

(QUARRY AND SAND CONVEYANCE FEE) BYE-LAW, 2017

IN exercise of the powers conferred on the Sekondi Takoradi Metropolitan Assembly by section 181 of the Local Governance Act, 2016 (Act 936), the following Bye-law is hereby made.

Title

I . This Bye-law may be cited as the Sekondi Takoradi Metropolitan Assembly (Quarry and Sand Conveyance Fee) Bye-law, 2017 and shall apply to the area of administration of the Sekondi Takoradi Metropolitan Assembly (hereinafter called "the Assembly").

Delegation of Power

1. The Chief Executive may delegate power or assign to any officer all or any of his powers, duties and jurisdiction under this Bye-law, subject to limitations as he may specify, but by so doing, the Chief Executive shall not be deemed to divest himself/herself of the right to exercise concurrently any of the powers conferred on him/her by this Bye-law.
 1. The Chief Executive may form a committee that will be charged with the responsibility of managing the quarry and sand conveyance.
 2. The Chief Executive may, on recommendation of the committee, by order:
 - i. Declare a specified area in which quarry zones are to be established; ii. Establish quarry zones within any such specified area.

Quarry and Sand Conveyance Advisory Committee

2. There is hereby established, for the purpose of this Bye-law, a body known as Quarry and Sand Conveyance Advisory Committee.

Responsibilities of the Committee

3. It shall be the duty of the Committee to advise the Chief Executive:
 1. on matters of general policy with respect to quarries and sand Conveyance;
 2. with respect to applications for licenses; or
 3. upon any other questions referred to it by the Chief Executive.

Quarry and Sand Conveyance License

4. (1) An application for license to operate a quarry and sand conveyance shall be filed with the Committee in section 2(a) in the prescribed form and shall be accompanied by the prescribed fee and the prescribed particulars.
 1. Every applicant shall cause to be displayed, in a prominent place at the proposed site, a notice in the prescribed form for a period of not less than twenty-one days, commencing from the date on which the application for a license is filed with the Committee.
 2. On receipt of the application for a license, the Committee in section 2(b) shall consult with the relevant authorities and shall either grant or refuse the application and in the event of refusal, shall notify the applicant in writing of the grounds of refusal.
 3. The license granted under this Bye-law may contain such terms and conditions as the Chief Executive or the Committee considers advisable.
 4. The license under this regulation shall also be issued for the cutting of hills and also the filling of land within the Metropolis.

Fees

5. There shall be collection of fees to the Assembly.
 1. Any person who has a license and operates as a conveyor of quarry and sand will pay a fee for conveyance per trip.
 2. The appropriate fee will be determined by the Committee in section 2(a).
 3. The Committee will consider all factors possible and charge fees equitably.
 4. Fees must be paid to the Revenue Mobilization Unit (RMU) and the RMU shall account to the Finance Department of the Assembly and will be audited quarterly for accountability purposes.

Offence and Penalty

6. (I) Whoever contravenes any of the provisions of this Bye-law commits an offence and shall be liable on summary conviction to a fine of at least 100 penalty units and at most 250 penalty units, or to a term of imprisonment not exceeding six months, or to both.

1. There shall be a further fine of 25 penalty units for each day on which the offence is continued after written notice of the conviction has been served on the offender in the case of a continuing offence.
2. Alternative to penalty (2) above, there shall be a minimum spot fine of 200. 00 to be exacted where necessary by authorized officers of the Assembly and for which an appropriate receipt shall be issued.

Interpretation

8. In this Bye-law, unless the context otherwise requires

"quarry and sand conveyance" shall include extracting of stone and sand; cutting of hill and filling of land.