assembly by section 79 of the Local Government Act, 1993 (Act 462) and the District Weekly Lotto Regulations (L.I. 1482 1989), these Bye-laws are hereby made:

- Licence.**
1. (1) No licence shall be granted under these Bye-laws to any person unless the person is 18 years or above and is a citizen in Ghana.
 2. Every application for licence under section 3 of these Bye-laws shall be made to the KMA accompanied by:
 - (a) A completed application form to be prescribed by the payment of a non-returnable application form fee from time to time to be fixed by a resolution of the KMA.
 - (b) Three (3) certified recent passport size photographs of the applicant.
 - (c) An annual non-returnable registration fee of such amount to be fixed from time to time by a resolution of the assembly.
 - (d) A Bank statement from any reputable Commercial Bank showing that the applicant has a working capital of not less than four million cedis (¢4,000,000.00).
 2. (1) All applicants shall be required to appear before a committee of the Assembly for the purpose of vetting before the issue of licence.
 - (2) During the pendency if a licence the Assembly has a right to order the vetting of any licence whose conduct the Assembly may deem necessary for such a vetting.
 - (3) The decision of the K.M.A. on question of approval or a disapproval shall be final in all cases.
- Security Deposit.**
3. (1) Where the KMA approves of an application within 14 days of such approval, the applicant shall pay into a Special Bank Account to be opened by the KMA for this purpose a security deposit of such amount to be determined by the KMA by resolution.
 - (2) Failure to deposit the sum required under the section renders any application null and void.
 - (3) The full amount of the security deposited shall be maintained at all times.
- Agents of operators.**
4. (1) An operator may appoint such number of agents as he deems fit for the purpose of operating the lotto.
 - (2) An operator shall deposit at the offices of the KMA, two passport size photographs of all agents employed by him, together with their particulars and shall notify the Assembly the moment any change occurs in the particulars submitted.
 - (3) Photographs of agents shall be endorsed by the operator.
5. Every operator shall submit to the KMA quarters returns of coupons printed and sold in respect of his operations.
- Weekly Dues.**
6. (1) An agent of a licensed operator shall be required to pay weekly dues of such amount as the KMA may by resolution fix from time to time.
 - (3) Ticket sellers shall be required to pay weekly dues to be approved by the KMA upon a resolution.
- Offence and Penalty.**
7. Any person who contravenes any of the provisions of these Bye-laws shall be guilty of an offence and shall be liable on conviction by a court or Tribunal to a fine not exceeding ¢200,000.00 or in default imprisonment for a term not exceeding six months.
- Prohibition.**
8. No person shall operate a District Weekly Lotto unless he applies and obtains a licence from the KMA for that purpose.
- Revocation.**
9. The KMA reserves the right to revoke the licence of an operator if that person is—
- (a) convicted for any criminal offence involving lotto, dishonesty, fraud or offences in the category of first and second degree felonies.

(b) unable to maintain in full his security deposit;

(c) found to have made a false declaration statement of any nature to the KMA.

10. These Bye-laws shall apply within the area of authority of the KMA.

11. All Bye-laws in force on weekly lotto in the Metropolis immediately before the coming into force of these Bye-laws are hereby repealed.

12. In these Bye-laws unless the context otherwise requires—

“KMA” means Kumasi Metropolitan Assembly “District Weekly Lotto” means the type of lotto commonly known as Banker to Banker

“Operator” means a person who has been licensed by the KMA to carry on the operation of a District Weekly Lotto within the Metropolis.

Made at a meeting of the Kumasi Metropolitan Assembly held on the 28th December, 1995.

SIGNED

*Presiding Member
Kumasi Metropolitan Assembly*

SIGNED

*Metropolitan Co-ordinating Director
and Secretary to KMA*

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government

SIGNED

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

Kumasi Metropolitan Assembly (Control of Poultry in Dwelling Houses) Bye-laws, 1995

In exercise of the powers conferred on the Kumasi Metropolitan Assembly by section 79 of the Local Government Act, 1993 (Act 462) these Bye-laws are hereby made:

1. (1) Subject to the provisions of these Bye-laws, the maximum number of poultry that may be kept in a dwelling-house within KMA's Administration area shall be 200 heads.

Limitation of poultry to be kept in dwelling houses.

(2) Whenever the sanitary conditions of the poultry causes nuisance, the KMA shall order its closure.

