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Section One

Tema West Municipal Assembly (Environmental Sanitation) Bye-laws, 2020

In the exercise of the powers conferred upon the Tema West Municipal Assembly by Part 181 of the Local Governance Act, 2016 (Act, 936) these Bye-laws are hereby made:

Title

This bye-law may be cited as Tema West Municipal Assembly (Environmental Sanitation) Bye-laws, 2020

1. Disposal of Refuse

(a) No person shall place, cause or permit to be placed any carrion, filth, refuse or rubbish or any offensive or unwholesome matter, on any street, yard, premises, enclosure or open space within the Municipalities.

(b) If any offender under bye-law 1(1) of this bye-law has not been identified or discovered the existence of any carrion or other substance mentioned in the said Section found close to any building shall be presumed to have been placed by the owner or occupier thereof.

2. Removal of weeds and rubbish

(a) The occupier(s) of any premises shall clear and keep free from all dirt, under bush, under-wood, weeds, high grass, rubbish, rags, broken bottles and all offensive matter (filling up holes with stones, gravel, or other like materials) the streets or roads at the front, back sides, thereof, with the drains, gutters and channels, thereon.

(b) 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/her premises.

3. Obstruction

(a) Where the Assembly under its powers sets a Health/Environmental Day, any person who on the Health/Environmental Day obstructs (either physically/verbally)-

(b) Any person, authorised to cleanse any area of the TWMA, shall be guilty of an offence and liable to a fine of 100 penalty units or imprisonment for a term not exceeding one month.

4. Prohibition

(a) A person shall not cause a nuisance in any public or open space.

(b) No occupier of any premises shall by any act, allow the existence of a nuisance in his premises.

5. Prohibition of the deposit of waste materials into drains and open spaces

A person shall not deposit litter, refuse or other matter which may cause nuisance or block the passage provided for a gutter or drains.

6. Nuisance

(a) Any person who for the purpose of his trade, vocation or other business causes smell or other nuisance to the detriment of his neighbour or the public, shall be guilty of an offence.

(b) A person who flouts bye-law 1(6) shall be issued with ticket for spot fine of 120 penalty units issued by a special task force set up under this bye-law for this exercise.

7. Offence and Penalty

Any person who contravenes any of these Bye-laws commits an offence and shall be liable on con-

conviction by a court to a fine of not less than 100 penalty units and not exceeding 250 penalty units or to a term of imprisonment not exceeding 6 months.

8. Interpretation

In these Bye-laws unless the context otherwise requires “Nuisance” includes:

- (ii) A pool, ditch eaves-gutter, water course, well, hole, pond, tank-privy, urinal, cesspool, drains or KVIP which is in such a bad state to constitute a health hazard.
- (iii) Any animal so kept as to be injurious to health;
- (iv) Any accumulation or deposit of excreta or urine or things which are or are likely to be injurious to health.
- (v) Premises in such a state of disrepair as to be injurious to the health of man or livestock.
- (vi) Any growth of weeds prickly pear, long grass or wild bush of any sort.
- (vii) Any work, manufacturing, trade or business that is or likely to be injurious to health of neighbours
- (viii) “Contractor” means any person or body contracted by the Assembly to provide environmental sanitation services against payment by the Assembly.
- (ix) A well, pond or tank, the water of which is tainted with impurities as to be injurious or likely to be injurious to the health of man or livestock.
- (x) “Occupier” shall where the building is not in actual occupation include the owner thereof.

9. Application

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

10. Revocation

Any Sanitation Bye-laws within the area of authority of the Assembly in existence immediately before the coming into force of these Bye-laws are hereby revoked.

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government.

SIGNED

Regional Co-ordinating Director and Secretary to R.C.C.

Section Two

Tema West Municipal Assembly (Licensing of Service Providers) Bye-laws, 2020

In the exercise of the powers conferred upon the Tema West Municipal Assembly by Part 181 of the Local Governance Act, 2016 (Act, 936) these Bye-laws are hereby made:

Title

This bye-law may be cited as Tema West Municipal Assembly (Licensing of Service Providers) Bye-laws, 2020

1. Environmental Sanitation Service Providers to be licensed

(a) No person or body shall provide Environmental Sanitation Services within the area of authority of the Assembly without a license issued by the Assembly for the category of service provided.

(b) The categories of service and classification of service providers are as defined in Schedule 1 of these Bye-laws.

(c) Licensing requirements for providers of Environmental Sanitation Services shall be defined in guidelines issued by the Assembly.

2. Assembly to issue licenses

The Assembly shall license any person or body wishing to provide Environmental Sanitation Services who applies to the Assembly for a license and fulfils to the Assembly's satisfaction the requirements for the license to be issued.

3. Assembly to keep a register

The Assembly shall record the names of all licensed providers of Environmental Sanitation Services in a register kept for that purpose.

4. Certification of plant and equipment

All licensed providers of Environmental Sanitation Services shall cause their vehicles, plant and equipment to be inspected annually for appropriateness and suitability and certified by an authorising officer of the Assembly.

5. Monitoring of service providers

All licensed providers of Environmental Sanitation Services shall at all times allow access to the Assembly's staff or designated agents to their premises, equipment or records relating to the Services licensed.

6. Responsibility for the Management of Waste

(a) The responsibility or its registered agents, franchise or contractors shall be exclusively responsible for environmental sanitation services within the entire area of the Assembly's jurisdiction.

