AKWAPIM SOUTH DISTRICT ASSEMBLY (BUSH FIRE CONTROL) BYE-LAWS 2017

IN EXERCISE of the powers conferred on the AKWAPIM SOUTH DISTRICT ASSEMBLY by section 181 of the Local Governance Act, 2016 (Act 936) these bye-laws are made this 19th day of December, 2017.

Prohibition of setting fire to vegetation

1. No person shall set fire to any vegetation within one hundred metres (100 m) from the high water mark of any water body in the District.

2. It is unlawful for any person to set or kindle a fire without taking due precaution to prevent its spread into any vegetation or farmland, or private property, or state property, within the District.

3. Any person who contravenes the provision of sections (1) and (2) commits an offence and is liable on summary conviction to fine not less one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment.

4. In addition to whatever penalty imposed by court for contravening sections (1) and (2) of these Bye-laws, the culprit shall bear the cost of damages caused by the spread of fire and all expenses incurred in extinguishing the fire.

5. The cost of any damage caused by the fire in respect of sections (1) and (2) shall be calculated by;

(1) If it is mature timber or tree, determining the amount of stumpage applicable to that timber or trees and assigning that amount as the Ghana cedi value for that timber,

(2) If it is not mature timber or tree, determining;

(a) the average age of the timber or trees when damaged or destroyed,

(b) the area over which the damage and destruction occurred,
(c) the extent of damage and destruction, and
(d) the species composition of the stand of the timber or trees

(3) other forest land resources, multiplying the number of hectares of forest land or grass land resources destroyed or damaged by the market or commercial value of that resource.

(4) other property, calculating the amount of the replacement value of that property and multiplying by 2 and then assigning that amount as the Ghana Cedi value for that property.

Prohibition of setting fire during drought periods

6. No person shall set or start fire within forest land or grass land during periods of extreme drought that is between December 1 and May 1 inclusive in this District.

7. No person shall burn any sanitary paper or any debris or domestic solid waste in a grass land or forest land during periods of extreme drought.

8. No person or group of persons shall engage in hunting with the use of dogs or fire or both in grass land or forest land during periods of extreme drought in the District.

9. No person shall drop or throw away any article such as burning cigarette, heated metal, embers of wood, glowing charcoal, and the likes that poses fire hazard in grass land or forest land during extreme periods of drought.

10. Any person who contravenes the provision of subsections (6), (7), (8) and (9) commits an offence and is liable on summary conviction to fine not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment.

Report of a person known to have caused bush fire

11. It is unlawful for any person who has knowledge or information about a person or group of persons known to have set or start fire without taking due precaution to prevent its spread into any vegetation or farmland, or private property, or state property, and fails to report or reveal the information to the Police or the Assembly member, the Unit Committee members, or the Chief of the area, or the National Disaster Management Organisation official, or official of the Ghana National Fire Service, or official of the Environment Department of the Volta River Authority.

Any person who contravenes this provision commits an offence and is liable on summary conviction to fine not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment.

Bush Fire Prevention

12. Any person undertaking such activities as refuse disposal, wood sorting, farming, or cooking on a site that is on or within 50 metres off forest land or grass land shall maintain a sufficient fire or fuel break at or near the site to ensure that a fire originating at the site does not escape the site.

13. The District Assembly shall assist the National Disaster Management Organisation in terms of financial support to work collaboratively with relevant institutions like the Volta River Authority, Ghana National Fire Service, Ghana Police Service, and National Commission for Civic Education to undertake anti-bush fire campaign throughout the District during periods of extreme drought.

14. Offence

A person who contravenes this bye-law commits an offence and is liable on summary conviction to pay a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment. Forty percent (40%) of fine shall, on payment, be ceded to the Assembly.

Interpretation
In this Bye-laws unless the context otherwise requires-

‘’fuel break or fire break’’ means a barrier or a change in fuel type or condition; or a strip of land that has been modified or cleared to prevent fire spread.

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PRESIDING MEMBER **SECRETARY**