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SECTION ONE
ADA WEST DISTRICT ASSEMBLY (CONTROL OF NUISANCE AND INFECTIOUS DISEASES)
BYE-LAWS, 2018

In exercise of the powers conferred on the Ada West District Assembly by section 181 sub-section 1 of the Local Governance Act, 2016 (Act 936), these Bye-laws are hereby made this 25th day of September, 2018.

Title:

1 These Bye-laws may be cited as the Ada West District Assembly (Control of Nuisance and Infectious Diseases) Bye-law, 2018.

Duty of Environmental Health Officer

2 It shall be the duty of an Environmental Health Officer and his Assistants to make from time to time inspect the communities within the District with a view to ascertain what nuisances exist and calling for their abatement and to enforce the provisions of any sanitary and public health laws.

Power of Entry

3 Any Environmental Health Officer or any person authorized in that behalf may enter and inspect any premises between 6:00am in the morning and 6:00pm in the evening for the purposes of examining the existence or continuance of any nuisance.

Cleaning of Premises

4 (1) A Health Officer shall give notice to a house or part of it where infectious disease exists requesting the owner to clean and disinfect that house or part of it.

(2) A person to whom notice is served and who fails to comply with the notice is liable to a fine of five penalty units for each day when the nuisance continues.

(3) A health officer may cause the house or part of it and items to be cleaned and disinfected and shall recover the expense so incurred from the occupier or owner in default.

Littering

5 A person shall not litter or put refuse or other matter in a place not designated by the Assembly, which cause or is likely to cause nuisance or block the free passage of water running in drains.

Conveyance of Litter

6 A person who conveys any filth, dust ashes, refuse or litter or a noxious or offensive matter or liquid must operate a vehicle that has body of adequate size and construction for the type of waste been conveyed.

Parking of Vehicle, Goods, etc. in Public Pathways

7 A person who parks a vehicle, goods or other things in a public pathway, or community right of space commits an offence.

Obstruction of Environmental Health Officer

8 (1) Anyone who assaults, obstructs, disobeys, resists or aids or incites any person to assault, obstruct molest or resist an Environmental Health Officer, his Assistant or any other Officer of the Assembly from carrying on his lawful duty commits an offence.

(2) Anyone who contravenes (1) above is liable to a fine not exceeding one hundred penalty units or 3 months imprisonment or both.

Nuisance

9 (1) Any act, condition, commissions or omissions, which are injurious, dangerous, or likely to be injurious or dangerous to health.

(2) A person who creates nuisance within Ada West District commits an offence.

(3) A person authorized by the Assembly to destroy, remove or dispose of anything under these Bye-laws shall not be personally liable for any loss sustained by another person if he honestly executes the instructions of the Assembly.

(4) The Assembly may abate nuisance without notice for an infringement on its Bye-laws in addition to a fine.

(5) It is an offence under these Bye-laws to refuse to give one's name on demand by any Environmental Health Officer or his Assistant in the investigation of any nuisance.

Penalty

10 (1) A person who contravenes a provision of these Bye-laws commits an offence and is liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment;

Interpretation

(2) "In these Bye-laws unless the context otherwise requires"

"*Assembly*" means the Ada West District Assembly.

"*Premises*" means a building structure whatsoever kind and includes stalls, kiosks, bars, restaurants and the immediate surroundings of a house.

"*Nuisance*" includes any accumulation or deposit of articles or things which is detrimental to the amenities of the place or in respect of which it is certified by a Health Officer that by means of its character or situation it is likely to be injurious to health.

Any street, house or premises in such a state as to be nuisance, injurious to health of the inmates be it dampness, or want of cleanliness or general dilapidation or defective or with dirty walls.

Any work, manufacture, trade or business to be injurious to the health of the neighbors', dangerous to the health of the neighbors', or so conducted as to be dangerous to health.

Any well, pond or tank that contains water of which is so tainted with impurities or otherwise unwholesome to be injurious to the health of the persons using it.

Any rat-infested part of any house or premises, or any rat-hole in any part of any house or premises to be injurious to health. Any animal so kept as to be a nuisance or injurious to health.

Any growth of weeds prickly pear, long grass or wild bush to be injurious or likely to be injurious to health.

The keeping or harboring of any animal in any premises in such manner, or in any premises so constructed or so situated as to cause or likely to cause such keeping or harborage to be a nuisance or injurious to health.

Any house or part of a house so overgrowth with weeds as to be dangerous to health.

Any pool, ditch, gutter, eave gutter, water course, well, pond, tank, privy, urinal, cess pool or ash pit which is or is in such a state as to be offensive or injurious or dangerous to health, or likely to be so.

SECTION TWO

**ADA WEST DISTRICT ASSEMBLY (CONTROL OF ANIMALS, SWINE, CATTLE, SHEEP AND GOAT)
BYE-LAWS, 2018.**

In exercise of the powers conferred on the Ada West District Assembly by section 181 sub-section 1 of the Local Governance Act, 2016 (Act 936), these Bye-laws are hereby made this 25th day of September, 2018.

Title

1 (1) These Bye-laws may be cited as the Ada West District Assembly (Control of Swine, Cattle, Sheep and Goats) Bye-laws, 2018.

Poultry, Swine, Cattle, Sheep and Goats to Be Kept On Permit

2 No person shall keep any animal, swine, cattle, sheep or goats within the area of administration of the Assembly without a valid permit issued by the Environmental Health Department of the Assembly.

Inspection of premises

3 (1) An Officer, appointed by the Assembly may enter at any reasonable time and inspect any premises where animals are kept.

(2) The animals shall be kept in a cop, pen, sty or kraal, etc which is well maintained and always kept clean and does not constitute a nuisance by stench or noise to neighbours.

(3) Is attended to by Veterinary Officer or Assistant and sanitary rules specified by the Environmental Health department adhered to.

(4) A person shall not keep animals within the jurisdiction of the Assembly without obtaining permit, which shall be determined by the Fee-Fixing Resolution of the Assembly.

Stray Animals

4 (1) An Officer, Servant or Agent of the Assembly may impound any animal found in a public place without any person being in-charge of it.

(2) The Assembly may not be liable for an animal that may die after it has been impounded or in the course of being impounded.

(3) Any owner of an impounded animal may retrieve it on conditions, as the Assembly shall determine upon payment of:

1. (a) Impoundment fee as may be determine by a resolution of the Assembly.

(b) The expenses incurred by the Environmental Health and Sanitation Unit (EHSU) of the Assembly for the maintenance of the animals shall be returned to the Unit.

Assembly to Auction Unclaimed Animals

5 (1) The Assembly shall before auctioning an animal; give six days' notice of the impending sale by beating of gong-gong or through any customary mode of determining news.

(2) The notice shall be placed in a conspicuous place in the town or village where the animal is found.

(3) The assembly may sell by public auction an impounded animal whose owner fails to pay the amount specified in these Bye-laws within ten (10) days of the impoundment.

(4) The proceeds of the auction sale shall be paid into the account of the Assembly however, expenses incurred by the Environmental Health and Sanitation Unit (EHSU) of the Assembly for the maintenance of the animals shall be returned to the Unit

Damages by Livestock

6 (1) It shall be the duty of the owner, passenger and the person in charge of any bovine, horse, donkey, sheep, goat or pig (here –in after referred to as livestock) to prevent the livestock from damaging destroying without the consent of the owner thereof any earth work (including works intended to conserve soil or water), any work of cultivation, any cultivated plant, or any shade tree or ornamental tree growing in towns and villages or any other property in the area of the Assembly.

(2) The owner, possessor or person in charge of livestock who fails to prevent the livestock from doing such damage as afore-said shall be guilty of an offence, and shall on conviction be liable to a fine not less than the assessed damaged caused or in default of payment to imprisonment not exceeding six months.

Penalty

A person who contravenes a provision of these Bye-laws commits an offence and is liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment;

Interpretation

7 In these Bye-laws unless the context otherwise required, "Assembly" means the Ada West District Assembly "Animal" includes swine, cattle, goats, sheep and any other four footed creatures.

SECTION THREE**ADA WEST DISTRICT ASSEMBLY (MAINTENANCE OF PREMISES) BYE-LAWS, 2018.**

In exercise of the powers conferred on the Ada West District Assembly by section 181 sub-section 1 of the Local Governance Act, 2016 (Act 936), these Bye-laws are hereby made this 25th day of September, 2018.

Title:

1 These Bye-laws may be cited as the Ada West District Assembly (Maintenance of Premises) Bye-laws, 2018.

Inspection by Authorized Officer

2 An Officer of the Assembly duly authorized shall inspect the state of maintenance of premises within the administration of the Assembly.

Abandoned Premises

3 (1) Where a premise is abandoned or is in a total state of despair, dilapidation or collapse and poses a threat to life and property, the Assembly shall serve notice to the owner of the premises to demolish it within a period of eight (8) days.

(2) The Assembly shall post the notice at a conspicuous place on the premises where the owner is unknown, unavailable or it is abandoned.

Demolition of Premises after Eight (8) Days Notice

4 The Assembly shall demolish the premises and charge the household or the owner of the premises for labour and other expenses incurred after the expiration of the period of eight (8) days' notice.

Uncompleted Dangerous Property and Undeveloped Plots of Land

5 (1) The Assembly shall serve notice on the owner of an uncompleted premise, which poses threat to life and property to either complete or demolish the uncompleted building within a specified period.

(2) Where the owner of the uncompleted house fails to either complete or demolish it, the Assembly shall with or without further notice demolish the uncompleted house and surcharge its owner for the cost of labour.

(3) Where the owner of undeveloped plot of land fails to weed and clean the said plot of land, he commits an offence

Provision of Toilet Facility on Premises

6 (1) Landlords/Landladies shall provide approved toilet facilities on their premises.

(2) Any person found defecating at unauthorized place should be guilty of an offence.

Penalty

1 A person who contravenes a provision of these Bye-laws commits an offence and is liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment;

Interpretation

7 In these Bye-laws unless the context otherwise requires "Assembly" means the Ada West District Assembly. "Household" includes an owner, occupier, servant, agent of premises.

