

**3. *Linkage drain***

The linkage drain shall be made of concrete and shall also be kept clean.

**4. *Exception***

Any household, owner or occupier of premises shall build a soak-away to take care of waste water in places where a drain or culvert is not available.

**5. *Penalty***

Any person who contravenes any of the provisions of these Bye-laws commits an offence and is liable on conviction to a maximum fine between **100-250 penalty units** payable to Offinso Municipal Assembly or in default to a term of imprisonment not exceeding six (6) months or to both.

**6. *Revocation***

Any By-law on **Drainage of waste water** in existence within the area of authority of the Assembly before the coming into force of these By-laws is hereby revoked.

**TITLE 7: (CONTROL OF BUILDING)**

In exercise of the powers conferred on the OFFINSO MUNICIPAL ASSEMBLY (hereinafter called ‘‘the Assembly’’) by section 181 of the Local Governance Act. 2016 (Act 936) these Bye-Laws are hereby made:

**1. *Interpretation***

In these bye-laws:

‘‘Building’’ means any structure whatsoever and includes the alteration of any existing building which involves an increase in the floor area of that building; the ‘‘floor’’ of a building includes the area of all verandas, corridors, and other under-ground concrete spaces. It is recommended that a Municipal Statutory Planning Committee for building permits, a Town Planning Department and a Surveyor are instituted in the Municipality.

## ***2. Allocation of building plots***

(1) Building shall be allocated in such manner as the Assembly may from time to time direct.

(2) Subject to the provision of paragraph (1) of this bye-law application for the allotment of building permits shall be made to the Assembly and the building plots shall be in order of priority of application and upon payment of the prescribed fee fixed by Resolution of the Assembly and approved by or on behalf of, the Ministry of Local Government.

(3) Every Landlord shall plant trees in front, side or at the back of his/her premises and to erect tree Guard to protect the same: Provided that the streets shall not be duly obstructed thereby.

(4) It shall be unlawful for any individual or group of persons to cut, tap or destroy any tree or vegetation growing along the street, road, path or in any public place unless a prior written permission is issued and signed by the person presiding over the Executive Committee of the Assembly.

(5) Any landlord who fails to comply with a notice from the Assembly requiring him to perform any of the acts specified in sub-section 2 to 4 of section 2 of these bye-laws shall be guilty of an offence and shall be liable on conviction by a competent court or tribunal to a fine not exceeding two hundred (200) Penalty Units or to a term of imprisonment not exceeding twelve months or to both and in the case of a continuing offence to a further fine equivalent to Forty (40) Penalty Units for each day that the offence is continuing after the service of notice of the offence.

## ***3. Certificate of Occupancy***

(1) No person shall occupy a dwelling house or structure which has not been granted a certificate of completion/occupation by the Assembly (**Environmental Health Officer**) and upon payment of the prescribed fee fixed by resolution of the Assembly and approved by or on behalf of the Ministry of Local Government.

(2) All such certificates should be signed by all the appropriate authorities including the Environment Health Officer after inspecting the sanitary facilities thereof.

## ***4. Unauthorized Buildings and demolition notice***

(1) If any building or other structure which is being or has been erected or if any building work is being or has been executed in contravention of any of these bye-laws the overseer or inspector may give notice in writing in the form prescribed in the schedule to these bye-laws, to the owner or developer or occupier, who should within two weeks by a statement in writing to the Municipal

Assembly, show sufficient cause why the building or structure or work should not be removed, altered or pulled down.

(2) If such owner or occupier or developer as the case may be, fails to show sufficient cause why the building or structure or other work should not be removed, altered or pulled down, it shall be lawful for the Assembly to carry out the removal, alteration or pulling down, and recover the expenses from the owner or occupier or developer as the case may be as if it were a debt from such person or persons to the Assembly.

#### **5. *Penalty***

Any person who contravenes any of provisions of these bye-laws commits an offence and shall be liable on conviction by a court or tribunal, to a fine between **100-250 penalty units** payable to Offinso Municipal Assembly or in default to a term of imprisonment not exceeding Twelve (12) months or both and in the case of a continuing offence, to a further fine equivalent to Forty (40) Penalty Units for each day that the conviction continues after written notice thereof has been served on the offender.

#### **6. *Revocation***

Any By-law on **Control of Building** in existence within the area of authority of the Assembly before the coming into force of these By-laws is hereby revoked.

**SCHEDULE**

**NOTICE UNDER BYE-LAWS (1)**

TO.....

TAKE NOTICE THAT you are hereby required on or before ..... day of ..... 20.....

by a statement in writing under your hand or the hand of some person duly authorized  
that behalf by you and served upon the **MUNICIPAL CHIEF EXECUTIVE** to show, why

(a).....

.....

.....

which has been executed/constructed in contravention of;

(b).....

.....

.....

should not be;

©.....

.....

Dated this.....day of.....20.....

MUNICIPAL CHIEF EXECUTIVE OR SCHEDULE OFFICER