(b) All occupiers or owners of premises with the exception of household premises shall designate a member of their staff to be directly responsible in all matters relating to wastes management to liaise with the Assembly and its licensed service providers.

7. Offences and Penalty

Any person who:

(a) engages in the provision of Environmental Sanitation Services without being licensed by the Assembly;

(b) being licensed, fails to obtain an inspection certificate from the Assembly for the vehicles, plant and equipment used for providing such Services; or

(c) refuses access to the Assembly's staff or designated agents to their premises, equipment or records relating to the Services licensed, commits an offence.

Any person who contravenes any of these Bye-laws commits an offence and shall be liable on conviction by a court to a fine of not less than 100 penalty units and not exceeding 250 penalty units or to a term of imprisonment not exceeding 6 months.

8. Interpretations

In these Bye-laws, unless the context otherwise requires:

(a) "Environmental Sanitation Services" means the collection, treatment, recycling or disposal of solid,

liquid, bio-medical and hazardous wastes, the cleaning of streets, drains, markets, lorry parks, public parks and open spaces and the management of the public baths and toilets.

(b) “Franchise” means any person or body providing environmental sanitation services by agreement with Assembly and collecting agreed fees directly from those receiving the services so provided.

9. Application

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

10. Revocation

Any Sanitation Bye-laws within the area of authority of the Assembly in existence immediately before the coming into force of these Bye-laws are hereby revoked.

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government.

SIGNED

Regional Co-ordinating Director and Secretary to R.C.C.

Section Three

Tema West Municipal Assembly (Solid Waste Collection and Disposal) Bye-laws, 2020

In the exercise of the powers conferred upon the Tema West Municipal Assembly by Part 181 of the Local Governance Act, 2016 (Act, 936) these Bye-laws are hereby made:

Title

This bye-law may be cited as Tema West Municipal Assembly (Solid Waste Collection and Disposal) Bye-laws, 2020

1. Collection areas and days

(a) The Assembly may, for the purposes of the management of solid wastes generated within its area of authority, divide the area into solid waste collection service areas.

(b) The Assembly or its authorised agents, franchisees or contractors shall serve notice of commencement of solid waste collection services in areas specified for particular services and days for collection.

(c) Schedule 2 of these Bye-laws, 2020 specifies the areas designated for particular collection services and days.

2. Engagement of contractors or franchisees

(a) The Assembly may engage a licensed contractor or franchisee for any such solid waste collection service area as it may determine.

(b) A licensed contractor or franchisee shall be engaged upon such terms as may be agreed upon by the Assembly.

3. Customers to register

All occupiers/owners of premises within a solid waste collection service area shall register with the authorised provider of such service.

4. Storage and placement of solid waste for collection

(a) All occupiers/owners of premises within a solid waste collection service area shall, prior to collection of the waste, store it on the premises in a container of a type approved by the Assembly for the type and level of service provided in such area, in accordance with Schedule 3 of these Bye-laws.

(b) All occupiers/owners of premises within a solid waste collection service area shall place such container for collection on the day, at the time and in the manner as may be announced by the authorised provider of such service.

5. Ownership of solid waste

Solid waste thus made available for collection shall remain at all times the property of the Assembly.

6. Private collectors

Any occupier/owner of premises within a solid waste collection service area may, notwithstanding the other provisions of these Bye-laws, engage a licensed collector to collect solid waste from the premises, subject to the approval of the Assembly.

7. Waste to be disposed of at designated sites

(a) The Assembly shall designate a safe and accessible site or sites for the treatment and/or final disposal of solid waste and shall for this purpose provide or cause to be provided such infrastructure as may be necessary.

(b) No person shall place or deposit any solid waste at any site, or cause or knowingly allow solid waste to be placed or deposited at any site, or use any vehicle, plant or equipment, for the purpose of placing or depositing solid waste unless the site at which the waste is placed or deposited is so designated by the Assembly for the purpose of solid waste treatment and/or disposal and the person is licensed by the Assembly to place the waste at such designated treatment and/or disposal site.

8. Wastes acceptable for disposal

Schedule 3 of these Bye-laws indicates the type of wastes acceptable at the Assembly's designated solid waste disposal site.

9. Collection and disposal of hazardous or health care wastes

(a) A licensed contractor shall not collect any hazardous or health care waste from any place unless such collection has been approved by the Assembly.

(b) Assembly shall determine the manner of disposal of all hazardous bio-medical waste

10. Fees to be charged

(a) The collection of solid waste is subject to changing of fees as approved by the TWMA in its fee fixing resolution. if the collection is carried out by a franchisee, such fee shall be payable directly to the franchisee.

(b) The Assembly may charge tipping fees for the placement of allowable types of solid waste by licensed operators at any designated disposal sites for solid waste as approved by the TWMA in its fee fixing resolution.