SECTION FOUR**ADA WEST DISTRICT ASSEMBLY (CONTROL OF SALE OF FOOD) BYE-LAWS, 2018.**

In exercise of the powers conferred on the Ada West District Assembly by section 181 sub-section 1 of the Local Governance Act, 2016 (Act 936), these Bye-laws are hereby made this 25th day of September, 2018.

Title:

1 These Bye-laws may be cited as the Ada West District Assembly (Control of Sale of Food) Bye-laws, 2018

Sale of Food under Insanitary Condition

2 Any person who prepares, packages, conveys, stores, sells or displays for sale any food under insanitary condition commits an offence

Issuance of Health Certificate

3 (1) Any person who offers food for sale to the public shall be medically screened and certificated by the District environmental health department. This certificate shall expire within one year from the date of issue.

(2) Any person who offers or handles food for sale to the public without valid medical health certificate commits an offence.

Slaughtering House

Operational Manual

2. The Veterinary/Environmental Health Officers shall fix at a conspicuous place in the slaughterhouse a notice showing: -

- (i) The hours of working of the slaughterhouse.
- (ii) The fees payable and
- (iii) Any other directions that the slaughterhouse may see fit to issue.

Display of Slaughterhouse Bye-law

3. A copy of these Bye-laws and a list of the registered slaughtermen shall be hanged at a conspicuous place in the slaughterhouse to enable all persons working therein to know these Bye-laws.

Slaughtering Animals for Human Consumption

4 (1) Any animal intended for slaughter for human consumption shall be inspected by an Authorized Officer and the meat passed as such.

Every animal shall be slaughtered immediately over the drain and no blood shall be allowed to flow upon the floor. No animal shall be slaughtered in public view, or in view of another animal.

5 Slaughtered animals shall be disembowelled as soon as possible after slaughter, to the satisfaction of the Veterinary and Environmental Officers.

The Veterinary Public Health Officer shall not approve an animal for slaughter if: -

- (i) It is less than 15 months old.
- (ii) It is in a febrile condition or is excessively old.
- (iii) It is pregnant or is with unweaned young.
- (iv) It is deceased or in a dying condition provided that an animal, which has met with an accident, but is otherwise healthy may be approved.
- (v) It shows symptoms of having been treated cruelly by over-trucking, over-driving, or other acts.
- (vi) A dog or
- (vii) Any animal not meant for slaughter or for the slaughter of which the slaughterhouse is not provided. Any animal brought into the slaughterhouse in contravention of this Bye-law shall be summarily removed under the orders of the Veterinary and Environmental Officers.

(2) A Health Officer shall seize and examine any meat, which he considers to be unfit for human consumption and destroy such meat.

(3) All animals intended or sale for human consumption shall be slaughtered at an approved slaughterhouse or slaughter slab and certified by an authorized officer.

(4) Meat shall be sold in an enclosed and screened place.

(5) All animals slaughtered at an approved slaughterhouse or slaughter slab shall attract a fee prescribed by the assembly's resolution.

Infected Person

1. (i) A person infected with tuberculosis, or any other infectious or contagious disease shall not enter the slaughterhouse.

(ii) The Veterinary and Environmental Officers shall require any person using the slaughterhouse to submit to a medical inspection which shall be done before working in the slaughterhouse.

Infectious Animal

6. Animal found to be affected by any zoonotic disease or which are reasonably suspected of being so affected shall, if the Veterinary and Environmental Officers so directs, to be quarantined forthwith.

1. Animals approved for slaughter shall be branded or marked with a distinctive mark on the ears, hoofs or horns and admitted to the waiting yard, provided that no animal shall be admitted to the lairage, if the prescribed fee has not been paid.

While in the kraal the owner or the person in charge of the animal shall be responsible for its security, proper care, feeding and watering provided that the slaughterhouse may arrange for feeding of animals, while in the lairage and recover the expenses from the owner

Premises for Slaughter

1. (a) No premises or place shall serve as a slaughterhouse unless the premises has been licensed by the Assembly as such.

(b) The Assembly shall form a Task Force to check persons operating slaughterhouses not licensed by the Assembly.

(c) The slaughterhouse shall be opened for the slaughter of animals during the hours of 5am and 3pm unless special circumstances warrant an extension of the time upon a written application to and approval by the Assembly.

(d) Every slaughterhouse shall pay a fee to be fixed by a special resolution of the Assembly for the issuance of a license to operate a slaughterhouse.

(e) The Assembly before issuing the permit shall be guided by the expert advice from the Veterinary Officer and the Environmental Health Officer of the Assembly.

Collection of Fees

2. Slaughterhouse fee will be collected from the owners or person in charge for all the animals to be slaughtered after inspection has been completed. The fees will be fixed by the Assembly from time to time.

Inspection of Slaughter Materials.

3. The Veterinary and Environmental Officers may inspect the instruments and appliances of every slaughterman and may prohibit the use of any instrument or appliance by a slaughterman, if in his opinion such instrument or appliance is not in proper working condition.

Place of Slaughter

The Veterinary and Environmental Health Officers shall assign a place to each slaughterman for slaughtering and no animal shall be slaughtered by a slaughterman at any other place than the place assigned to him.

4. Slaughter of Animals

Every animal shall be slaughtered immediately over the drain and no blood shall be allowed to flow upon the floor. No animal shall be slaughtered in public view, or in view of another animal.

5. Slaughtered animals shall be disembowelled as soon as possible after slaughter, to the satisfaction of the Veterinary and Environmental Officers.

6. The offal of the slaughtered animals shall not be washed into the drain or allowed to drop on the floor but shall be emptied into receptacles provided for the purpose by the slaughterhouse.

Burial of Carcass

The Veterinary and Environmental Health Officers may cause to be buried or destroyed any carcass or part of a carcass found to be blown or stuffed.

7. All carcasses shall after flaying and the cleaning be presented to the Veterinary/ Public Health Officer for inspection.

8. (1) Veterinary and Environmental Health Officers shall have their own knives, wipes and instruments for examining carcasses and parts and organs thereof.

(2) Knives and other instruments that have been used for cutting or examining any diseased organ, gland or tissue shall not again be used for any purpose until they have been properly disinfected.

9. Condemned Meat

All meat examined and condemned shall be destroyed, buried or otherwise disposed of under the orders and supervision of the Veterinary Public Health Officer.

Passed Meat

All carcasses which have been examined and passed by the Veterinary and Environmental Health Officers as fit for human consumption shall be marked "Examined and Passed" along with an identifying mark for the kind of meat.

Removal of Carcass

10. No person shall remove any carcass from the slaughterhouse premises until it has been duly examined and passed by the Veterinary and Environmental Health Officers.

11. (1) No person shall remove or cause to be removed from the premises of the slaughterhouse any carcass or meat except in a clean receptacle and covered in such a manner as to be screened from public view and adequately protected against flies and dust.

(2) If any carcass or meat is removed in a vehicle, the conveyance shall be such that the meat is well ventilated but at the same time invisible. The carcasses shall be placed on hooks and not dumped on the floor of the vehicle.

Conveyance of Meat

12. Every person who conveys or causes to be conveyed meat from the slaughterhouse:

13. (a) Shall cause to be kept clean the inside and covering of the vehicle, the receptacle in which the meat is placed and such parts or any slings or other implements or apparatus used for loading or unloading as come into contact with meat or its covering.

(b) If the vehicle is open at the top, back or sides shall cause the meat to be adequately screened and protected by means of a clean cloth or other suitable material; and

(c) Shall not permit any live animal or any other article to be conveyed in the vehicle at the same time as the meat.

The Sale of Unprotected Food

7. (a) Any person, who displays, sells or offers for sale ready to eat food without protection from flies and dust contamination commits an offence.

(b) All food premises shall be screened, approved and licensed by the District Environmental Health Department

Penalty

A person who contravenes a provision of these Bye-laws commits an offence and is liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment;

Interpretation

8. In these Bye-laws unless the context otherwise requires "Assembly" means the Ada West District Assembly "Food" includes any edible substance offered for sale e.g. water, minerals, meat, fish, etc.

"Insanitary Conditions" mean such conditions or circumstances as might contaminate food with dirt or filth or might render such article injurious or dangerous to health.

"Food Premises" include kenkey houses, bakeries, sites, pub, spots, restaurants, sachet water and beverage manufacturing houses.

"Authorized Officer" means an Environmental Health Officer/Verterinary Officer.

SECTION FIVE

ADA WEST DISTRICT ASSEMBLY (ENVIRONMENTAL SANITATION) BYE-LAWS, 2018.

In exercise of the powers conferred on the Ada West District Assembly by section 181 sub-section 1 of the Local Governance Act, 2016 (Act 936), these Bye-laws are hereby made this 25th day of September, 2018.

Title

1. These Bye-laws may be cited as the Ada West District Assembly (Environmental Sanitation) Bye-laws, 2018.

Application

2. These Bye-laws shall apply within the area of authority of the Ada West District Assembly (hereinafter referred to as "the Assembly").

Waste To Be Disposed At Designated Sites

3. (1) The Assembly shall designate a safe and accessible site for the final disposal of solid and liquid wastes and shall for this purpose provide or cause to be provided such infrastructure as may be necessary.

(2) Where the Assembly has set aside any place for the purpose of waste disposal, no person shall place or cause or permit to be placed any carry-on, filth, dirt, refuse or rubbish or any offensive or unwholesome matter, on any street, yard, enclosure or open space in such an area except at such place set aside.

(3) If any offender of this Bye-law has not been identified or discovered, any carrion or other substance mentioned in the said section found close to any building shall be presumed to have been placed there by the owner or occupier thereof.

(4) Where in any household or dwelling place, there is an agreement for waste to be collected by a waste management company, the said company shall be liable to pay any fine imposed on the occupiers of the household for failure to collect the waste on time.

Collection and Disposal of Hazardous or Bio-Medical Waste

4. (1) A licensed contractor shall not collect any hazardous or bio-medical waste from any place unless such collection has been approved by the Assembly

(2) The Assembly shall determine the manner of disposal of all hazardous or bio-medical wastes.

