

BEREKUM EAST MUNICIPAL ASSEMBLY (LICENSING OF WASTE COLLECTION AND HAULAGE COMPANIES) BYE-LAW, 2018

In exercise of the powers conferred on the Berekum East Municipal Assembly by Section 181 of the Local Governance Act, 2016 (Act 936) these Bye-laws are hereby made:

Citation

25.1 The Bye-laws may be cited as the Berekum East Municipal Assembly (Licensing of Waste & Haulage Companies) bye-laws, 2018.

Categories of Solid and Liquid Waste

25.2 The following categories of waste shall be covered under these Bye-laws:

- a) Household Solid Waste as described and set out in schedule 1
- b) Industrial Solid waste as described and set out in schedule 2
- c) Commercial Solid Waste as described and set out in schedule 3
- d) Hazardous Waste as described and set out in schedule 4
- e) Bio-medical Waste as described and set out in schedule 5
- f) Liquid Waste as described and set out in schedule 6

Licensing for Collection of Waste

25.3 The Assembly reserves the right to license waste company and contractors for collection and disposal of any of the above categories as it may direct.

Unlicensed Collection Waste

25.4 Except by regulation, no person shall engage in the collection and disposal of waste prohibited as a business without license from the Assembly.

Collection and Disposal Bio-medical Wastes

25.5 A licensed contractor shall not collect any hazardous or bio-medical waste from any of hazardous or place unless such collection has been approved by the Assembly.

Certification of Plant and Equipment

25.6 Private operators, agents or contractors licensed by the Assembly to handle waste shall cause their vehicles, plant and equipment for the collection and haulage of waste to be inspected for appropriateness and issued a certificate by an authorized officer of the Assembly.

Categories of Licensed Private Operators

25.7 Licensees shall be categorized as large, medium or small scale according to the collection service prescribed by the Assembly and vehicles, plant and equipment requisite to the service.

25.7.1 The categories of private operators shall be defined according to schedule 7 of these Bye-laws.

25.7.2 Licensing requirements for private operators shall be defined in guideline issued by the Assembly.

Monitoring of Licensed Operators

25.8 All licensed operators shall at all times allow access to the Assembly's staff or designated agents to their premises, equipment or records relating to the services licensed.

Storage of Waste for Collection

25.9 An occupier/owner of any premises within a solid waste collection service area shall be required to register with the Assembly or its authorized agents or contractors and to place the waste in a container and to place the container for collection by the Assembly or its authorized agents or contractors appointed for the area on collection days as may be announced by the Assembly or its authorized agents or contractors.

25.9.1 The containers to be employed shall be approved by the Assembly as indicated in schedule 8 of these Bye-laws for specific types and levels of services.

Private Collectors

25.10 An owner or occupier of a premises within a solid waste collection service area may notwithstanding the other provisions of these bye-laws, engage a licensed collector collect wastes generated by him, subject to the approval of the Assembly.

Collection Areas and Days

25.11 The Assembly may, for the purposes of the management of waste generated within its area of jurisdiction, divide the area into waste collection zone.

25.11.1 The Assembly or its authorized agents or contractors shall serve notice of commencement of a collection service in areas specified for particular service and days for collection.

Prohibition of Unlicensed and Indiscriminate Disposal of Waste

25.12 No person shall place or deposit or dispose of any waste on any land, or cause or knowingly allow waste to be placed on any land, or use any vehicle, plant or equipment, for the purpose of disposing of waste unless the land on which the waste is placed is so designated by the Assembly for the purpose of waste disposal and the person is licensed by the Assembly to place the waste at such designated disposal site.

Fees to be Charged for

25.13 The collection of any type of waste as set out in schedules 1, 2, 3, 4, 5, and 6 of these bye-laws shall be subject to charging of fees as approved by the Assembly in its Fee disposal of waste Fixing Resolution.

25.13.1 The Assembly reserves the right to charge tipping or discharge fees for the placement of prescribed waste by its licensed operators at any designated disposal site for solid or liquid waste as approved by the Assembly in its Fee Fixing Resolution; Schedule 9 of these Bye-laws indicates the type of wastes acceptable at the Assembly's designated disposal sites.

Offence

25.14 A person commits an offence who:

- a) Engages in the collection of waste without license from the Assembly
- b) Being licensed, fails to obtain an inspection certificate from the Assembly for the vehicles, plant and equipment used for waste collection.
- c) Fails to provide for the premises the approved containers for storage of waste.
- d) Places or deposits any waste at an unauthorized disposal site.
- e) Fails to pay for waste collection or tipping or discharge fees
- f) Places or deposits at any designated disposal site any waste not acceptable
- g) Recycles any waste without the prior approval of the Assembly
- h) Dumps solid waste in a drain, sewer, open land, quarry, river channel, swamp or other place not designated by the Assembly.

Penalties

25.15 Any person who commits any of the offences specified under section 25.14 of these Bye-laws is liable on summary conviction to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or to a term of imprisonment of not less than six months and more than twelve months or to both the fine and imprisonment.