Impounding of excess poultry.

2. (1) An Officer of the KMA duly authorised to impound excess poultry may at any reasonable time during the day enter and inspect any premises where poultry are kept and may in writing request the owner or keeper of the poultry to dispose of the poultry which is in excess of the permitted number within 14 days.

(2) Where the owner or keeper of the poultry fails to dispose of the excess poultry within the stipulated fourteen days after receipt of a written notice, the authorised officer of the KMA may impound them.

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 thinks.

Housing of poultry.

4. The size of the housing for poultry shall be as specified in the schedule to these Bye-laws unless the KMA in its discretion determines otherwise.

Size of housing.

5. (1) Litter or droppings cleared from deep litter or battery cases or any other structure housing poultry shall be disposed of in accordance with any governing sanitation in the KMA and in a manner

Disposal of droppings.

Application .

Repeal .

Interpretation.

as the KMA's Medical Officer of Health may by notice in the Local Government Bulletin direct.

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

Stray poultry disallowed.

6. (1) An owner or keeper of poultry shall not allow his poultry to stay outside the premises owned or occupied by him.

(2) An Officer of the KMA duly authorised, may impound any strayed or straying poultry which he finds in a public place.

Custody of strayed poultry.

7. An owner or occupier of any premises into which poultry stray, may impound them and he shall within 48 hours, surrender them to the KMA or arrange for the KMA or its Medical Officer of Health to take possession of them.

Redemption of impounded stray poultry.

8. The owner of any impounded stray poultry may redeem them after paying ₵500.00 per head for each day that the poultry were kept.

Failure to expenses of stray poultry.

9. (1) Where the expenses of keeping the poultry be not paid by the owner within 14 days after being impounded, the Keeper or other person appointed by the Medical Officer of Health shall sell them by Public Auction and pay the proceeds from these to the Treasurer of KMA, after deducting the expenses incurred for keeping the poultry.

(2) The Treasurer of KMA shall pay the owner of the poultry the amount realised from the sale of the poultry less any expenses incurred by the KMA for keeping and selling the poultry where the poultry owner demands payment for the poultry sold within twelve months after such sale.

Power of Medical Health Officer to conduct inspection.

10. A duly authorised officer of the KMA or an officer of MOH may at any 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 on or enforcing any bye-laws relating to sanitation so as to prevent or minimize the spread of livestock diseases particularly those communicable to man or;

(b) finding if the conditions under which poultry are being kept to meet the requirement of these Bye-laws.

Discretionary powers of KMA.

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

Penalty.

12. Any person who contravenes the provisions of these Bye-laws commits an offence and is liable on summary conviction to a fine not exceeding ₵200,000 or in default of payment to a term of imprisonment not exceeding six months or to both.

Revocation.

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

Application.

14. These Bye-laws shall apply within the area of authority of the KMA.

Interpretation.

15. In these Bye-Laws unless the context otherwise requires—

“KMA” means Kumasi Metropolitan Assembly.

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

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

SCHEDULE (Paragraph 4)

The minimum area occupied by poultry (unless kept in bayyery cages) shall be as follows—

(a) Housing for 50 heads of poultry—7.5 sq metres

(b) Housing for poultry between 50 and 100 heads—152 sq. metres

(c) Housing for poultry between 100 and 200 heads—304 sq. metres

(d) In each case the housing shall have a roof of not less than 1.8 metres from the floor.

Made at a meeting of the Kumasi Metropolitan Assembly held on the 28th December, 1996.

SIGNED

*Presiding Member
Kumasi Metropolitan Assembly*

SIGNED

*Metropolitan Co-ordinating Director
and Secretary to KMA*

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government

SIGNED

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

Kumasi Metropolitan Assembly (Control of Hawkers) Bye-laws, 1995

In exercise of the powers conferred on the Kumasi Metropolitan Assembly by section 79 of the Local Government Act, 1993 (Act 462) these Bye-laws are hereby made:

1. (1) No person shall operate as a hawker unless he obtains upon application a licence from the KMA. Hawkers to obtain licence.
- (2) The licence shall be in such form as the KMA determine and shall be issued subject to such conditions as the KMA may deem fit including the following:
 - (a) A hawker shall not sell, offer or exhibit goods other than those in respect of which licence has been granted and which are specified in writing therein.
 - (b) A hawker shall not erect any stall or any other structure in any public place for the purpose of his trade or any business without the written consent of the KMA.
 - (c) a hawker shall not obstruct or impede the free movement of vehicular or pedestrian traffic.
2. Every application for a licence shall be made in writing and shall contain particulars of the goods which the applicant wishes to sell. Application to contain particulars.
3. (1) A licence issued under these Bye-laws shall expire on the 31st December, of the year in which it is issued. Duration and Fees for Licences.
- (2) A licence shall be issued on the payment of such fee as may be fixed by resolution of the KMA.
4. No hawker shall sell or offer for sale anything in the places specified in the schedule to these Bye-laws. Hawkers not to sell in Public Places.
5. (1) Every Hawker shall produce for inspection a licence granted under these Bye-laws upon demand being made to him by a person authorised in written by the KMA. Hawkers to produce Licence on demand.
- (2) Any person who fails or refuse to produce the licence commits an offence.
6. 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 the dustbins provided for the purpose and thoroughly wash away all stains and marks whether of fat, oil, grease or any other kind. Responsibility for maintaining the place clean.

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 the table or support raised at least one metre from the ground.

Food for sale to be protected from dust and flies.

8. 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 imposed by KMA's Medical Officers.

Prohibitions.

9. (1) A person of unsound mind and any leper or person suffering from vermin or from any contagious or infectious diseases shall be prohibited entry into a street market.

(2) No occupier of any space or selling site shall bring to any street, any box, basket or other containers and he shall desist at all times from placing them in the pathways or avenues of the market.

Offence.

10. Any person who contravenes any provision of these Bye-laws commits an offence and shall on conviction by a court or a Community Tribunal be fined not exceeding ₵50,000.00 or in default to a term of imprisonment not exceeding three months or in the alternative a spot fine approved by a Resolution of the Assembly.

Interpretation.

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

Application.

12. These Bye-laws shall apply within the areas of authority of the KMA.

Revocation.

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

Schedule

- (1) Pavements of Principal streets in the Metropolis.
- (2) Spaces in front of Sat. PZ, Kejetia, K.O. Methodis, Adehyeman Gardens and Banks
- (3) Frontage of stores
- (4) The area popularly call "18"
- (5) Pedestrian—Walks
- (6) Such areas as the KMA may from time to time determine.

Made at a meeting of the Kumasi Metropolitan Assembly held on the 28th December, 1995.

SIGNED

*Presiding Member
Kumasi Metropolitan Assembly*

SIGNED

*Metropolitan Co-ordinating Director
and Secretary to KMA*

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government

SIGNED

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

Kumasi Metropolitan Assembly (Protection of Roads) Bye-laws, 1995

In exercise of the powers conferred on the Kumasi Metropolitan Assembly by section 79 of the Local Government Act, 1993 (Act 462) these Bye-Laws are hereby made:

- Prohibition.
1. No person shall spill oil on any road in the Metropolis.
 2. (1) No person shall damage any part of an asphalt road by dragging a heavy metal or wood or stone or any other material on the surface of a road.

(2) No person shall cook, fry or light any fire or any other material emitting heat on the surface of any road.

(3) No person shall use, pour or put corrosive material on the asphalted road.

(4) No person shall cut a trench on any part of the roads without permission from the Authorised Agencies & D.U.R., G.H.A., D.F.R. etc.

(5) No person shall off-load or dump any item (s) or goods on the roads".

(6) No person or group of persons shall block or erect a canopy on any road in the Kumasi Metropolis for any funeral or social gathering without a written permission from an authorised officer of the KMA and paying the approved fee for such purpose as shall be determined by the resolution of the KMA from time to time.

4. Any person who contravenes any provision of these Bye-laws commits an offence and shall be liable on conviction by a court or Public Tribunal to a fine not exceeding ₵200,000 or 6 months imprisonment.

Offence.

5. These Bye-laws shall apply within the area of Authority of the KMA.

Application .

6. In these Bye-laws unless the context otherwise requires KMA means Kumasi Metropolitan Assembly.

Interpretation.

Made at a meeting of the Kumasi Metropolitan Assembly held on the 28th December, 1995.

SIGNED

*Presiding Member
Kumasi Metropolitan Assembly*

SIGNED

*Metropolitan Co-ordinating Director
and Secretary to KMA*

Approved by the Regional Co-ordinating Council, Ashanti on behalf of the Ministry of Local Government

SIGNED

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