(3) Any person who collects any hazardous or bio-medical waste from any place without prior approval by the Assembly; or dumps or cause to be placed or deposited at any open space, drain, gutter, open land, quarry, river channel, swamp or other place not designated by the Assembly for that purpose commits an offence.

Liquid Wastes to Be Made Available

5. (1) Every household, industry, office and any other premises shall make liquid wastes available to the Assembly or its authorized service providers for collection in the manner prescribed by the Assembly.

(2) Liquid waste thus made available shall remain at all time the property of the Assembly.

Liquid Waste Disposal

6. (1) Liquid waste made available by owners or occupiers of premises shall be collected, treated and disposed of by only the Assembly or its authorized service providers.

(2) The discharge of liquid waste at a treatment or disposal plant shall attract a charge separately by the Assembly at the plant site or other arrangement specified by the Assembly.

(3) No person shall place or deposit any liquid waste at any site, or cause or allow such waste to be placed or disposed at a site, or use any vehicle, placed or equipment for the purpose of placing or depositing such wastes unless the site at which the effluence is placed or deposited is so designated by the Assembly for the purpose of liquid waste treatment or disposal site.

Approval of Household Sanitation Facility

7. (1) Any owner or occupier of any premises shall use a household sanitation facility approved by the Assembly.

(2) All landlords shall provide approved toilet facilities on their premises for the use of the occupants.

(3) The Assembly shall be the sole authority acting with the support of other relevant government agencies, to approve the technology of any sanitation facility for the use in the area of authority of the Assembly.

(4) It is an offence for any person to defecate at a place not set apart for that purpose by the Assembly.

Connection and Usage of Drains

8. (1) All drains shall be for the public good in the maintenance of environmental sanitation, the protection investment in roads and infrastructure, sullage and rain water conveyance for disposal.

(2) All premises shall be connected by the owner or occupier of the nearest available public drain in a manner to be specified by the Assembly such that there is no damage to the facility or impediment to the flow.

Maintenance of Drains

9. (1) The Assembly shall undertake the repair maintenance of all primary and secondary drains within its area of authority, while the cost for residential drains shall be borne by the occupier of premises in a manner prescribed by the Assembly.

(2) It shall be the responsibility of the occupiers of premises to ensure that the tertiary/residential drains are free from any impediments and clean at all times for the free flow of waste water, unless otherwise determined by the Assembly.

(3) No development shall be permitted within any drainage reservation, so as to facilitate the efficient construction of drains.

(4) It is an offence to develop any structure or carried on any activity, commercial or otherwise within a drainage reservation, this includes vegetable farming.

Removal of Weeds and Other Offensive Materials

(1) The occupiers of any premises shall clear and keep free of all dirt, underwood, weeds, high grass, rubbish, rags, broken bottles, refuse and all offensive matter on the streets or roads at the front, back and side thereon and responsible for keeping clean the area nearest to their premises not excluding drains, gutters and channels thereon.

(2) Provided that where two or more buildings abound on the streets or roads, the occupier of each shall keep clean only that half of the street or road nearest to his premises.

(3) All households shall provide approved receptacles for the storage of their solid waste.

Burial of Dead Bodies

10. (1) Where the Assembly has at any place within its area of jurisdiction set aside a place for use as cemetery has otherwise been lawfully provided, no person shall bury or cause to be buried at or in any area the body of deceased person at such cemetery except at such cemetery.

(2) The Assembly shall charge burial fees as prescribed by a resolution of the Assembly.

(3) Application for burials outside the designated cemetery shall be made to the Assembly for consideration and approval.

(4) The District Environmental Health Officer shall inspect the proposed burial ground and submit reports to the Assembly.

Responsibility for Management of Waste

11. The Assembly or its registered agents, franchisee or contractors shall be exclusively responsible for environmental sanitation services within the entire area of the Assembly.

License for Sanitation Service Providers

12. (1) No person or body shall provide environmental sanitation services within the area of authorization of the Assembly without a license issued by the Assembly without a category of service provided.

(2) Licensing requirements for providers of environmental sanitation service shall be defined in guidelines issued by the Assembly.

(3) The Assembly shall license any person or body wishing to provide environment sanitation services who applies to the assembly for a license and to the Assembly's satisfaction the requirements for the license to be issued and keep register of all registered service providers.

(4) The Assembly shall cause vehicle, plants and equipment of services providers inspected annually and a license issued to that effect.

Monitoring of Service Providers

13. All licensed providers of environmental sanitation services shall at all times allow access to the Assembly's staff or designated agents to their providers' premises, equipment or records relating to the services licensed.

Communal Labour

14. (1) Where a day has been set aside for communal labour, residents shall participate fully in the communal labour organized by the assembly.

(2) The Assembly shall give sufficient notice to residents to participate in the communal labour.

(3) All shops, stores and offices shall be closed on the day of the communal labour from 6:00am to 11:00am.

Offences

15. Any person or body who engages in the provision of environmental sanitation services without being licensed by the Assembly commits an offence.

(2) Any person or body being licensed and fails to obtain an inspection certificate from the Assembly for the vehicles, plant and services commits an offence.

(3) Any person or body who refuses access to the Assembly's staff or designated agents to their premises, equipment or records relating to the services licensed commits an offence.

(4) All households shall provide approved containers for the storage of their solid waste.

Dumping of Refuse at Unauthorized Place

16. (1) All persons shall dump solid waste at the approved sites of the Assembly.
(2) Any person who places or deposits any waste at a site or a place unapproved by the Assembly commits an offence.
(3) Any person who burns or buries wastes on his premises commits an offence

Environmental Sanitation Levy

17. (1) All households shall pay an environmental sanitation levy prescribed by the Assembly's resolution.
(2) Any person or household who fail to pay the prescribed fee as in paragraph (1) above commits an offence.
(3) The Assembly may engage a licensed contractor or franchisee for any such solid waste collection service area as it may determine.

Penalty

A person who contravenes a provision of these Bye-laws commits an offence and is liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment;

Interpretation

18. In these Bye-laws, unless the context otherwise requires
"Environmental Sanitation Services" means the collection, treatment, reducing, recycling or disposal of solid, liquid, bio-medical and hazardous waste, the cleaning of streets, drains, markets, lorry parks, public parks, open spaces, and the management of public baths and toilets.

"Franchisee" means any person or body providing environmental sanitation services by agreement with the Assembly and collecting agreed fees directly from those to whom the service is provided.

"Hazardous waste" means waste, which is toxic, flammable, corrosive, explosive, radioactive or otherwise dangerous as defined by the Environmental Protection Agency.

"Bio-medical waste" means solid and liquid waste produced within medical facilities such as those that are likely to contain pathogenic micro-organism from blood or other fluids including sharp needles, blades, slides, dressing swabs, syringes, body parts, etc.

SECTION SIX**ADA WEST DISTRICT ASSEMBLY (UNIVERSAL SALT IODISATION) BYE-LAWS, 2018.**

In exercise of the powers conferred on the Ada West District Assembly by section 181 sub-section 1 of the Local Governance Act, 2016 (Act 936), these Bye-laws are hereby made this 25th day of September, 2018.

Title

- 1 These Bye-laws may be cited as the Ada West District Assembly (Universal Salt Iodization) Bye-laws, 2018.

Mandatory Fortification of Salt

- 2 No person shall mine salt for human or animal consumption or manufacture, package, label, advertise, store, deliver, distribute, trade, sell or export salt, that is not fortified with potassium iodide in accordance with the Food and Drugs Law, PNDCL 305B (Amendment Act, Act 523).
- 3 This section shall not apply to salt meant for industrial purposes.
- 4 Salt for industrial purposes shall be labeled clearly and verified to that effect and stored and displayed separately from salt intended for human or animal consumption.

- 5 A person shall not label, package or sell or advertise salt in a manner that is likely to be mistaken for salt of the prescribed standard.
- 6 Any individuals, groups and companies involved in the mining, refinery, distribution or packaging of salt shall regularize their operations with the Assembly in accordance with the Local Government's business operation codes.
- 7 Production or commerce in salt without proof of approval by the Assembly is prohibited.
- 8 A certificate attesting to approval to conduct business shall be made available for inspection at all times.
- 9 The operational certificate issued by the Assembly does not absolve any business entity from any regulatory requirement of the Food and Drugs Authority.

To Support Implementation of Mandatory Fortification of Salt:

- 10 The Assembly shall designate the Environmental Health Officer (EHO) to ensure compliance with this Bye-law.
- 11 The EHO or any designated Officer of the Assembly is authorized to enter any establishment engaged in the production, storage, distribution and sale of salt and inspect any consignment of salt for compliance to these Bye-laws.
- 12 No person shall obstruct or resist any Officer of the Assembly who is acting in the performance of their duties relating to these Bye-laws.
- 13 The Assembly shall seize the non-iodized salt and order for its iodization and also impose a spot fine not more than GH¢ 300.00 on the offender.
- 14 The Assembly, based on recommendation of an EHO may withdraw registration of any establishment for non-compliance with these Bye-laws.
- 15 The EHO shall report quarterly to the District Assembly regarding compliance to these Bye-laws.

Penalty

- 1 In the interest of public health and safety, all dealers in salt are to comply with this Bye-law. Any individual, group of individuals or company that is found doing business in salt that does not conform to these Bye-laws commits an offence and liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment.

Interpretation

- 16 In these Bye-laws, 'Assembly' means the Ada West District Assembly.
Salt is fortified where it has additives such as potassium iodate added to it to enhance its nutritional value.

SECTION SEVEN

ADA WEST DISTRICT ASSEMBLY (MARKET SANITATION) BYE-LAWS, 2018.

In exercise of the powers conferred on the Ada West District Assembly by section 181 sub-section 1 of the Local Governance Act, 2016 (Act 936), these Bye-laws are hereby made this 25th day of September, 2018.

Title

- 1 These Bye-laws may be cited as the Ada West District Assembly (Market Sanitation) Bye-laws, 2018.

Control of Market

- 2 The Assembly shall have the control and management of the markets in all towns and villages within the Assembly. The Assembly shall enter into tenancy agreement with all successful applicants for a store, stall or selling space in all the markets.