11. Offenses and Penalty

Any person who:

- (a) Engages in the collection of solid waste in any area where the TWMA has not given them permission to do so;
- (b) Fails to register with the solid waste collection service provider designated by the TWMA for their area;
- (c) Fails to provide in their premises approved containers for storage of waste;
- (d) Refuse to allow the TWMA and its authorize service providers to collect solid waste from their premises;
- (e) Fails to make their solid waste available for collection on the day, at the time and in the manner specified by the authorized service provider;
- (f) Receives solid waste collection services from an unauthorized service provider;
- (g) Burns or bury solid waste on their premises or open spaces;
- (h) Places or deposit any waste at a site or place unapproved by the TWMA
- (i) Fails to pay any collection or tipping or discharge fees approved by the TWMA
- (j) Places or deposit at any designated disposal site any waste not acceptable at the disposal site, as indicated in schedule 4;
- (k) Collect any hazardous or biomedical waste from any place without prior approval by the TWMA; or
- (l) Dump solid waste in an open space, drain, gutter, sewer, open land quarry, river channels, swamps or other places not designated by the TWMA, commits an offence

12. Where an offence under this Section is committed by a body of persons;

- (b) Where the body persons is a corporate body other than the partnership, every member of the governing body of that body shall also be guilty of that offence; and
 - (c) Where the body of persons is a partnership, every partner shall also be guilty of an offence.
- Any person who contravenes any of these Bye-laws commits an offence and shall be liable on conviction by a court to a fine of not less than 100 penalty units and not exceeding 250 penalty units or to a term of imprisonment not exceeding 6 months.

13. Interpretation

- (a) “Biomedical Waste” means solid and liquid waste produced within medical facilities including; general waste similar in character to households waste, except that they are produced within a medical facility. Infectious disease wastes generated by both in-patients and out-patients which are known or likely to contain pathogenic microorganisms from blood or other body fluids, including sharp needles, blades, slides etc., dressing swabs, syringes etc. pathological waste comprising body parts and tissues arising from amputation surgical operations, autopsy (post-mortem) and child-birth. Hazardous wastes comprising pharmaceutical wastes (expired or discarded drugs and their containers), radioactive wastes and laboratory wastes (acids, alkalis, solvents, cultures, specimens, organic, chemical, heavy metal) and incinerator ash and sludge.
- (b) “Occupier ”shall, where the building is not in actual occupation, include the owner thereof.

14. Application

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

15. Revocation

Any Sanitation Bye-laws within the area of authority of the Assembly in existence immediately before the coming into force of these Bye-laws are hereby revoked.

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED
HON. OSANYONMOR ATIATI PATRICK LAWER

SIGNED
MOHAMMED ALI AMADU

Presiding Member

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government.

SIGNED

Regional Co-ordinating Director and Secretary to R.C.C.

Section Four

Tema West Municipal Assembly (Liquid Waste Collection and Disposal) Bye-laws, 2020

In the exercise of the powers conferred upon the Tema West Municipal Assembly by Part 181 of the Local Governance Act, 2016 (Act, 936) these Bye-laws are hereby made:

Title

This bye-law may be cited as Tema West Municipal Assembly (Liquid Waste Collection and Disposal) Bye-laws, 2020

1. Liquid Waste Collection and Disposal

Liquid wastes to be made available

(a) The occupier of any premises shall discharge or make all liquid wastes available to the Assembly or its authorised service providers for collection in the manner prescribed by the Assembly.

(b) Liquid wastes thus discharged or made available shall remain at all times the property of the Assembly.

2. Liquid waste disposal

(a) Liquid wastes discharged or made available by occupiers of premises shall be collected, treated and disposed of only by the Assembly or its authorised service providers.

(b) The discharge of liquid waste at a treatment and/or disposal plant shall attract a charge which may be included in any charge payable for the removal of the waste or charged separately by the Assembly at the plant site or by other arrangements specified by the Assembly.

(c) No person shall discharge any liquid waste at any site, or cause or knowingly allow such waste to be discharged at any site, or use any vehicle, plant or equipment, for the purpose of discharging, placing, depositing such waste unless the site at which the waste is discharged is so designated by the Assembly for the purpose of liquid waste treatment and/or disposal and the person is licensed by the Assembly to discharge the waste at such designated treatment and/or disposal site.

3. Defecating at unauthorized place

(a) No person shall not defecate at the bank of a Sea, river and water sources or other similar areas

(b) No person shall defecate at a place not designated for that purpose.

4. Pan latrines and Pit latrines.

(a) The construction or installation of pan (or bucket) and pit latrines is hereby declared banned throughout the area of authority of the Assembly.

(b) The use of pan (or bucket) and pit latrines are hereby declared banned throughout the area of authority of the Assembly.

(c) The occupier of any premises where a pan/pit latrine continues to be used after these Bye-laws come into effect shall inform the Assembly of the existence of such facility at most 30 days after the passage of this Bye-laws else commit an offence.

5. Approved Households sanitation facility

(a) Any Owner or occupier of any premises shall use a household sanitation facility approved TWMA for use within the area of authority of the TWMA.

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

6. Offences and Penalty

Any person who:

- (a) Fails to inform the Assembly of the use of a pan latrine in any premises;
- (b) Fails to provide a standard container for liquid waste as prescribed by the Assembly;
- (c) Receives services from unauthorised person;
- (d) Refuses to allow the TWMA or its authorised service providers to collect liquid waste from their premises;
- (e) Indiscriminately dump liquid waste in open spaces, drains, gutters, behind walls or spaces or any spaces not designated for that purpose
- (f) Indiscriminately urinates or defecates in any unauthorized place
- (g) Fails to provide an approved toilet or sanitation facility on the premises which they occupy
- (h) Uses a sanitation facility not approved by the Assembly
- (i) Connects to the sewerage network without prior approval and payment of the connection fees;
- (j) Fails to connect sanitation facility to the sewerage network where this is technical feasible;
- (k) Fails to pay fees imposed commits as offense

Where an offence under this Section is committed by a body of persons;

(a) Where the body persons is a corporate body other than the partnership, every member of the governing body of that body shall also be guilty of that offence; and

(b) Where the body of persons is a partnership, every partner shall also be guilty of an offence.

