Berekum East Municipal Assembly (Stray Animals) Bye-Laws, 2018

IN exercise of the powers conferred on the **Berekum East Municipal Assembly** by section 181 of the Local Governance Act, 2016 (Act 936) hereby make these Bye-Laws:

Impounding of stray animals

1. If in any town, any animal(s) is/are found at large in any public place without any person in charge thereof, any person authorized by the Berekum East Municipal Assembly may seize and impound the cattle in any common pound, and may detain them until the owner pays to the Berekum East Municipal Assembly a sum equivalent to the expenses of keeping them at rates fix in fee-paying resolution of the Assembly.

1.1 The Assembly shall not be liable for any cattle that may die after it has been impounded.

Sale of impounded stray animal

2. If the said expenses are not paid within four days after impounding, the pound keeper, or other person appointed by Assembly for the purpose, may sell any such animal; but previous to the sale, six days' notice is given or left at the dwelling-house of the owner if that person is known, or, if not, then the notice is conspicuously posted in some usual place for the posting of public notices in the town where the animal were seized; and the proceeds of the sale, after deducting the expenses, is paid to the Berekum East Municipal Assembly.

Keeping of swine

3. A person commit an offence when that person rears a swine within a residential area is liable on summary conviction to a fine of not less than hundred penalty units and not more than two hundred and fifty penalty units or to a term of imprisonment not more than one month or both.

Keeping/Rearing of Cattle

4. A person commit an offence when that person rears a cattle within an unauthorised areaand without cattle rearing license is liable on summary conviction to a fine of not less than two hundred and fifty penalty units and not more than five hundred penalty units or to a term of imprisonment not more than three years or both.

Conditions for License:

1. A person shall be issued a license by the assembly if he/she has provided a permanent structure (properly fenced) with the capacity to confine the cattle within a “specific authorised area” all the time.
2. The person should have a valid lease agreement, specifying the total area to be used for the cattle rearing and grazing

3. The cattle may be released from confinement to another specified location with the notification of the Assembly or a designated authorised person for slaughter, Environmental Health or Veterinary, emergencies or any specified activity by the Assembly.
4. Any cattle found or allowed outside the fenced area will be in contravention of this bye-law and could be treated as stray animals, and as such be impounded or other and could result in a penalty to the owner
5. All licenses for the purposes of cattle rearing shall attract fees to be determined by the Assembly

Renewal ofLicense:

6. All licenses shall expire on the 31st Day of December of the issuing year and shall be subject to renewal
7. The cattle owner shall be made to pay for all damages caused by the stray cattle
8. Upon a second offence the person may lose their license to rear or graze cattle

5. Prohibition

The rearing and/or the keeping of cattle in any premises or in any part of the Municipality otherwise than for immediate slaughter or in such public place as the Assembly may provide for that purpose, is forbidden and any cattle kept in contravention of these bye-laws may be seized by any person authorized by the Assembly and placed in a pound provided by the Assembly.

6. Cattle to be Kept by Permit

Notwithstanding section 5 of these Bye-laws, a person may keep animals within the area of administration of the Assembly for domestic, religious or customary purposes upon the condition that the animals:

(a) Are kept in a pen which is well maintained and always kept clean; and
(b) Do not constitute a nuisance by such keeper or noise to neighbour; and
(c) Are attended to by veterinary Officer or assistants and that owners are to ensure
That the sanitary rules specified by the Assembly are maintained.

Owner of Cattle to Pay Fee

10.5 Any Cattle placed in a pound may be detained there until the owner pays to the Assembly fees covering the impounding and the maintenance of the cattle.

Penalty

10.6 Any person who contravenes any provision of these Bye-laws commits an offence and is be 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 one year or to both.

Elimination Order

In cases where cattle and pigs cannot be arrested and impounded, the Assembly may seek for elimination order from Court.

Interpretation

7. In these Bye-laws unless the context otherwise requires-

"Animals include horse, sheep, goats, cattle, donkey and other animals.
Swine means Pig.

Application

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

Title

9. This Bye-law is cited as the **Berekum East Municipal Assembly** (Stray Animals) Bye-laws, 2018.

Revocation

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