IN EXERCISE OF THE POWERS CONFERRED ON THE KWAEBIBIREM MUNICIPAL ASSEMBLY BY SECTION 181 OF THE LOCAL GOVERNANCE ACT, 2016, ACT 936, THESE BYE-LAWS ARE MADE Tills 27TH DAY OF JUNE, 2018

I. KWAEBIRIM MUNICIPAL ASSEMBLY (General Sanitation) Bye-Laws, 2018

1. Dumping of refuse at unauthorised place
prohibited

(1) A person shall not dump refuse at an unauthorised place within the jurisdiction of the Assembly.

(2) A person who contravenes this bye-law commits an offence and is liable on summary conviction to a fine not less than thirty penalty units or to a term of imprisonment not less than two months or both.

2. Unauthorized disposal of faecal matter

(1) A person shall not dump excrement or defecate at an unauthorised place within the jurisdiction of the Assembly.

(2) A person who contravenes this bye-law is liable on summary conviction to a fine of not less than forty penalty units or to a term of imprisonment not less three months or both.

3. Washing and bathing at source of water

(l) A person shall not wash clothes or take one's bath at a public source of water.

(2) A person who contravenes this bye-law is liable on summary conviction to a fine of not less than twenty penalty units or to a term of imprisonment not less one month or both.

4. Washing of vehicles at source of water or at unauthorized place

(1) A person shall not wash a bicycle, tricycle or any other vehicle at river or stream banks or at unauthorized place.

(2) A person who contravenes this bye-law commits an offence and is liable on summary conviction to a fine of not less than sixty penalty units or to a term of imprisonment not less than six months or both.

5. Approved toilet facilities

(1) A landlord or a person in charge of a house shall construct adequate toilet facilities that have been approved by the Environmental Health Unit of the Assembly.

(2) Domestic waste water shall be contained in a soak away.

(3) A landlord or a person in charge of a house who contravenes these bye-laws is liable on summary conviction to a fine not less than fifty penalty units and in addition shall be given not more than three months to provide adequate toilet facility in said house.

6. Untidy property

A landlord or landowner or an agent for a landlord or landowner who allows any landed property to be overgrown with weeds is liable on summary conviction to a fine of not less than thirty penalty units or in default three months in prison or both

7. Power of Entry

The Environmental Health Staff shall enter any premises within the Assembly between six in the morning and six in the evening and when necessary, between six in the evening and eleven in the evening to ascertain if the condition at the premises promote public health and order for abatement of nuisances if any on such premises by the occupier or owner or caretaker.

8. Refusal to comply with the notice of abatement

A person who refuses to comply with notice or order to abate a nuisance commits an offence and is liable on summary conviction to a fine not less than thirty penalty units or to a term of imprisonment not more than six months or both

9. Obstruction of public officers

An Environmental Health Staff or any Authorized Officer of the Assembly performing his duty shall not be obstructed by anyone at any place. Anyone who contravenes this bye law commits an offence and shall be liable to a fine not less than one hundred penalty units or to a term of imprisonment not more two years or to both

10. Refusal of to mention name

An owner of a premises or occupier or owner or caretaker of a property whose name is required to enable the officers of the Assembly carry out their activity but refuses to mention his or her name to the officers commit an offence and is liable on summary conviction to a fine not less than twenty penalty unit or to a term of imprisonment not exceeding two months or to both

11. Communal labour

(1) The Chief of a Zonal Council, Assembly Member, Unit Committee or any persons authorized by the Assembly hereinafter referred to as "Organizing authority" may from time to time organize Communal Labour in any town or village or electoral area within the area of authority of the Assembly, as the Assembly or organizing Authority may deem it necessary.

(2) The Assembly or organizing authority shall give seven (7) days' notice to the residents of the relevant town or village or electoral area before the date of the communal labour.

(3) The Assembly or organizing authority may where the circumstances so require such shorter notice as may be necessary.

(4) The notice shall include: -

a. The date and time on which the communal labour is to be organized

b. The nature of communal labour to be undertaken.

(5) Every able-bodied person, aged 18 years and above, and resident in the relevant town or village or electoral area shall take part in any communal labour organized under paragraph 1 above.

(6) The Assembly or organizing authority may exempt any person from taking part in a communal Labor organized by it if it is satisfied that: -

a. The person is sick.

b. The person is required to appear before any court or to help the police in any investigation.

c. The person is attending the funeral of his relative or of such person as the Assembly or organizing authority may approve, or

d. Such circumstances in relation to the person so as to make it unreasonable for him to take part in the communal labour.

e. Below the age of 18 years, and above 65 years.

12 Environmental and sanitation day

(1) An able-bodied person shall on an "Environmental Sanitation Day" between the hours of 6.00 a.m. and 10.00 a.m. undertake cleanup activities and specific exercises as the Assembly may direct.

(2) On that day, the Assembly, Zonal Councils and Unit Committees in all the communities in the Municipality shall use their resources to undertake cleaning exercises in their environment and public places of convenience and sanitary facilities.