Allotment of Stalls

3 (1) Application for the allotment of stall subject to the provisions of sub-paragraph (2) of this Bye-law shall be made to the Assembly and allotment of available stalls shall be in order of priority of application therefore and upon payment of the prescribed rent thereof to the Assembly.

(2) The Assembly may refuse allotment of any stall to an applicant previously convicted of an offence under these Bye-laws.

Receipt for Stalls Rents

4 (1) On payment of rent for a stall, store or selling space a receipt specifying the period in respect of which it is paid shall be issued to the payer and the receipt shall be prima facie evidence of the payment of rent for the specified period.

(2) Failure to produce the receipt on demand by a person authorized by the Assembly concerned shall render the occupier of a stall liable to ejection from the stall, store or selling space.

(3) Any person served with a notice of ejection (which shall be in such form as the Assembly may direct) who fails to give up possession of the stall in accordance with the terms of the notice shall be guilty of an offence under these Bye-laws; and shall on conviction be liable to a fine not exceeding five penalty units or in default of payment to imprisonment for a term not exceeding two months.

Payment of Rent

5 All rents shall be payable monthly, weekly or daily in advance and in the case where of monthly or weekly occupations shall expire on the last day of the month of week in which rent has been paid. In the case of an allotment by the month, the occupier of any stall store or selling space shall give notice of intention to discontinue the use thereof at least seven days before the expiration of the period in respect of which rent has been paid; otherwise, he shall be liable for rent in respect of succeeding seven (7) day.

Subletting of Pay Stall

6 No occupier of any stall, store or selling space in a market shall sublet or share such stall, store or selling space except with the written consent of the Assembly.

Prohibition of Selling Outside Market Except By License

7 (1) No person shall sell, offer for sale or exhibit for sale during market hours any article at any place save in the market situated thereat or in his dwelling house or shop or in accordance with a license to do so issued by the Assembly.

(2) Any license issued under the provision of sub-paragraph (1) of this Bye-law shall be in the form of the first schedule and the fee payable therefore shall be that fixed by resolution of the Assembly.

(3) Any person who sells any article outside the market at any place except with a license issued in accordance with this Bye-law shall be guilty of an offence and shall on conviction be liable to a fine not exceeding five penalty units in default of payment to imprisonment for a term not exceeding one month.

Appropriation of Parts of Markets

8 (1) Parts of the market shall be specifically set aside by the Assembly for sale of the following articles and the sale of such articles shall be prohibited elsewhere in the market:

- a) Fresh Meat b) Fish c) Bread d) Palm wine e) Life birds

(2) Any person who sells any of the articles specified in paragraph (1) of this Bye-law anywhere except in the part of the market specifically set aside for the sale of it shall be guilty of an offence and shall on conviction be liable to a fine not exceeding twenty (20) penalty unit or in default of payment to imprisonment for a term not exceeding one month.

Daily Sellers

9 (1) A part of the market shall be specifically set aside by the Assembly for the use of daily sellers who shall pay to the Assembly such daily fee as has been fixed by resolution of the Assembly.

(2) On payment of the fee a receipt specifying the date in respect of which it is paid shall be issued to the payee and the receipt shall be prima facie evidence of the payment of the fee for the specified date.

(3) Failure to produce the receipt on demand by a person authorized by the Assembly shall render the daily seller liable to ejection from the market.

(4) Any person served with a notice of ejection from the market (which shall be in such form as the Assembly may direct) who remains in the market shall be guilty of an offence and shall on conviction be liable to a fine not exceeding five penalty units or in default of payment to imprisonment for a term not exceeding two months or both.

Screening of Food Items etc.

10 (1) No person within the market shall expose any article of food for sale in a manner as to be injurious to health, all food shall be safe and sold from a stall or from a table or other support of a minimum height of twenty inches from ground level.

(2) No person shall expose for sale in any market any meat, bread, fish, and palm-wine or cooked or prepared food unless the same is protected. Protected means screens of a pattern approved by the District Environmental Health Officer.

Infectious Diseases

11 No person suffering from any infectious or contagious diseases shall enter any market, and any person suffering from any such disease who enters the market shall be guilty of an offence and shall on conviction be liable to a fine not exceeding five penalty units or in default of payment to imprisonment for a term not exceeding two months or both.

Cleanliness

12 (1) Every occupier of a stall, store or selling space shall during his occupation therefore keep the same in a clean state; and shall brush, sweep or otherwise clean away all dirt and rubbish therefrom before leaving at the end of the day's selling.

(2) Every person occupying a stall or using a table or other support for the purpose of exposing for sale of food thereon shall wash with clean water before leaving at the end of the day's selling such stall, table or other support.

(3) All dirt, rubbish and sweepings shall be deposited in covered receptacles (to be of a type approved by the District Environmental Health Officer).

Prohibited Articles

13. (1) No person shall bring or cause to be brought into the market or have therein any of the following

(2) Any live animal except birds

(3) The skin of any animal unless it be dry and properly cured;

(4) The offal of any animal except by permission of the District Environmental Health Officer of the Assembly who shall act on the advice of the Medical Officer of Health concerned or a person authorized by such Medical Officer of Health.

Cooping of Birds etc.

14. Fowls, ducks, guinea-fowls and turkeys offered for sale in the market shall be kept in coops or rest-rained in any humane manner.

Children

15. Any person in charge of a child in the market shall clean up any litter or any nuisance that such child may cause.

Butchers

16. Butchers and their assistants, when engaged in carrying, handling or selling meat, shall wear clean cloths of style approved by the Environmental Health Officer of the Assembly who shall act on the advice of the Medical Officer of Health concerned in respect of such style of clothing.

Unwholesome Food

17. Any person who brings into the market or sell or offer for sale therein any meat, fish, bread palm-wine, cooked food or other prepared food which is unwholesome, shall be guilty of an offence and shall on conviction be liable to a fine not exceeding five penalty units or in default of payment to imprisonment for a term not exceeding one month.

Market Hours

18. The market shall be open to the public during such hours as may be authorized by the Assembly.

Prohibition of Sleeping in Market

19. No person shall use the market as a sleeping place, and any person found using the market as a sleeping place shall be guilty of an offence and on conviction shall be liable to a fine not exceeding five penalty units or in default of payment to imprisonment for a term not exceeding one month.

Right of Entry to Market

20. It shall be lawful for the District Chief Executive concerned, the District Environmental Health Officer concerned or any person or persons representing them or either of them to enter the market at any time and inform the Assembly of any non-compliance with any matter contained in these Bye-laws.

Obedience to the Directives of the Assembly

21. Every person using the market shall obey the reasonable directives of the Officers of the Assembly including directions given for the purpose of cleanliness, order and regularity in such markets and facilitating the conduct of business therein.

Private Markets

22. No person, persons, or town/village committee shall construct, own, control any market or attempt to collect or seize or impound or collect proceeds except with the prior written approval of the Assembly.

Penalties

11 (1) A person who contravenes a provision of these Bye-laws commits an offence and is liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment;

23. (2) In the case of Bye-law 22, any person or persons or town or village committee who without lawful justification or excuse, the proof of which shall lie on such person, or committee, willfully violate the above provision additional fine not exceeding five penalty units will be imposed for each day on which the offence is continued after service of notice of the offence.

SECTION EIGHT**ADA WEST DISTRICT ASSEMBLY (CONTROL OF HAWKERS) BYE-LAWS, 2018.**

In exercise of the powers conferred on the Ada West District Assembly by section 181 sub-section 1 of the Local Governance Act, 2016 (Act 936), these Bye-laws are hereby made this 25th day of September, 2018.

Title

1. These Bye-laws may be cited as the Ada West District Assembly (Control of Hawkers) Bye-laws, 2018.

Restrictions on Selling without License

2. Any person who sells, offers for sale any wares except in a public market or in his dwelling-house or shop, save in accordance with a licence granted by the Assembly for that purpose shall be guilty of an offence and shall on conviction be liable to a fine of 5 penalty units in default of payment to imprisonment for a term not exceeding one month.

Fee

3. There shall be payable for any such license a fee fixed by resolution of the Assembly.

Conditions of License

4. (1) Subject to provisions of paragraph (2) of this Bye-law, the conditions and limitations contained in any such license shall be:

(2) All food sold in the state in which it is to be consumed in the area of authority of the Assembly shall be protected against dirt and flies by covers with wire gauze or other ventilation approved by a Health Officer.

(3) A Health Officer may withdraw any license the holder of which is found to be suffering from an infectious or contagious disease.

(4) A holder of such license may not sell wares within a hundred yards of a public market, public lorry park, refuse tip or disposal place, nor within twenty yards of any public latrine, or bathhouse. Any person who contravenes these Bye-laws shall be guilty of an offence and shall on conviction be liable to a fine not exceeding five penalty units, in default of payment to imprisonment for a term not exceeding one month.

Noisy Hawking

5. A person shall not for the purpose of hawking, selling, distributing or advertising any articles or goods or buying or collecting any other goods or articles, shout or ring any bell or any other noisy instrument in any street or other public place so as to cause disturbance to inhabitants of the neighbourhood after being requested to desist by any Health Officer or the task force established under this Bye-law.

6. Penalty

A person who contravenes a provision of these Byelaws commits an offence and is liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment;

Interpretation

7. In these Bye-laws

“Health Officer” means the environmental Health Officer for the Assembly’s area of authority, his representative, acting on his behalf and any person employed by the Assembly for carrying out its functions of sanitation and the protection of health.

SECTION NINE

THE ADA WEST DISTRICT ASSEMBLY BYE-LAW (LORRY PARK) BYE-LAW, 2018.

In exercise of the powers conferred on the Ada West District Assembly by section 181 sub-section 1 of the Local Governance Act, 2016 (Act 936), these Bye-laws are hereby made this 25th day of September, 2018.

Title:

1. These Bye-laws may be cited as the Ada West District Assembly (Lorry Park) Bye-law, 2018

Provision

2. No driver of a motor vehicle plying for public hire shall ply in the towns between 6.00 am and 6.00pm load or unload or permit the loading of passengers or goods, except at the place provided for that purpose by the Assembly.