Any person who contravenes any of these Bye-laws commits an offence and shall be liable on conviction by a court to a fine of not less than 100 penalty units and not exceeding 250 penalty units or to a term of imprisonment not exceeding 6 months.

7. Interpretation

“Liquid Waste” means human excreta (night soil and sewage) liquid effluent and sludge from septic tanks, animal manure, industrial sewage and domestic or commercial waste water.

8. Application

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

9. Revocation

Any Sanitation Bye-laws within the area of authority of the Assembly in existence immediately before the coming into force of these Bye-laws are hereby revoked.

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

Tema West Municipal Assembly

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local

Government.

SIGNED

Regional Co-ordinating Director and Secretary to R.C.C.

Section Five

Tema West Municipal Assembly (Sullage and Storm Water Drainage) Bye-laws, 2020

In the exercise of the powers conferred upon the Tema West Municipal Assembly by Part 181 of the Local Governance Act, 2016 (Act, 936) these Bye-laws are hereby made:

Title

This bye-law may be cited as Tema West Municipal Assembly (Sullage and Storm Water Drainage) Bye-laws, 2020

2. Connections and usage of drains

- (a) All drainage shall be for the public good in the maintenance of environmental sanitation, the protection of investments in road infrastructure and sullage and storm water conveyance for disposal.
- (b) All premises shall be connected by the owner or occupier to 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.
- (c) The only discharges permissible into the public drain shall be sullage and storm-water.

3. Maintenance of drains

- (a) The Assembly shall undertake the repair and maintenance of all primary and secondary drains within its area of authority, while the cost for tertiary or residential drains shall be borne by the occupiers of premises in a manner prescribed by the Assembly.
- (b) It shall be the responsibility of the occupier or occupiers of premises to ensure that tertiary/residential drains are free from any impediments and clean at all times for the free flow of wastewater, unless otherwise determined by the Assembly.

4. Drainage reservations

- (a) The drainage reservations shall be as defined in Schedule 5 to these Bye-laws.
- (b) No development shall be permitted within any drainage reservation, so as to facilitate the efficient and effective maintenance of the drain.

5. Offences and Penalty

Any person who:

- (a) abuses the drain by making non-permissible discharges into the drain;
 - (b) disposes solid waste, discharge from septic tanks (septage) or any other material contaminated by excreta into a drain;
 - (c) develops any structure or carries out any activity, commercial or otherwise, including vegetable gardening, within the drainage reservation;
 - (d) connects drains in his premises to a public drain without prior authorisation by the Assembly; or
 - (e) causes blockage of flow in a public drain resulting in stagnation of the flow,
- commits an offence

Where an offence under this Section is committed by a body of persons;

- (a) Where the body of persons is a corporate body other than a partnership, every member of that governing body of that corporate body and every director, manager, secretary and similar officer of that body

shall be guilty of that offence; and

(b) Where the body of persons is a partnership every partner shall be guilty of the offence.

Any person who contravenes any of these Bye-laws commits an offence and shall be liable on conviction by a court to a fine of not less than 100 penalty units and not exceeding 250 penalty units or to a term of imprisonment not exceeding 6 months.

6. Interpretation

(a) “Drainage” means the system of primary, secondary, tertiary and residential drains, also including unlined drainage channels from premises in low –income communities without formal drainage constructed by the Assembly.

(b) “Storm Water” means water resulting from rainfall and subsequently running along the surface of the ground or drainage channels.

(c) “Sullage” means waste water from bathrooms, washing of cloths, kitchen utensils (plates and dishes): and rain water within the premises, but not including discharges from septic tanks or any other wastes contaminated by excreta.

7. Application

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

8. Revocation

Any Sanitation Bye-laws within the area of authority of the Assembly in existence immediately before the coming into force of these Bye-laws are hereby revoked.

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government.

SIGNED

Regional Co-ordinating Director and Secretary to R.C.C.

Section Six

Tema West Municipal Assembly (Litter Control) Bye-laws, 2020

In the exercise of the powers conferred upon the Tema West Municipal Assembly by Part 181 of the Local Governance Act, 2016 (Act, 936) these Bye-laws are hereby made:

Title

This bye-law may be cited as Tema West Municipal Assembly (Litter Control) Bye-laws, 2020

1. Deposit of litter

A person shall not place, deposit, throw, leave or cause to be placed, deposited, thrown down and left, otherwise than in a receptacle or place provided by the Assembly for that purpose, or in any street, park,

recreation ground or other public or open space to which the public has access, or in any ditch, water course, gutter or drain abutting on any street, glass, chinaware, earthenware, tin, carton, paper, plastics, bottles, nails or other sharp substances, orange peel, banana skin or the skin of any fruit or the leaves or refuse of any vegetable or any offensive, unwholesome or dangerous substance.

Litter not to be swept into streets or specified places

2. A person shall not-

(a) Sweep or otherwise remove from any shop, vehicle, house or premises into any street, park, recreation ground or other public or open space to which the public has access, or in any ditch, water course, gutter or drain abutting on any street, any waste paper, shaving or other refuse or litter of any kind.

