

word but shall leave the word readable. Any word to be inserted shall be underlined or written in the margin opposite any correction.

- d. Where it is desired to change the name of a child whose birth and name have been registered, or recorded but the certified copy has not been issued, the Registrar, may, upon written application by child's parent or guardian made before the issuance of the certified true copy, correct the register accordingly. Where the certified copy has been issued, no change can take place except to do change of name in accordance with the law.

12. Penalty

A person who willfully registers or permits registration of a false statement or who willfully destroys or permits the destruction of an entry in a register shall commit an offence and shall upon conviction be liable to a fine between **150 and 250 penalty units** payable to *OFMA* or imprisonment for a term not exceeding three months or both.

13. Interpretation

In these Bye-Laws unless the context otherwise requires; *OFMA* means Oforikrom Municipal Assembly.

14. Revocation

Any Births and Deaths Bye-Law in existence of the Oforikrom Municipality before the coming into force of this Bye-Law is hereby repealed.

15. Application

This Bye-law shall apply within the area of authority of the *OFMA*

SECTION 7 - HOTELS, RESTAURANT, AND EATING JOINTS OR CHOP BARS

IN exercise of the powers conferred on the Oforikrom Municipal Assembly by section 79 of the Local Governance Act, 2016 (Act 936) hereby make this Bye-law:

1. Title

This Bye-law shall be cited as Oforikrom Municipal Assembly (Hotels, Restaurant, and Eating Joints or Chop Bars) Bye-Law, 2019.

2. License

- a. A person shall not designate a place as a hotel, motel, guest house, restaurant, eating joints or chop bar, unless the premises has been approved and licensed by the *OFMA* for that purpose.
- b. A license issued under this Bye-law is subject to such conditions as the *OFMA* shall impose;

- c. A license issued shall take effect from the date on which it is granted and shall determine on the 31st day of December in the year in which the license is issued.
- d. Every license granted shall be personal to the licensee only and not transferable.

3. Provision of separate places for eating, cooking and lavatory

A hotel, motel, guest house, restaurant, eating joint or chop bar premises shall provide the following;

- (a) a separate room used solely as a public eating room
- (b) a separate kitchen used solely for cooking and for the preparation of food and liquid refreshment for use in the premises aforementioned;
- (c) a separate lavatory for male and female;
- (d) A separate changing/cloak room for male and female

4. Requirement as to public eating room

- a. A public eating-room in the premises aforementioned shall have the minimum dimensions of not less than five meters long, four meters wide and four meters high. The minimum requirements so stated may change having regard to the circumstances of the case.
- b. The floor of every public eating-room shall have a minimum of concrete floor and the wall, capable of being washed or painted.
- c. The proprietor of public eating-room shall provide adequate lighting, ventilation and keep the premises clean at all times.
- d. The eating room shall be fly proof
 - I. A kitchen in the aforementioned premises shall have a concrete floor, and in every such kitchen suitable fly-proof storage for foodstuffs, meat, fish and vegetables together with one or more tables for the preparation of food.
 - II. The licensee shall further provide adequately covered receptacles for storage and the disposal of refuse and maintain the kitchen to ensure cleanliness of the premises.

5. Washing of plates and others

A licensee shall have a suitable arrangement for the washing of plates and utensils. Where the licensee is not using a dish washer, the licensee shall constantly replace the water used for washing.

6. Infected Person

- a. A licensee shall not permit any person suffering from an infectious or contagious disease to take part in the preparation or serving of food or in connection with the hotel, restaurant, eating-house or chop bar.
- b. To ensure compliance with bye-law 5(a) above, the licensee shall furnish the *OFMA* with a medical report of the licensees' workers issued by the medical officer of *OFMA* or a certified designated health facility in the city certifying that the person is fit to work in any of the places mentioned therein before the issuance of the license to operate as such.

7. Nuisance

The licensee shall not keep livestock on the premises of operation.

8. Obstruction

A person shall not obstruct or resist an Officer of health or any other person appointed by the *OFMA* and acting in the performance of duties relating to any of the purposes of this Bye-law.

9. Withdrawal of license

- a. The *OFMA* in its discretion may withdraw a license issued under this Bye-law if;
 - I. An alteration is made to any premises licensed hereunder without the permission of the *OFMA* or the necessary planning authority;
 - II. If the licensee operates contrary to the provisions of this Bye-law
 - III. If the licensee is convicted of any of the offences under this Bye-law;
- b. A licensee whose license is revoked shall apply for a fresh license to operate the premises as such after satisfying all the conditions of the *OFMA* in respect of operating premises as a hotel, restaurant, food joint or a chop bar.
- c. A licensee whose license is withdrawn shall pay a penalty fixed by the resolution of the *OFMA* before a new license is issued.

10. Appeal

- a. A person dissatisfied with the revocation of a license shall within 7 days from the day of the decision appeal to the M.C.E. for a redress.
- b. The M.C.E on receipt of same shall constitute a panel of three comprising the Solicitor of the *OFMA*, the heads of the planning and Environmental health departments of the *OFMA* who shall hear the appeal and report to the M.C.E. within two weeks with their recommendations.
- c. The M.C.E. on receipt of the recommendations shall accept, reject or modify the committee's recommendations and notify the appellant in writing of the decision taken by the M.C.E. containing the recommendations.

11. Offence and Penalty

- a. A person found guilty of a breach of any of this Bye-law or a license granted hereunder shall commit an offence and shall upon conviction be liable to a fine between 150 and 250 penalty units payable to *OFMA* or imprisonment for a term not exceeding three months or both.
- b. A place where food is prepared or cooked or liquid refreshment is provided for sale to the public for consumption on the premises shall be deemed to be a restaurant or eating-house for the purpose of this Bye-law.

12. Interpretation

- a. In these Bye-Laws unless the context otherwise requires;

- b. *OFMA* means Oforikrom Municipal Assembly, M.C.E. or MCE means the Municipal Chief Executive, Hotel shall include motel and guest house.

13. Revocation

The Bye-law on control of Hotels, Restaurants and Eating-houses or Chop Bars) 1995, is hereby repealed.

SECTION 8 - PORTERS

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

1. Title

This Bye-law may be cited as Oforikrom Municipal Assembly (Porters) Bye-Law, 2019

2. Prohibition

A person shall not operate as a porter unless the person obtains a license after undergoing security and medical screening and wears the uniform prescribed by the *OFMA* for that purpose and has attained 18 years or above and is not of a school going age.

3. Registration

The Medical Officer of the *OFMA* shall examine a prospective applicant and issue a certificate certifying whether the applicant can engage in the business of a porter.

4. Screening

A prospective porter applicant shall undergo security screening with the police who shall upon investigation of the applicant issue a police criminal report on the applicant to the *OFMA*

5. Criminal Record

The police shall submit the criminal record to the security department of the *OFMA* who shall issue the applicant with the requisite application forms.

6. Processing of Forms

The applicant shall fill the forms and submit it together with two passport size photographs and pay the requisite license fees approved by the resolution of the *OFMA*

7. Vetting of Forms

- a. The security department of the *OFMA* shall vet the forms after which the *OFMA* shall issue a photo identity card for the applicant with the applicant's name, number and area(s) of operation embossed thereon.