Lorry Park

3. (1) There shall be a payable fee for the use of the lorry park in respect of such motor vehicle entering at a fee fixed by resolution of the Assembly.

(2) The attendant shall issue a ticket in respect of each payment specifying the amount paid, and the date of issue and the registration number of the vehicle and such ticket shall be available only for the motor vehicle indicated thereon and shall not be transferred.

Regulation of Use of Lorry Park

4. (1) Every driver of a motor vehicle using the lorry park shall enter the lorry park by the opening marked entrance and leave by the opening to him marked exit.

(2) Park his motor vehicle in the lorry park in such space as may be indicated to him by the attendant.

(3) Secure his motor vehicle from movement by keeping the handbrake on or adopting any other effective means.

(4) Refrain from unnecessarily sounding the horn or other warning instrument.

Prohibiting of Use of Fire etc. in the Park

5. No person shall kindle any fire or use any naked light in the lorry park.

Rubbish

6. No person shall place or cause to be placed any refuse, rubbish or any offensive or unwholesome matter in the lorry park except at such places as may be provide for the purpose.

Nuisance

7. (1) No person shall commit any nuisance in the lorry park No petrol filling station in any part, i.e. for loading and off load of cargo and passengers except for purpose of re-fuelling. The assembly reserves the right to revoke the license of any petrol dealer who allows his petrol filling station to be used as a lorry park.

(2) Any person or group or persons who wish to operate at any of the Assembly's approved lorry park as an overseer shall obtain a permit to do so from the Assembly. The cost of the permit per each overseer shall be as fixed by Fee Fixing Resolution of the assembly per annum and shall be renewable every year subject to good conduct and good performance of the particular overseer. Notwithstanding this provision, the Assembly reserves the right to revoke the licence of any overseer forthwith for acts prejudicial to the good discipline and operation of any of its lorry park.

(3) No person shall carry on any hawking, trade or business within the lorry parks or on the footways or roadways immediately bounding the parks other than the trade or business of vendors of petrol or oil at such sites in the parks as may from time to time be allocated for such PURPOSES by the Assembly, and also sales by registered stall holders in the bread and hot meal stalls.

Prohibition of Areas for Parking

8. Any person bringing foodstuffs or animals into the lorry parks shall not halt the vehicle for the purpose of off-loading on the street or lanes adjacent to the park. Foodstuffs or livestock unloading at a lorry park shall be conveyed to the appropriate market by their owners within two hours.

Penalties

A person who contravenes a provision of these Bye-laws commits an offence and is liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment;

SECTION TEN**THE ADA WEST DISTRICT ASSEMBLY (BUSINESS OPERATING PERMIT) BYE-LAW, 2018.**

In exercise of the powers conferred on the Ada West District Assembly by section 181 sub-section 1 of the Local Governance Act, 2016 (Act 936), these Bye-laws are hereby made this 25th day of September, 2018.

Title

1. These Bye-laws may be cited as the Ada West District Assembly (Business Operating Permit) Bye-laws, 2018.

Validity of Permit

2. A business permit granted under these Bye-laws shall expire on 31st day of December in the issuing year.

Permit not Transferable

3. A business permit granted under these Bye-laws is not transferable.

Display of Permit

4. The business permit granted under these Bye-laws shall be displayed at a conspicuous part of the premises where the business is operated.

Fee

5. The Assembly shall charge a fee for a business permit according to the Fee Fixing Resolution.

Powers of Entry

6. The Assembly may through authorized agents enter any premises to inspect or enquire about a business permit during business hours.

Liability to Pay Business Permit Fee

7. Despite the obligation to pay property rate and other taxes, a business operator shall additionally pay for business permit issued by the Assembly under these Bye-laws.

Withdrawal or Revocation of Permit

8. (1) The Assembly may withdraw or revoke a business permit issued under these Bye-laws if an alteration is effected on premises for which the permit was issued without a written consent of the Assembly.

Penalty

A person who contravenes a provision of these Bye-laws commits an offence and is liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment;

SECTION ELEVEN**ADA WEST DISTRICT ASSEMBLY (KIOSK PERMIT) BYE-LAWS, 2018.**

In exercise of the powers conferred on the Ada West District Assembly by section 181 sub-section 1 of the Local Governance Act, 2016 (Act 936), these Bye-laws are hereby made this 25th day of September, 2018.

Title:

These Bye-laws may be cited as the Ada West District Assembly (Kiosk Permit) Bye-law, 2018.

Permit to be Obtained

1. (1) A person shall not erect a Kiosk in an area within the area of authority of the Assembly unless that person obtains permit from the Assembly.

(2) The Assembly may on receipt of application for a license issue a permit subject to conditions as it may consider necessary.

(3) No kiosk shall be erected on a community right of space.

Renewal

2. A permit issued under these Bye-laws shall expire on the 31st day of December of the year in which it is issued and shall be subject to renewal.

Fee

3. The Assembly shall charge fees as it may by resolution determined in respect of a license issued by it under the fee fixing resolution.

Withdrawal of License

4 (1) Despite the grant of permit the Assembly may on giving 7 days notice to the owner or occupier to remove a kiosk except that the Assembly shall not give permit for the installation of kiosk at a place not set apart for that purpose.

(2) Where an owner or occupier fails to remove a kiosk after notice is specified in sub-paragraph (1) the Assembly shall cause its removal and surcharge the owner or the occupier for any costs reasonably incurred.

Penalty

5 A person who contravenes a provision of these Bye-laws commits an offence and is liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment;

Interpretation

In these Bye-laws unless the context otherwise requires

“Assembly” means Ada West District Assembly

“Kiosk” includes a wooden structure, metal container or combination of either with a block or concret work.

“Community Right of Space” means a road, street, footpath, pavement, passenger terminal, parking area.

A public right of way, school ground, hospital ground, open space, market place, cemetery, playing field, square, public place of assembly or a space or a ground or area for community use that exists or is so designated in an approved settlement plan under the provision of an existing enactment.

SECTION TWELVE**ADA WEST DISTRICT ASSEMBLY (ABATEMENT OF NOISE) BYE-LAWS, 2018.**

In exercise of the powers conferred on the Ada West District Assembly by section 181 sub-section 1 of the Local Governance Act, 2016 (Act 936), these Bye-laws are hereby made this 25th day of September, 2018.

Title:

These Bye-laws may be cited as the Ada West District Assembly (Abatement of Noise) Bye-law, 2018.

Place of Sale of Records

1. A person shall not use a place for the sale of records or other recorded music unless the place has been inspected, approved and licensed by the Assembly.

Application for License

2. (1) An application for a license shall be submitted to the Assembly.
(2) A license may be issued subject to conditions as may be prescribed by the Assembly.
(3) The Assembly shall prescribe conditions for the applicant to fulfill before issuing the license. The conditions include complying with the noise level permitted under the law and putting in place a soundproof structure.

Duration or Validity of License

3. The license issued shall expire on the 31st December of the year in which it was issued.

Withdrawal of License

4. The Assembly may withdraw a license issued under these Bye-laws where an owner of the premises
(1) Makes excessive noise persistently to disturb the public
(2) After the issue of the license makes an unauthorized alteration to any soundproofed structure
(3) Is convicted of any offence under these Bye-laws or any existing Bye-laws still in force.

Music for Advertisement

5. (1) A person shall not play or cause to be played recorded music in public at high pitch for advertising purposes so as to cause nuisance to the public.
(2) A person who flouts clause 5(1) of this Bye-law shall be liable to pay a fine of 200 penalty units
(3) The Assembly shall set up a task force to ensure compliance with this Bye-law with powers to confiscate all materials being used by the person.
(4) A person whose materials are confiscated shall within 7 days pay the appropriate penalty and shall further undertake in writing that he or she shall not flout any provisions of this Bye-law.
(5) If after the written undertaking the breach continues, the Assembly shall revoke the license granted to the person.

Music Played at Entertainment Spots

6 (1) A proprietor of a night club, restaurant or drinking bar or other place of refreshment or entertainment shall not play music at the place so as to cause nuisance to the public.
(2) Music played at a place shall be controlled in a way that is heard only within the confines of that place.
(3) In the case of open areas, the proprietor shall play music only at the permitted noise levels;
(4) A person who plays a recorded music or live music at funeral grounds must not play music above the noise level required under the law.
(5) The Assembly shall set a task force to monitor operators' compliance with the provisions of this Bye-law.

Music Played Up to Midnight

7 A person may play music at a reasonable pitch up to midnight when
(1) Wake is being kept or
(2) A party is being organized.

Religious Institutions

8 (1) A person conducting a religious service shall not play or cause music to be played so loudly so as to cause nuisance to the public.

(2) A person may play music in a religious institution or in an entertainment hall or make an address through a public address system but the sound must be controlled so as to be heard only within the confines of the institution or entertainment hall.

(3) A person who conducts religious service where music is played before 6:00am or after 10:00 pm shall obtain permission from the Assembly.

Power Generator

8. A person using a power generator on premises shall nuzzle the noise emanating from the engine so as to prevent it from constituting a nuisance to neighbours.

Penalty

9. (1) Any person who contravenes a provision of these Bye-laws commits an offence and is liable on summary conviction to a fine of not less than 100 penalty units or in default to a term of imprisonment not exceeding six months or to both.

(2) In the case of a continuing offence the offender is liable to an additional fine of five penalty units in respect of each day on which the offence continues.

Interpretation

10. In this Bye-laws unless the context otherwise requires
“Assembly” means the Ada West District Assembly.

SECTION THIRTEEN

ADA WEST DISTRICT ASSEMBLY (CONTROL OF MILLS) BYE-LAWS, 2018.

In exercise of the powers conferred on the Ada West District Assembly by section 181 sub-section 1 of the Local Governance Act, 2016 (Act 936), these Bye-laws are hereby made this 25th day of September, 2018.

Title:

These Bye-laws may be cited as the Ada West District Assembly (Control of Mills) Bye-law, 2018.

Building and Development Permit

1. A person shall not operate a mill within the Assembly’s area of authority without first obtaining-
- (a) A development permit for the site from the Physical Planning Development of the Assembly, and
 - (b) A building permit from the Physical Planning Department of Assembly.