(3) Barkeepers, restaurants (chop bars) market traders and shop-keepers
Shall not operate their business and shall undertake cleaning activities using their own resources in their communities during the period stated in I (1) above.

(4) The Ghana Private Road Transport Union, Private Road Transport Owners Association and other similar unions or organized bodies shall use their own resources to undertake cleaning activities at lorry parks and stations in their communities.

(5) There shall be no vehicular movement on a during the time of the "Environment and Sanitation Day" except on an urgent errand and Governmental vehicles serving humanitarian purposes or bringing essential items to the community like ambulance, fire services, utility service or the exercise of the day is over.

13. Community Initiated Projects

(1) Any community with the intention to levy members for any communal facility or project or programme shall communicate its intention in writing to the Assembly for approval.

(2) The Execution of any community levy shall be receipted so as to ensure accountability to the people.

(3) Any person who fails to pay a communal levy shall be liable to a fine not less than ten penalty units in addition to the value of the outstanding levy.

(4) Exemptions: Minors, PWDs, Apprentices and Destitute, Pensioners, School going children

14. Penalty

A person who, without permission from the organizing authority, is absent at communal work or refuses any communal levy is on summary conviction liable to a fine not less than twenty penalty units.

Alternatively, the offender can pay a discounted charge of five penalty units to the local community to avoid the court proceedings.

15. Medical examination and health certificate of fitness

(1). All person engaged in handling, preparing, processing and serving of food and food substance shall undergo periodic medical examination against special disease and prohibiting the employment or continued engagement of anyone found to be suffering from a specified disease

(2) No person shall cook, prepare, bake, handle, process or sell any food or edible product without a health certificate of fitness obtained from the Environmental Health unit of the Assembly.

(3) A health certificate of fitness obtained in paragraph 15 (2) above shall be renewed annually.

(4) A person who contravenes a provision of this bye-law commit an offence and is liable on summary conviction to a fine of not less than twenty-five penalty units or to a term of imprisonment not more than three (3) months or both.

16 Sale of food under insanitary condition

A person shall not prepare, package, sell, convey, store or display for sale food under insanitary conditions to the public. A person who contravenes this bye law commits an offence and is liable on summary conviction to a fine not less than twenty-five penalty units or to a term of imprisonment not more than six months or to both.

17. Sale or serving of unwholesome food.

A person commits an offence if that person sells or offers för sale food that is unwholesome or unfit for human consumption and is liable on summary conviction to a fine of not less than twenty-five penalty units or to a term of imprisonment not more than six months or both

18. Sale of exposed food

1. Food intended for human consumption shall not be exposed to flies or dust or particulate matter but sold under adequate protection.

2.Where an offence is committed under this paragraph that person as well a person instructed by that person commit an offence and are liable on summary conviction to a fine not less than thirty penalty unit or to a term of improvement not more than six months or both

19. Sales of expired product

1. A person shall not display or expose any expired product for sale. A person who contravenes this provision commit an offence and is liable on a summary conviction to a fine not less than thirty penalty unit or to a term of imprisonment not more than six months or both

20. Burial/Cremation

(1) A person shall not bury or cremate a dead body without a death certificate and permit from the Assembly. A person who contravenes this bye law commits an offence and is liable on summary conviction to a fine not less than fifty penalty units or to a term of imprisonment not more than six months.

(2) No home burial shall take place without approval from the Environmental Health unit and approved fees paid to the Assembly. A person who contravenes this commits an offence and is liable on summary conviction to a fine not less than two hundred penalty unit or in default to a term of imprisonment not exceeding two years and in addition pay the approved fees or the body be exhumed if the place is not conducive

21. Vehicle for corpse conveyance

No vehicle shall be used in conveyance of corpse except the hearse. A driver and any person who engaged the driver in contravening this bye-law commit an offence and each shall be liable on a summary conviction to a fine not less than forty penalty units or to a term of imprisonment not more than six months or both

22. Littering the environment

A person who litters the environment commits an offence and is liable on summary conviction to a fine of not less than thirty penalty units or in default three months imprisonment.

23. Prohibition of smoking at public places

1. A person shall not smoke tobacco or tobacco product or hold a lighted tobacco product in an enclosed or indoor area of work place or in any other public.

2. A person who is in control of or responsible for a public place or work place shall not permit anyone to smoke on such premises

3. A person who contravenes any of this provision commit an offence and is liable on a summary conviction to a fine not less than thirty penalty or a term of imprisonment not more than six months

24 Protection of water receptacles

An owner of premises or a person in occupation of premises shall not

(a) Allow on the premises the presence of a receptacle for water containing mosquito larvae, or water to be kept uncovered in a receptacle that has not been emptied and to the satisfaction of the Environmental Health Staff.

(b) Allow on the premises a preventable condition which may be favourable to the breeding of mosquitoes and other vectors.

A person who contravenes any of this provision commit an offence and is liable on a summary conviction to a fine not less than thirty penalty or a term of imprisonment not more than six months