(b) Throw down and leave or cause or permit to be thrown down and left in any street, park, recreation ground or other public or open space for the purpose of advertising any bill, placard or other substances.

3. Conveyance

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 being collected.

4. Removal of falling filth or litter

The person shall cover the receptacle with a net, tarpaulin or a suitable material to prevent the litter from falling into or upon the street or any drain or gutter abutting thereon and shall where necessary for that purpose use a cart or other suitable vehicle or receptacle properly and sufficiently covered.

5. License

(a) A prospective conveyer of any form of waste shall first apply to the TWMA in writing for a license to collect and transport waste;

(b) The application shall indicate among others the nature of waste to be collected, the machinery available for that category of waste, the company's registration documents among others;

(c) The TWMA in considering the application shall seek expert advice from the Waste Management Department on the suitability of the applicant's vehicles to be used for the collection of the waste, the safety measures in place.

(d) After considering the application, the TWMA shall issue a license subject to the payment of the approved fees determined by the resolution of the TWMA and other conditions which said license shall expire on the 31st of December of the year in which the license was issued and shall be renewed in the subsequent year.

6. Failure to comply

A license issued under these Bye-laws may be revoked by the TWMA on the advice of the Waste Management Department where the holder has failed to comply with the provisions of the grant of the license and the provisions of these Bye-laws.

7. Notice to offenders

(a) A license may be revoked by the TWMA after a written notice has been served on the defaulting party and given fifteen days to remedy the wrong but has failed and or refuse to do so.

(b) Any license so withdrawn shall only be restored after the applicant has complied with all the requirements required under these Bye-laws.

8. Revision of terms

The terms of the grant of the license shall be reviewed every three years.

Any person who contravenes any of these Bye-laws commits an offence and shall be liable on conviction by

a court to a fine of not less than 100 penalty units and not exceeding 250 penalty units or to a term of imprisonment not exceeding 6 months.

9. Application

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

10. Revocation

Any Sanitation Bye-laws within the area of authority of the Assembly in existence immediately before the coming into force of these Bye-laws are hereby revoked.

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Seven

Tema West Municipal Assembly (Cleaning) Bye-laws, 2020

In the exercise of the powers conferred upon the Tema West Municipal Assembly by Part 181 of the Local Governance Act, 2016 (Act, 936) these Bye-laws are hereby made:

Title

This bye-law may be cited as Tema West Municipal Assembly (Cleaning) Bye-laws, 2020

1. Cleaning

(a) If during the conveyance of filth, dust, ashes, refuse or litter some fall off from the vehicle or any object being used, the person undertaking such conveyance shall cause same to be removed and clean the place on which such filth, dust, ashes, refuse or litter falls.

(b) For purposes of this Bye-Law 7(1), a vehicle conveying filth which litters the street or any place shall be surcharged by a task force or an officer of the TWMA authorised to enforce the provisions of these Bye-laws.

2. Notice

If any person contravenes any of the provisions of these Bye-laws the TWMA may by notice in writing served on such person affixed to some conspicuous place near the article complained of require such person to remove and keep removed the said article within forty-eight hours from the date of the notice.

3. Collection of refuse

The owner or occupier of any premises other than premises owned by the Ghana Government or an organ thereof requires the Assembly or other private companies to remove refuse therefrom daily shall-

(a) Submit an application in writing to the Assembly containing the name, address and the house number of the applicant of such premises and other particulars sufficient to enable the premises identified by the

TWMA or the private company;

(b) And at his own expense provide at a convenient place on the premises or such other place as the TWMA or the company may direct a dustbin or other receptacle for containing refuse which shall be of metal or plastic with a close fitting lid and shall be of such dimensions as shall be approved in writing by the Assembly.

4. Provision of dustbins

(a) If it appears to the TWMA that there are no proper means of depositing domestic refuse in any residential areas and the Assembly is satisfied that in the interest of public health it is necessary that the proper provision made for that purpose, the Assembly may by notice in writing require the occupier or owner of the premises in the area to provide such number of covered dustbins or other receptacles for the reception of domestic refuse of such material, size and construction as the Assembly may direct;

(b) The TWMA or its Agents or Contractors shall place a bigger receptacle at a central point where necessary to enable owners and occupiers deposit their refuse in the bigger receptacle at a fee determined by a resolution of the TWMA;

(c) Where a person fails to comply with these requirements within such period as may be specified therein, the Environmental Health and Sanitation Unit of TWMA shall issue summons to the person or persons involved for prosecution in court.

(d) A person, other than a person employed by the TWMA in connection with the removal and disposal of refuse, shall not disturb the material deposited or refuse.

5. Prohibition

The occupier of the premises shall not deposit or cause to be left in any dustbin provided for the reception of domestic refuse any liquid or faecal matter.

6. Fees

(a) The owner or occupier of premises on which business, industrial or recyclable waste is generated, must ensure that until the appointed times for collection by the TWMA or a private company;

i. The waste is stored in a bulk container or other approved receptacle; and
ii. The waste shall be treated such that it does not pose as health risk and or nuisance to the neighbourhood.

iii. The fee for the removal of domestic and commercial refuse shall be payable after the delivery of service and determined by resolution of the TWMA differently for domestic and commercial waste.

7. Notice to discontinue

A person desirous of discontinuing this service shall notify the Municipal Solicitor of TWMA or an official of the company involved not less than 14 clear days with reasons to the expiration of the end of the month the person wishes to discontinue the service of the TWMA or any company.