Fees

2. (1) The Assembly shall by a resolution fix the fees payable for the issuance of the license.
(2) A permit issued by the Assembly shall expire on the 31st day of December of the year of issue.

Dimension of Premises

3. (1) A person shall not use a room or structure as a mill if;
- (a) It is less than 4.2 meters long 3.6 meters wide and less than 3.6 meters high from the floor level; and
 - (b) The floor is not made of concrete or others approved impervious material; and
 - (c) The windows and doors are not fly-proofed.

Prohibition

4. A person shall not use a room used as a mill also as a living or bedroom.

Times of Operation

5. A mill shall be opened to the public only between the hours of 6.a.m and 6p.m

Prohibited Person

6. (1) A proprietor or person in charge of a mill shall not allow any person suffering from an infectious or contagious disease to operate the mill.

(2) For purposes of Bye-law 7(1), the Medical Officer of Assembly or a designated health facility shall examine the operator(s) and certify their health condition suitable to operate the machine, which shall form part of the conditions for granting the license.

Monitoring and Enforcement

7. The Physical Planning Department and the Metro Guards of the Assembly shall monitor and enforce the provisions of this Bye-law.

Offence and Penalty

A person who contravenes a provision of these Bye-laws commits an offence and is liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment.

Revocation

8. Any Bye-laws on control of mills in force immediately before the passage of these Bye-laws are hereby revoked.

Interpretation

9. In these Bye-laws unless the context otherwise requires-

“Assembly means Metropolitan/Municipal/District Assembly

“mill” means any building or structure with machinery for grinding corn, pepper, cassava, groundnut and other foodstuff.

SECTION FOURTEEN

ADA WEST DISTRICT ASSEMBLY (BUILDING) BYE-LAWS, 2018.

In exercise of the powers conferred on the Ada West District Assembly by section 181 sub-section 1 of the Local Governance Act, 2016 (Act 936), these Bye-laws are hereby made this 25th day of September, 2018.

Title:

These Bye-laws may be cited as the Ada West District Assembly (Building) Bye-law, 2018.

Building permit

1. (1) A person who proposes to develop land for any purpose or make changes to an existing building shall apply to the Assembly for a building permit and shall commence only after obtaining a building permit for its development.

(2) The prospective developer shall purchase a set of application forms and complete same for consideration by the Assembly.

Application

2. (1) An application for a building permit must contain or be accompanied by particulars of the following documentary evidence;

a) Evidence of title to the land to be developed.

b) The drawings of the building to be developed signed by a licensed building surveyor, a qualified architect and a structural engineer where necessary.

c) The completed application forms with the annexure shall be submitted to the Assembly after paying the requisite fee fixed by the Assembly.

Inspection of Site

3. (1) On receipt of the application form, the Physical Planning Department of the Assembly together with the applicant shall proceed to the site of the proposed development within one week and inspect the area earmarked for the development. or part of it and or for any other reason, the Assembly shall refuse the granting of the permit and notify the applicant in writing the reason(s) for refusing the application.

(3) The Assembly shall monitor and ensure that such a person does not develop the proposed site if in the opinion of the Assembly there is the likelihood that such development may obstruct the flow of water and drains.

(4) The Assembly where satisfied that the proposed development will not obstruct access and further satisfies all the conditions laid under the law, shall approve same and grant the building permit to the prospective developer who shall commence building

Development without a Permit

4. (1) This Bye-law applies if building work to which this Bye-law applies has been carried out without a building permit.

(1) The Assembly shall upon finding development without a building permit write to the owner, owner's agent or representative to which the building work relates, to stop work and go through the application process before continuing with the development.

(2) The said applicant shall pay a fine of 40-300 penalty units and purchase the application forms and follow the procedure spelt out in this Bye-law.

(3) Where the owner of the property ignores the notice to apply for a building permit before continuing, the Assembly shall issue out a criminal summons before a judge or before a Law court to compel the owner to produce a building permit.

(4) Where the building is located at an unauthorized location by virtue of non-conformity to the prescribed zoning in the planning scheme, the Assembly shall proceed to court for authority to demolish the structure and surcharge the owner of the development for the cost of destruction.

Consideration of Factors for the Grant

5. (1) For the purposes of granting the building permit the Assembly shall take into consideration the;

(a) appropriate provisions for the early warning of fire; and the appropriate means of escape in case of fire;

(b) provision of Faecal containment structure placement in the house;

(c) waste water discharge from the house;

(d) drainage systems and adequate provision for toilets and baths in the house.

(2) The Assembly shall ensure that the construction of drainage systems is an essential pre-condition for the grant of the building permit.

(3) The Assembly shall ensure that no drainage system constructed by a landlord shall flood and cause nuisance to the neighborhood. Where the drainage floods the area, the land lord shall rectify the situation by directing the waste water to the main drainage system provided in the area concerned.

(4) A household whose waste water passes through the surface of a road shall lay pipes on the advice and supervision of the officers of the Assembly to join the main drainage system provided in the area concerned.

Ventilation

6. (1) A building must have adequate ventilation and lighting for people in it.

(2) Clause 6(1) of this Bye-law does not apply to a building or space within a building that is used solely for storage or is a garage.

Access

7. The Assembly shall ensure that in granting a building permit, there shall be reasonable provision for people to gain access to and to use, the building and its facilities.

Application

8. This Bye-law shall apply within the jurisdiction of the Assembly.

Offence and Penalty

9. (1) A person who contravenes any provisions of this Bye-law or any condition attached to a license hereunder commits an offence and liable on conviction to a fine of between 100-250 penalty units or in default to a term of imprisonment not exceeding six months or both or;

(2) In the case of a continuing offence, the offender is liable to additional ten penalty unit in respect of each day that the offence continues.

Revocation

10. Any Bye-law on building in existence within the area of authority of the Assembly before the coming into force of these Bye-laws is hereby revoked.

Interpretation

11. In this Bye-law, unless the context otherwise requires –
 “Building” means –
 (a) A permanent or temporary structure with a roof;
 (b) A part of a building;
 “Building permit” means a license that authorizes work to be carried out for which authority is required in pursuance of a provision of this Bye-law;
 “Adequate ventilation” means the kind of ventilation as elaborated in the Building Regulations L.I 16

SECTION FIFTEEN**ADA WEST DISTRICT ASSEMBLY (HOTELS, RESTAURANT, AND EATING JOINTS OR CHOP BARS) BYE-LAW, 2018.**

In exercise of the powers conferred on the Ada West District Assembly by section 181 sub-section 1 of the Local Governance Act, 2016 (Act 936), these Bye-laws are hereby made this 25th day of September, 2018.

Title:

These Bye-laws may be cited as the Ada West District Assembly (Hotels, Restaurant, Chop Bars and Eating Joints) Bye-law, 2018.

License

9. (1) A person shall not designate a place as a hotel, motel, guesthouse, restaurant, eating joints or chop bar, unless the premises has been approved and licensed by the Assembly for that purpose and in addition issued with the “health suitability report” by the District Environmental Health Officer and the required fees paid to the assembly as fixed in the Fee Fixing resolution.

10. A place where food is prepared, cooked, or liquid refreshment is provided for sale to the public for consumption on the premises shall be deemed a restaurant or eating-house for the purpose of this Bye-law.
11. (2) A license issued under this Bye-law is subject to such conditions as the Assembly shall impose.
 (3) A license issued shall take effect from the date on which it is granted and shall expire on the 31st day of December in the year in which the license is issued.
 (4) Every license granted shall be personal to the licensee only and shall not transferable.

Provision of Separate Places for Eating, Cooking and Lavatory

12. (1) A hotel, motel, guesthouse, 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

Requirement as to Public Eating Room

13. (1) 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.
 (2) The floor of every public eating-room shall have a minimum of concrete floor and the wall, capable of being washed or painted.
 (3) The proprietor of public eating-room shall provide adequate lighting, ventilation and keep the premises clean at all times.
 (4) The eating room shall be flies and insect proof.

14. (1) 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.

(2) 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.

Washing of Plates and Others

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

Infected Person

(6) (1) 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.

(2) To ensure compliance with clause 6(1), the licensee shall furnish the Assembly with a medical report of the licensees' workers issued by the Medical Officer of Assembly 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.

Nuisance

(7) The licensee shall not keep birds on the premises where food is cooked and sold.

Obstruction

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

Withdrawal of License

(9) (1) The Assembly in its discretion may withdraw a license issued under this Bye-law if;

- (a) An alteration is made to any premises licensed hereunder without the permission of the Assembly or the necessary planning authority;
- (b) If the licensee operates contrary to the provisions of this Bye-law;
- (c) If the licensee is convicted of any of the offences under this Bye-law;

(2) 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 Assembly in respect of operating premises as a hotel, restaurant, food joint or a chop bar.

(3) A licensee whose license is withdrawn shall pay a penalty fixed by the resolution of the Assembly before a new license is issued.

Appeal

(1) A person dissatisfied with the revocation of a license shall within 7 days from the day of the decision appeal to the Chief Executive for redress.

(2) The Chief Executive on receipt of same shall constitute a panel of three comprising the Solicitor of the Assembly, the heads of the Planning and Health Departments of the Assembly who shall hear the appeal and report to the Chief Executive within two weeks with their recommendations.

(3) The Chief Executive 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 Chief Executive on the appeal.

Offence and Penalty

(2) A person found to have breached any provisions of this Bye-law or the conditions of a license granted hereunder shall be liable on conviction to a fine of between 100-250 penalty units or in default of payment to imprisonment for a term not exceeding 12 months or both the fine and imprisonment.

Interpretation

(3) In this Bye-law, unless the context otherwise requires;

“Assembly” means District Assembly, Hotel shall include motel and guest houses

Revocation

12. The Bye-law on Control of Hotels, Restaurants and Eating-houses or Chop Bars, is hereby repealed.

SECTION SIXTEEN**ADA WEST DISTRICT ASSEMBLY (WETLANDS PROTECTION) BYE-LAWS, 2018**

In exercise of the powers conferred on the Ada West District Assembly by section 181 sub-section 1 of the Local Governance Act, 2016 (Act 936), these Bye-laws are hereby made this 25th day of September, 2018.

