

12. Kwahu East District Assembly (Sale of Palm Wine, Corn Beer or 13. Kwahu East District Assembly (Sand, Stone and Gravel Winning) Bye-Laws, 2020

1. Application for permit

- (1) A person who wins or desires to mine sand, stone or gravel within the jurisdiction of the Assembly shall apply to the District Spatial Planning Committee of the Assembly for permit to win sand, stone or gravel.
- (2) An applicant shall
 - a. State the name and address,
 - b. Enclose a site plan of the area of the intended operation,
 - c. State the mode of winning, namely, excavation by mechanical means or by manual means,
 - d. State the duration of winning operation and the application shall be countersigned by the Assembly and the landowners of the area.
- (3) When all due processes have been satisfied, the District Spatial Planning Committee shall recommend that the permit/license be granted to the applicant by the Assembly. The Assembly, when satisfied by the recommendation of the District Spatial Planning Committee shall grant the permit.

2. Requirements of permit

- (1) The conditions in the permit
 - (a) The permit shall contain the name and address of the operator,
 - (b) The hours of operation which by these bye-laws shall be 5.00 a.m. to 6.00 p.m. and a special permit from the Assembly after 6.00 pm,
 - (c) The duration of the permit or license,
 - (d) The fee to be paid for the permit by these bye-laws shall be determined by the Assembly periodically, and
 - (e) The specified deposit to be determined by the Assembly which is refundable upon successfully reclaiming the land.
- (2) No person shall win sand, stone and gravel for commercial purposes within the area of authority of the Assembly without a permit.
- (3) A permit issued by the Assembly shall be produced on demand at the site at all times to an authorized officer of the Assembly.
- (4) A person who violates paragraph 1 of these bye-laws is liable to a fine of 500 penalty units.

3. Payment of loading fee

- (1) A driver or a person in charge of a truck loaded with sand, stone or gravel shall pay a loading fee which the Assembly determines, and shall be issued with a receipt by the Assembly.
- (2) Defaulters shall pay a fine of 10 penalty units and have the sand, stone or gravel confiscated to the Assembly.
- (3) A holder of a permit shall not assign, sell or part with it to another operator without the prior consent of the Assembly.

4. Withdrawal of Licence

A holder of a permit who violates this bye-law will have the permit withdrawn.

5. Reclamation of land

- (1) A person who does not reclaim the land after winning the sand, stone or gravel will be blacklisted in addition to the payment of a fine of 1,000 penalty units.
- (2) The Assembly shall be under no liability for any loss or damage to the site or any sand, stone or gravel that is due to the breach of these bye-laws or any other cause whatsoever.

6. Unauthorised operation

- (1) A driver or a person in charge of a vehicle caught within an unauthorized pit winning sand, stone or gravel commits an offence punishable by a fine of 150 penalty units, or in default 6 months imprisonment or both.
- (2) A driver or a person in charge of any truck loaded with sand, stone or gravel working outside the working hours commits an offence and thereupon liable to a fine of 150 penalty units.