8. Offence and penalty

Any person who contravenes or fails to comply with any of these Bye-laws is guilty of an offence and shall on conviction by a court or community Tribunal is liable to a fine of not less than 100 penalty units and not exceeding 250 penalty units or imprisonment for a term not exceeding 6 months.

9. Application

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

10. Revocation

Any Sanitation Bye-laws within the area of authority of the Assembly in existence immediately

before the coming into force of these Bye-laws are hereby revoked.

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED
HON. OSANYONMOR ATIATI PATRICK LAWER
Presiding Member

SIGNED
MOHAMMED ALI AMADU
*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government.

SIGNED
Regional Co-ordinating Director and Secretary to R.C.C.

Section Eight

Tema West Municipal Assembly (Control of Pollution) Bye-laws, 2020

In the exercise of the powers conferred upon the Tema West Municipal Assembly by Part 181 of the Local Governance Act, 2016 (Act, 936) these Bye-laws are hereby made:

Title

This bye-law may be cited as Tema West Municipal Assembly (Control of pollution) Bye-laws, 2020

1. Disposal of Refuse

Where the Environmental Health Sanitation Unit of the TWMA has at community level set aside a place for the purpose of refuse disposal, no person shall place or cause or permit to be placed any carrion, filth, dirt, refuse or rubbish or any offensive or unwholesome matter, on any street, yard, enclosure, cemetery, beach or open space in such an area except at such place set aside.

2. Littering of Public Places

No person shall place or cause to be placed any refuse, rubbish or any offensive or unwholesome matter at any public places except at approved places as may be provided for that purpose.

3. Removal of Weeds and Other Offensive Material

The occupiers of premises shall clear and keep free from all dirt, under bush, underwood, weeds, high grass, rags, broken bottles, refuse, rubbish and all offensive matter (filling up holes with stones gravel, or other like material) the streets or roads at the front, back and side thereof, with drains, gutters and channels therein as the case may be.

4. Burial of the Dead

Where the TWMA has at any community set aside a place for use as Cemetery or where a cemetery has otherwise been lawfully provided at any area no person shall bury or cause to be buried at or in any area or in the neighbourhood of such town or community the body of any deceased person except at such cemetery.

5. Offences and Penalty

It is an offence under these Bye-laws to

- (1) Refuse to give one's name on demand by any Health Officer in the investigation of any sanitary case.
- (2) Deposit or place or leave or cause or permit to be deposited, placed and left in any dustbin provided for the reception of domestic refuse any liquid or faecal matter.

Any persons who commit any of the offences shall on conviction be liable to a fine of not less than 100 penalty units and not exceeding 250 penalty units or imprisonment for a term not exceeding 6 months.

Interpretation

Public places includes a building or a facility such as

- (a) offices
- (b) factories, health and educational institutions
- (c) premises in which children are cared for
- (d) a means of transportation used for commercial, public or professional purposes by more than one person
- (e) Public transportation terminals,
- (f) Entertainment facilities and facilities rented out for events,
- (g) sports stadia and other sports arenas whether fully closed or not, and any enclosed recreational facilities.
- (h) bars, restaurants and pools whether opened or enclosed,
- (i) places of collective use
- (j) facility that employs personnel whether paid or not
- (k) any other facility accessible to the public which is accessible to the general public regardless of ownership or right of access.

6. Application

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

7. Revocation

Any Sanitation Bye-laws within the area of authority of the Assembly in existence immediately before the coming into force of these Bye-laws are hereby revoked.

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Nine

Tema West Municipal Assembly (Control of Stray Animals) Bye-laws, 2020

In the exercise of the powers conferred upon the Tema West Municipal Assembly by Part 181 of the Local Governance Act, 2016 (Act, 936).

Title

This bye-law may be cited as Tema West Municipal Assembly (Control of Stray Animal) Bye-laws, 2020

1. Seizure of unattended animal

(a) A person authorized by the TWMA who finds any stray animal in any public part of the Municipality without any person in charge thereof may seize and impound such animal and send it to the place set aside by the TWMA for that purpose.

(b) An animal so impounded shall be released by the TWMA to the owner upon the payment of a fee fixed by the resolution of the TWMA.

(c) the Assembly shall not be liable for any animal that may die after it has been impounded or in the course of being impounded.

(i) An owner of any impounded animal may retrieve it on conditions as may be determined by the TWMA.

(ii) Any animal placed in a pound may be detained there until the owner pays to the TWMA a fee covering the impounding and the maintenance of the cattle as may from time to time be fixed by resolution of the TWMA.

2. Prohibition

The rearing and or the keeping of animals in any premises or in any part of the Municipality otherwise than for immediate slaughter or in such public place as the TWMA may provide for that purpose, is forbidden and animals kept in contravention of these Bye-laws may be seized by any person authorized by the TWMA and placed in a pond.

3. Permission to keep animal

Notwithstanding bye-law 2, a person may keep animals within the area of administration of TWMA for domestic, religious or customary purposes upon the conditions that the animals-

(a) Are kept in a kraal which is well maintained and always kept clean; and

(b) Do not constitute a nuisance by such or noise to neighbours; and

(c) Are attended to by veterinary officers or assistants and the owners are to ensure that sanitary rules specified by TWMA are maintained.

4. Cattle breeders

It shall be an offence for cattle owners to bring cattle to the residential areas and the streets. For avoidance of doubt cattle shall be confined to their kraal outside residential and other unauthorized areas.