Title:

These Bye-laws may be cited as the Ada West District Assembly (Wetland Protection) Bye-law, 2018.

Establishment of Wetlands

1. (1) The AWDA hereby establishes the Wetlands Protection Bye-law to protect the wetlands, water resources, and adjoining land areas under the jurisdiction of the AWDA.
- (2) For purposes of this Bye-law, the AWDA shall collaborate with the Lands Commission, and Water Resources Commission, Town and Country Planning, Environmental Protection Agency in the Greater Accra Region to collect the data on wetlands, water resources and its adjoining lands.
- (3) Upon ascertaining the areas the AWDA shall proceed to publish in a paper that circulates in the District, the electronic and print media all the areas concerned and inform the general public that no development shall take place in the designated area.
- (4) The AWDA shall also erect a sign post at the site showing the demarcation of the area on the sign post.
- (5) The AWDA shall indicate on this sign post that under no circumstances shall any person or company undertake any exercise to change the condition of the resource area subject to protection under this Bye-law.
- (6) Examples of alteration or change include but are not limited to,
 - i) The changing of pre-existing drainage characteristics, flushing characteristics, sedimentation patterns, flow patterns and flood retention areas;
 - ii) Undertaking an activity that raises or lowers the water level or water table;
 - iii) The destruction of vegetation;
 - iv) Reclaiming a wetland for purposes of putting up a structure or undertaking any development in the designated area.

Discussions with Traditional Authority

2. The AWDA shall after ascertaining the various wetlands and displaying the areas, discuss this Bye-law with the traditional council in whose jurisdiction these wetlands occur and inform the Traditional Authorities that such areas shall not be granted for development.

Prohibition

3. The AWDA shall in conjunction with the Lands Commission refuse to grant permit for development or prepare a lease in respect of such area being demarcated to a prospective developer.

Exception

4. (1) The AWDA shall however for emergency projects necessary for the protection of the health and safety of the public allow such work to be undertaken provided that the work is to be performed by or has been ordered to be performed by an agency of health has notified the AWDA at least 72 hours prior to the work being undertaken.
- (2) The AWDA during the period of undertaking this work shall supervise the work through its Environmental Protection Agency to ensure that nothing is done to harm the ecology of the area.

Monitoring and Enforcement

5. (1) The AWDA shall form a standing committee consisting of the five persons namely the Coordinating Director or his deputy, the Solicitor, the Head of Physical Planning, the Head of Disaster Prevention and Management Department and one person each from the Environmental Protection Agency and Water Resources Commission to ensure the compliance of this Bye-law by the Traditional Authorities and the prospective developers.
- (2) The AWDA shall pay periodic visits to the sites designated as wetlands and natural resources areas to ensure that the areas are not being degraded.
- (3) Where a visit reveals any degradation, the standing committee shall inform the Legal Department in writing with evidence of the activities which seeks to destroy the environment.
- (4) The AWDA on receipt of the evidence shall have authority to enforce this Bye-law by issuing a violation notice(s) or administrative orders to restore the area to its original position.

(5) Where the violation continues, the AWDA shall institute both civil and criminal action to restrain the continuous degradation of the wetlands or the natural resource.

(6) The city guards of the AWDA, including any police officer or other officer having police powers, shall have authority to assist the committee in terms of Bye-law 5(4) and (5) enforcement.

Offence and Penalty

7. Any person who violates any provision of this Bye-law or administrative orders issued there under, shall be liable to a fine of between 100-250 penalty units or in default to a term of imprisonment not exceeding 12 months or both. Each day or portion thereof during which a violation continues, or unauthorized fill or other alteration remains in place, shall constitute a separate offence, and shall attract a fine of 5 penalty units.

Application

8. These Bye-laws shall apply within the area of authority of the Assembly.

Interpretation

In this Bye-law, 'AWDA' means Ada West District Assembly,

'Wetlands' means areas where water covers the soil, or is present either at or near the surface of the soil all year or for varying periods of time during the year, including during the growing season. These are areas which are also protected by national and international conventions.

SECTION SEVENTEEN

ADA WEST DISTRICT ASSEMBLY (MINING, SAND WINNING, TREE HARVESTING AND STONE QUARRY) BYE-LAW, 2018.

In exercise of the powers conferred on the Ada West District Assembly by section 181 sub-section 1 of the Local Governance Act, 2016 (Act 936), these Bye-laws are hereby made this 25th day of September, 2018.

Title:

These Bye-laws may be cited as the Ada West District Assembly (Mining, Sand Wining, Tree Harvesting and Stone Quarry) Bye-law, 2018.

PERMIT AND LICENSING

Any entity that must operate a mining business must pay a business-operating fee, which is a requirement for obtaining the license.

MINING REGULATIONS

(1) EPA, MINEARLS COMMISSION, FORESTRY and AWDA enforce regulative laws concerning the environment, activities of individuals or groups must not disrupt the natural functioning of the environment in the attempt to run such businesses.

(2) Land reclamation, restoration, remediation and rehabilitation must be done depending on the activity carried out.

OFFENSE AND PENALTY

(1) A person found to have breached any provisions of this Bye-law or the conditions of a license granted hereunder shall be liable on conviction to a fine not less than 250 penalty units or in default of payment to imprisonment for a term not less than 12 months or both the fine and imprisonment.

Interpretation

"Mining" in this context include but not limited to stones, gravels, sand.

SECTION EIGHTEEN**ADA WEST DISTRICT ASSEMBLY (SOCIAL PROTECTION) BYELAW, 2018.**

In exercise of the powers conferred on the Ada West District Assembly by section 181 subsection 1 of the Local Governance Act, 2016 (Act 936), these Bye-laws are hereby made this 25th day of September, 2018.

Title:

These Bye-laws may be cited as the Ada West District Assembly (Social Protection) Bye-law, 2018.

Child Rights

1. a. No child shall be found loitering/roaming in the community during school contact hours. The child's parent shall be held responsible for the child's inability to be in school.
2. a. No child shall be found at any gaming/gambling outlets anywhere in the District.
b. No child should be found selling during school contact hours. The child's parent shall be held responsible.
c. No child shall be given out for marriage without the consent of the child.

Child Labour

2. a. No working site/mine/child/business should employ a child.
b. No person shall engage a child in any skill that is injurious or harmful to the physical, emotional and psychological development a child.
c. No person shall employ a child except where the employment is with the child's own family or guardian and involves light work of agricultural or domestic character only.

Registration and Operation of Organizations

- a. All Organizations, Associations or Non Governmental Organizations (NGO) wishing to operate in any institution in the District shall report first at the District Assembly for registration and regularization and their activities by the Department.
- b. No day-care centre shall operate in the District without license with the Department and Assembly

Penalty

A person who contravenes a provision of these Bye-laws commits an offence and is liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment;

Interpretation

In this Bye-law, AWDA means Ada West District Assembly,
"a child" means anyone below the age of eighteen.

SECTION NINETEEN**ADA WEST DISTRICT ASSEMBLY
(Protection of Roads) Bye-laws, 2018**

In exercise of the powers conferred on the Ada West District Assembly by section 181 sub-section 1 of the Local Governance Act, 2016 (Act 936), these Bye-laws are hereby made this 25th day of September, 2018.

PART 1**Prohibitions I. Carriageway**

- (a) A person shall not wash vehicle, material or article on the road
- (b) A person shall not spill fuel and lubricants on any road in the District.
- (c) A person shall not damage any part of bitumen surface roads by dragging a heavy metal or wood or stone or any other material on the surface of a road.
- (d) A person shall not place or permit to be placed any material or article on the road.
- (e) A person shall not cook, fry or light any fire or any other material emitting heat on the surface of any road.
- (f) Person shall not use, pour or put corrosive material on the bitumen surface roads.

A person shall not cut a trench on any part of the road or bore a hole under any road without a permit from Assembly. All applications for cutting or boring shall meet the following conditions before a permit will be issued:

- i. Assessment of associated cost as determined by relevant agencies.
- ii. Payment of determined cost to the District Assembly
- iii. Pursuant to the issuance of the permit, the AWDA through Highways and Urban Roads shall take all necessary steps to ensure safety of road users within the vicinity of the activity.

The Assembly and its allied agencies shall be responsible for the proper and timely reinstatement of the excavated area.

(g) The applicant shall undertake the excavation activity strictly as per guidelines specified in the approval letter.

(h) The Assembly and relevant agencies shall supervise the excavation activity.

(i) A person shall not off-load or dump any item(s) or goods on any road or adjoining shoulder or walkway to constitute obstruction to road and pedestrian traffic.

(j) A person or a group of persons shall not block or erect a canopy on any road in the District for any funeral or social gathering without a permit from the authorized officer of the Assembly after an assessment by the authorized officer and payment of the approved fee for such purpose as shall be determined by the resolution of the Assembly from time to time.

(k) A person who washes vehicles on a road commits an offence. The vehicle shall be impounded and the shall be made to sign a bond before a Court of Law that the conduct shall not be repeated before releasing the vehicle.

(l) A commercial vehicle washing bay that does not direct its wastewater away from the road commits an offence. The Assembly shall issue a written notice to the owner of the washing bay to remedy the situation.

If the offence continues after the notice has expired, the equipment shall be seized and the owner shall sign a bond before a Magistrate, pay the penalty for the offence, and remedy the situation before the release of the equipment.

(m) In addition to the bond the person shall pay a spot fine of 40 penalty units.

(p) The Assembly shall form a task force to monitor and ensure compliance with the provisions of this Bye-law.

(n) It is an offence to keep a faulty vehicle for more than 2 hours on an urban road.

(o) It is an offence to trade in car booth sales, table top sales etc. on the carriageway and walkway or shoulder of the road.

(p) Any person or group of persons who erect advertising billboards at inter-sections to obstruct visibility at the inter-sections commits an offence.

2. Drains

(a) Any person or group of persons who dumps any type of solid material into a drain commits an offence.

(b) Any person or group of persons that undertake an activity that physically damages the drain commits an offence.

(c) Any person or group of persons that undertake any activity, which blocks the drain (partially or completely), commits an offence.

