ARTICLE 28

Suame Municipal Assembly (Urban Passenger Transport Services) Bye-Laws, 2019

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

Prohibition

SECTION(1) A person commits an offence, if that person:

a) Provides or operates an urban passenger transport service without a Permit;
b) Provides or attempts to provide an urban passenger transport service which is not in consonance with the terms and conditions of the permit;
c) operates on a route different from that specified by the Permit, unless the route is temporarily inaccessible;
d) operates beyond the permitted limits of the route;
e) operates at terminals not authorized under the permit;
f) stops to allow passengers to board or alight at places which are not authorized by the Permit;
g) carries passengers in excess of the permitted capacity of the vehicle;
h) provides false information for the purpose of obtaining an urban passenger transport service Permit;
i) Operates or attempts to operate or ply for trade at a terminal without permit from Suame Municipal Assembly;
j) Obstructs the effective functioning of any urban passenger transport facility or infrastructure, including terminals, access to terminals, designated parking places, designated stopping places, priority lanes or dedicated running ways for passenger transport vehicles;
k) Intimidates or unlawfully attempts to persuade any person employed by the Assembly to carry out its functions.

SECTION (2) A person who contravenes section (1) is liable on summary conviction to a fine of not less than one hundred penalty units or to a term of imprisonment of not more than three months or both

Application forms

SECTION (3) SS(1) A prospective applicant shall purchase the requisite application forms from the Assembly and complete same in triplicate and submit it to the transport department of the Assembly for processing.

SS(2) The applicant shall attach to the application the body's certificate of registration, tax clearance certificate, a detailed description of all routes to be plied, services to be provided, place of operation describing all facilities available and any other requirements as the Assembly shall from time to time require.

SS(3) The Assembly shall on receipt of the application with all its attachments issue a receipt to a representative of the applicant who made the presentation after the payment of the requisite fees approved by a resolution of the Assembly.

Processing of application forms

SECTION (4) SS(1) The completed application form shall be processed by the Assembly within one month from the date of receipt of the application,

SS(2) The processing of the application shall be done by a three member panel comprising the head of transport and legal department, and a representative from the police motor traffic and transport unit of the Ghana Police Service;

SS(3) The panel shall in processing the application among others visit the place of operation of the applicant to verify the contents and other statements made in the application;

SS(4) The Assembly will assess a valid application based on the adequacy or otherwise of existing services and whether the proposed service is required in the public interest;

Operational permit

SECTION (5) SS(1) The panel after processing the application shall issue an operational permit to the applicant for the operation of the urban transport services under Type 'A' permit for areas within the Suame Municipal Assembly and type 'B' permit for areas outside the Assembly's jurisdiction;

SS(2) Any such permit granted is valid till 31st December of the year, in which it was issued,

SS(3) A successful applicant shall pay a fee fixed by the resolution of the Assembly,

SS(4) The panel in refusing an application shall state the grounds upon which the application has been refused and notify the applicant,

SS(5) An applicant whose application is refused shall in the case of failing to fulfil a condition complete a fresh application and resubmit the application for consideration.

SS(6) In any other case the applicant shall appeal to the Municipal Chief Executive within twenty one days after the panel's decision.

Duration of permit

SECTION (6) (1) A permit granted under this bye-law shall be valid for one year after which it shall be renewed by the Assembly upon the fulfilment of the terms and conditions stated by the Assembly,

Regulation

SECTION (7) The Assembly shall regulate the urban passenger transport services within its area of jurisdiction.

SS(2)Regulation of Urban Passenger Transport Services shall consist of the power to:

a. require that Urban Passenger Transport Services for any designated area within their area of authority is operated under a permit,
b. define routes, stopping places and terminals within part or the area of jurisdiction,
c. invite and evaluate applications for route operating Permits and select from among the applicants,
d. award route service contracts,
e. award exclusive operating rights for a route, corridor or area to operators,
f. restrict or exclude other operators from routes or corridors where route service contracts have been awarded,
g. attach conditions to an urban passenger transport services permit in accordance with the Procedures,
h. define and enforce services and vehicle quality standards in accordance with existing national regulations,
i. establish mechanisms for the operations and management of passenger transport services,
j. collaborate with any District Assembly for the performance of their respective functions relating to urban passenger transport services,
k. generally promote integration of urban passenger transport services.

Revocation

SECTION(8). Any Bye-law on Urban Passenger Transport Services in existence within the area of authority of the Assembly before the coming into force of these Bye-laws is hereby revoked

ARTICLE 29

(Payment and controllers of Revenue Collectors) Bye-Laws, 2019

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

Interpretation

SECTION(1)"Special rate" means a rate made and levied over a specified area in the district for the purpose of a specified project approved by the Suame Municipal Assembly.

"Basic rate" means an amount imposed by the Suame Municipal Assembly payable by a person of or above the age of eighteen years and below the age of seventy years who resides within a district;

Default in payment of revenue;

Any person who failed to pay the assessed revenue by the 31st of March of the assessed year to suame municipal assembly deems to be a defaulter.

Rating authority

SECTION (2) The Suame Municipal Assembly is the only authority to levy rates for the Municipality despite any customary law to the contrary.

Method of rating

SECTION (3) SS (1) The Suame Municipal Assembly shall levy general or special rates for the amount considered necessary to raise sufficient funds to meet expenditure.

SS (2) A general rate may be

(a) a rate payable by the owner of premises within the district on the rateable value of the premises; or

(b) a rate assessed on the possessions or any category of possessions of persons who reside within the district.

SS (3) A special rate may be