5. Sale of impounded stray animal

Where the animal remains with the TWMA for seven days or more, the animal shall be sold by public auction and the proceeds paid to the TWMA.

6. Interpretation

In these Bye-laws unless the context otherwise requires-
“Animals includes horse, sheep, goats, cattle, monkeys and pigs”

7. Penalty

Any persons who commits any of the offences shall on conviction be liable to a fine of not less than 100 penalty units and not exceeding 250 penalty units or imprisonment for a term not exceeding 6 months.

8. Application

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

9. Revocation

Any Sanitation Bye-laws within the area of authority of the Assembly in existence immediately before the coming into force of these Bye-laws are hereby revoked.

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Ten

Tema West Municipal Assembly (Control of Dogs and Other pets) Bye-laws, 2020

In the exercise of the powers conferred upon the Tema West Municipal Assembly by Part 181 of the Local Governance Act, 2016 (Act, 936).

Title

This bye-law may be cited as Tema West Municipal Assembly (Control of Dogs and Other pets) Bye-laws, 2020

1. Prohibitions on keeping dogs and pets

(a) A person shall not keep any kind of dog or bitch unless the person applies for and obtain a license from the TWMA to do so;

(b) The health department of TWMA shall before granting a license satisfy itself that the dog has been duly vaccinated against rabies on the production of a signed Certificate issued by the Veterinary Officer to this effect;

(c) The officer from the environmental health department after inspecting and certifying the authenticity of the badge shall provide to the keeper by the Licensing Officer which badge shall be kept on the dog at all times whilst the license remains in force;

(d) A license issued under these Bye-laws shall expire on the 31st December of the year in which it is issued;

(e) The owner shall renew the license by subjecting the animal for another vaccination and follow the same process to renew the license which shall also expire on the 31st December of the year in which it was issued TWMA's role:

2. Stray dogs/pets

(a) A dog in respect of which a license is granted shall be confined in a house by the owner and shall not be allowed to be at large except with the owner or someone and on leash.

(b) It shall be lawful for any Police Officer, Environmental Health Officer, Task Force of TWMA or any person authorized by the TWMA to seize any stray dog found at large and bring it before a Magistrate who may direct that the dog be returned to its owner or assigned to a suitable person or make such order as he may think fit.

3. Keeper of dogs/pets

A person in whose custody, charge or possession or on whose premises a dog is found shall, for the purpose of these Bye-laws, be deemed to be keeper of such dog unless the contrary is provided.

4. Seizure of diseased dogs/pets

(a) An Officer of TWMA authorized in that behalf may seize any dog which is suffering or which he reasonably believes to be suffering from mangle, rabies or other disease within the meaning of the Disease of Animals Act, 1916 (Act 83).

(b) A person who has a dog license in force shall produce it within twenty-four hours on request by an officer of the TWMA in that behalf.

5. Vaccination

A person who keeps a dog shall have it inoculated once every year against rabies at the Department of Animal Health and obtain a Certificate to that in respect of the dog.

6. Offence and penalty

Any person who contravenes any provision of these Bye-laws commits an offence and shall on conviction by a court be liable to a fine of not less than 100 penalty units and not exceeding 250 penalty units or imprisonment for a term not exceeding 6 months.

7. Application

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

8. Revocation

Any Sanitation Bye-laws within the area of authority of the Assembly in existence immediately before the coming into force of these Bye-laws are hereby revoked.

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

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MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Eleven

Tema West Municipal Assembly (Poultry in Dwelling Houses) Bye-laws, 2020

In the exercise of the powers conferred upon the Tema West Municipal Assembly by Part 181 of the Local Governance Act, 2016 (Act, 936).

Title

This bye-law may be cited as Tema West Municipal Assembly (Poultry in Dwelling Houses) Bye-laws, 2020

1. Limitation of poultry in dwelling houses

- (a) Subject to provisions of these Bye-laws, the maximum number of poultry that may be kept in a dwelling house within TWMA's Administration area shall not be more than 50 birds.
- (b) Whenever the sanitary conditions of the poultry cause nuisances, the TWMA shall order its closure.
- (c) The TWMA shall notify the owner and give the owner a written notice of three months to look for an alternative location to keep the poultry.

2. Inspection and impounding of excess poultry

- (a) An officer of the Environmental Health and Sanitation Unit of the TWMA duly authorized to impound excess poultry may at any reasonable time during the day enter and inspect any premises where poultry are kept for purposes of ascertaining the total number of poultry.
- (b) Where the inspection reveals keeping of birds more than the required number, the officer will issue a notice in writing to the owner or the keeper of the poultry which is in excess of the permitted number within 14 days to keep the number within the required limit.
- (c) Where the owner or keeper of the poultry fails to dispose of the excess poultry within the stipulated fourteen days after receipt of a written notice, the authorized officer of the TWMA may impound them.

3. Housing of poultry

An owner or keeper of poultry who contravenes sub-section (1) commits an offence and the court which records the conviction may in addition order the owner or keeper to dispose of the excess poultry within such time as it deems fit.

4. Disposal of droppings

- (a) Litter or droppings cleared from deep litter or battery cases or any other structure housing the poultry shall be disposed of in accordance with the sanitation rules of the TWMA;
- (b) Any such litter or droppings shall not be disposed of in a manner that constitutes a nuisance to residents in the area.