(d) Any person or group of persons who remove any type of drain cover (metal gratings or concrete slabs) commits an offence.

3. Walkways and Shoulders

(a) All pedestrian walkways shall remain open at all times to enable free and safe passage of pedestrians.

(b) The following types of encroachments shall constitute an offence;

(c) Erection or installation of stationary objects in the nature of tables, wooden kiosks, metal containers, boundary fence wall and others on the pedestrian walkway.

(d) Dumping of any material (sand, stones etc.) for any purpose.

(e) Digging through walkways and/or shoulder.

(f) Driving on a walkway and/or shoulder.

(g) Digging and placing of Signs/Billboard in any road shoulder and walkway except at approved distances and duly authorized by the Assembly after applicant follows due process.

4. Road Furniture

(a) Road furniture shall consist of and not limited to road signs, crash barriers, bollards, traffic signals, streetlights, hand and/or guardrails and road line markings.

(b) A person who removes any road furniture from its originally installed place, commits an offence

(c) Any person who crashes into road furniture shall reinstate same as per recommendations from the District Assembly.

(d) Any person who defaces road line markings and signs commits an offence.

5. **Medians and Islands**
- (a) Any activity that hinders the usage of a median and islands poses great risk to pedestrians and motorists.
 - (b) The following types of encroachments shall constitute an offence;
 - i. Erection or installation of stationary objects in the nature of tables, wooden kiosks, metal containers, etc. on medians and islands.
 - ii. Dumping of any material (sand, stones etc.) for any purpose.
 - iii. Digging through medians and islands.
 - iii. Operating lorry stations within islands and bus stops.
 - (c) Obstructing access to pedestrian crossings.

PART 11

1. Permit for Excavation

- (a) No person shall, within the area of authority of the Assembly, undertake any excavation on any road 9*-without obtaining a permit from the Assembly for that purpose.
 - (a) Where with such consent a person undertakes any excavation in any street, he shall -
 - i. At his own expense cause it to be sufficiently fenced; and
 - ii. Maintain sufficient light or a reflective device in a proper place on or near it at all times until the work for which the excavation was made is completed; and
 - iii. Re-fill the excavated area to the satisfaction of the Assembly within such time as the Assembly may specify.

2. Application for Permit

- (a) An application for a permit to carry out an excavation exercise or erect a Sign/Billboard in respect of the above shall be made in writing and addressed to the Engineer of the Roads Department of the Assembly before work begins.
- (a) The application for the permit shall be in the form specified by the District Assembly and approval there of shall be signed by the District Chief Roads Engineer or any other competent officer.
- (a) A permit issued under the provisions of this Bye-law may be granted subject to conditions as the Assembly may determine in the interest of public safety and order within the jurisdiction of the Assembly.

Penalty

A person who contravenes a provision of these Bye-laws commits an offence and is liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment.

ADA WEST DISTRICT ASSEMBLY (CEMETERIES) BYE-LAWS, 2018

In exercise of the powers conferred on the Ada West District Assembly by section 181 sub-section 1 of the Local Governance Act, 2016 (Act 936), these Bye-laws are hereby made this 25th day of September, 2018.

1. Control of Cemetery

- (a) The Assembly shall for the purpose of this Bye-law have the control and management of all cemeteries within the District.
- (b) In respect of cemeteries owned by Traditional Authorities, Churches and other religious organizations, private operators,' the Assembly shall have a standard code of conditions to be followed by all the organizations.
- (c) The District Environmental Health Officer shall ensure that all cemeteries under the control of the Assembly are kept neat and tidy at all time.

2. Permit to Operate Private Cemetery

- (a) A person shall not operate a private or commercial cemetery without permit from the Assembly.
- (b) Such a permit shall be renewable on yearly basis as per the Fee Fixing Resolution of the Assembly.
- (c) The Assembly shall exercise oversight responsibilities over such cemeteries and all burial permits must be endorsed by the District Environmental Health Officer of the Assembly.

(d) The Assembly may revoke such permits if the holder continuously contravenes the provisions in this Bye-law.

(e) The Assembly may franchise the management of the cemetery under a Public Private Partnership Agreement to add value under the supervision of the District Environmental Health Officer .

3. Control of Funeral Homes

(a) No person or entity shall own or operate any of the facilities listed below, unless that facility is licensed by the Environmental Health Office. The facilities include;

- (b) Private mortuary
- (c) Funeral homes
- (d) Crematoria
- (e) Hearse

4. Permit to Operate a Facility

A person shall apply to the Environmental Health Office for a permit/licence to operate a facility. The licence shall be renewed every two years.

5. Revocation of Permit

The Environmental Health Office shall refuse to renew a license to own or operate a facility if the operator fails to meet the required standards.

6. Plan of Cemetery

There shall be a plan of the cemetery, drawn by a licensed Surveyor, in which the position of all grave spaces and pathways shall be delineated and plotted and this plan shall be kept in the office of the Sexton-in-charge of the cemetery in the Metropolis.

7. Infant/Free Burial

In each cemetery, a portion may be set aside for infant burials, and a portion may likewise be set aside for free burials.

8. Grave Space

In every cemetery, grave space shall be 2.4 meters by 1.2m, except that in that part of the cemetery reserved for infant burials, each grave shall be 1.5m by 0.9m.

9. Depth of Grave

No grave in any cemetery under the jurisdiction of the Assembly shall be less than 1.2m deep. The depth of every grave shall have the certification of the Sexton-in-charge of the cemetery.

10. Register of Burials

Each grave space delineated and plotted in the plan shall be numbered and the Sexton-in-charge of the said cemetery shall cause a register of burials to be kept in the form shown in the schedule to this Bye-law.

11. Vaults

No greater number than six grave spaces shall be granted to any one person or family for the construction of a vault.

12. Cremation

The Sexton-in-charge in conjunction with the Environmental Health Office of the Assembly shall make arrangement for the provision of facilities for persons whose religious belief requires the cremation of their bodies.

13. Head Stones

(a) The foundation of a head stone or other memorial in the cemetery shall not extend to more than 6 metres below the surface of the grave.

(b) The Sexton-in-charge shall ensure compliance by all who intend to erect a memorial.

14. Restrictions

(a) No burial shall be allowed without a permit issued by the Assembly and the payment of the requisite fee.

(b) A relative of a deceased person shall apply for a burial permit with the cause of death issued by a recognized hospital or clinic.

(c) Where the person died outside a hospital but kept in a mortuary, a notice from the mortuary shall be used to apply for a burial permit.

(d) In all cases of applying for a permit, the Assembly shall by a special resolution fix the fees payable.

15. Free Burials

No free burial shall be allowed without the written authority of the District Environmental Health Officer, which written authority should include the name of deceased and the applicant for the free burial.

16. Hours of Burial

Burials may take place at the cemetery between the hours of half past six (6) and eleven (11) o'clock in forenoon or between the hours of three and six in the afternoon.

17. Fees

(a) Fees for grave and vaults in a cemetery shall be payable at the rate fixed by resolution of the Assembly and by or on behalf of the Ministry of Local Government & Rural Development.

(b) Free burials permitted under this Bye-law shall not attract any fee.

(c) Fees under franchised management shall be fixed in Memorandum of Understanding (M.O.U) signed between the Assembly and the Private Partner with a percentage payment to the Assembly.

18. Nuisance

A person shall not commit any nuisance in a cemetery.

19. Monitoring and Compliance

The Environmental Health Department shall visit all cemeteries in the District at least once in every two months to ascertain the level of compliance of this Bye-law for necessary action(s) to be taken on issues raised during the visit.

20. Penalty

A person who contravenes a provision of these Bye-laws commits an offence and is liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment.

Schedule of Register of Burial

- Register of Burial in Assembly Cemetery.....
- Number.....
- Name of person being buried.....
- Registry Office.....
- Grave Space Granted.....
- Date in which space was granted.....
- Signature of Sexton.....

ADA WEST DISTRICT ASSEMBLY

(Special Levy) Bye-laws, 2018

In exercise of the powers conferred on the Ada West District Assembly by section 181 sub-section 1 of the Local Governance Act, 2016 (Act 936), these Bye-laws are hereby made this 25th day of September, 2018.

1. Inspection of Special Levy

(a) A community that intends to undertake development project may impose a special levy on the members with expressed consent of the Assembly.

(b) The development projects for which these special levies may be collected shall include the provision and maintenance of

- i. Public toilets
- ii. Community roads, drains and culverts
- iii. Bore-hole and hand dug well
- iv. Community school, and
- v. Any other project for which the community may embark upon.

2. Amount to be Paid

- (a) The Assembly shall approve of the amount to be levied on the community members.
- (b) The period and method of payment of these levies shall be decided by the community members.

3. Need and Purpose

(a) The need and purpose for the special levy, the amount to be paid, the manner and period of payment shall be decided by the community at a meeting.

(b) A person shall be considered to have defaulted if that person fails to fully pay a special levy three months after imposing the special levy.

4. Rendering of Accounts

(a) The treasurer of the community or the unit committee shall annually render accounts of the monies that are collected, to the members of the community at a special durbar.

(a) A copy of the statement of accounts rendered to the community shall be deposited with the area/town council under whose jurisdiction the community falls or the Assembly for their scrutiny and necessary action.

5. Penalty

A person who contravenes a provision of these Bye-laws commits an offence and is liable to a fine of not less than one hundred penalty units and not more than two hundred and fifty penalty units or a term of imprisonment of not less than six months and not more than twelve months or to both the fine and imprisonment;.

6. Interpretation

In this Bye-laws unless the context otherwise requires "Assembly" means Ada West District Assembly

7. Revocation

Any Bye-laws on special levy in force immediately before the coming into force of this Bye-law is hereby revoked.

Made at a meeting of the Ada West District Assembly held on 25th September, 2018.

.....
HON. DAVID NARH AMUYAO

Presiding Member

.....
FRANCIS. K. ASIEDU

District Coordinating Director (Secretary)

Approved by the Regional Coordinating Council, Greater Accra on behalf of the Ministry of Local Government.

ENERST K. NYAGBE

Regional Coordinating Director and Secretary to R.C.C.