5. Stray poultry

- (a) An owner or keeper of poultry shall not allow his poultry to stray outside the premises owned or occupied by him.
- (b) An officer of the Environmental Health and Sanitation Unit of TWMA duly authorized, may impound any strayed or straying poultry which is found in a public place.

6. Custody of strayed poultry

An owner or occupier of any premises into which poultry stray, may impound them and shall within 24 hours, surrender them to TWMA or arrange for the TWMA or its Environmental Health and Sanitation Unit to take possession of them.

7. Redemption of impounded stray poultry

The owner of any impounded stray poultry may redeem them after paying the requisite fee fixed by a resolution of the TWMA.

8. Failure to pay

- (a) Where the expenses of keeping the poultry is not paid by the owner within 11 days after being impounded, the keeper or other person appointed by the Environmental Health and Sanitation Officer of TWMA shall sell them by public auction and pay the proceeds from these to the finance officer of TWMA, after deducting the expenses incurred for keeping the poultry.

(b) The finance officer of TWMA shall pay the owner of the poultry the amount realized from the sale of the poultry less any expenses incurred by the TWMA for keeping and selling the poultry where the poultry owner demands payment for the poultry sold within twelve months after sale.

9. Power of Health officer to conduct inspection

(a) A duly authorized officer of the TWMA, Ministry of Health and the Ministry of Food and Agriculture may at reasonable time during the day, enter any house in which he has reason to believe that poultry are being kept for the purpose of

(i) Advising or enforcing any Bye-laws relating to sanitation so as to prevent or minimize the spread of livestock diseases particularly those communicable to human.

Or;

(ii) Finding if the conditions under which poultry are being kept to meet the requirement of these Bye-laws.

10. Discretionary powers of TWMA

(a) Notwithstanding the provisions of these Bye-laws the TWMA may, where it is satisfied that sufficient land is available for the purpose, authorize the keeping of poultry in excess of the limit specified in paragraph

(1) subject it to such condition relating to sanitation as it may be reasonably necessary in the public interest.

11. Penalty

(a) Any person who contravenes the provisions of these Bye-laws commits an offence and is liable on summary conviction to a fine of not less than 100 penalty units and not exceeding 250 penalty units or imprisonment for a term not exceeding 6 months.

12. Application

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

13. Revocation

Any Sanitation Bye-laws within the area of authority of the Assembly in existence immediately before the coming into force of these Bye-laws are hereby revoked.

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Twelve

Tema West Municipal Assembly (Communal Labour) Bye-laws, 2020

In the exercise of the powers conferred upon the Tema West Municipal Assembly by Part 181 of the Local

Governance Act, 2016 (Act, 936).

Title

This bye-law may be cited as Tema West Municipal Assembly (Communal Labour) Bye-laws, 2020

1. Organisation of Communal Labour

The TWMA or any Town or Area Council/Unit Committee or any person authorized by the Assembly (hereinafter referred to as the “Organizing Authority”) may from time to time organize communal labour in any town or village or electoral area within the municipality, as the TWMA or Organizing Authority deems necessary.

2. Notice of Communal Labour

(a) The TWMA or Organizing Authority may give at least seven days’ notice to residents of the relevant town or village or electoral area before the date set for the communal labour.

(b) The notices shall take the form of radio, television, posters or using a van with mounted speakers making the announcement at a convenient time as shall be determined by authority of an impending communal labour.

(c) The TWMA or Organizing Authority may, where the circumstances so require give shorter notice as it may determine.

(d) The notice shall include-

(i) The date, time and the place or location where the communal labour is to be organized

(ii) The nature of the communal labour to be undertaken.

3. Qualification

(a) A person of eighteen (18) years up to sixty (60) years resident in the relevant Zonal council, town or community or electoral area shall take part in any communal labour organized under bye-law 12.

(b) The TWMA or Organizing Authority may exempt any person from taking part in a communal labour organised by it if it is satisfied that –

(i) The person is sick

(ii) The person is required to appear before a Court to give evidence or is to help the police in any investigation;

(iii) The person is attending the funeral of his relative or of such person as the TWMA or Organizing Authority may approve; or

(iv) Such persons who are above sixty (60) years.

(v) Aside sub clause (b), persons coming under any of the clause shall give evidence of their condition.

4. Offence and Penalty

(a) A person who contravenes these Bye-laws commits an offence and shall on conviction by a Court be liable to a flat fine of 150 penalty units or to imprisonment for a term not exceeding six months or to both.

(b) A person who, without lawful justification or excuse, the proof of which lies on him incites any person to refuse to take part in any communal labour organized under these Bye-laws commits an offence, and shall be liable on conviction to a fine of 140 penalty units or to imprisonment for a term not exceeding one month or to both.

(c) Subject to sub-section 4 (a) and (b) of this section, the Court may, in addition to any punishment imposed on the offenders, order the persons to undertake the communal labour, determined by the court and request the person to sign a bond to desist from such act in future.

5. Monitoring and Enforcement

It shall be the duty of the Municipality in conjunction with the Assembly Members and Unit Committee to ensure that those residents comply with notices given for the undertaking of communal labour.

6. Application

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

7. Revocation

Any Sanitation Bye-laws within the area of authority of the Assembly in existence immediately before the coming into force of these Bye-laws are hereby revoked.

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Thirteen

Tema West Municipal Assembly (Control of Cemeteries) Bye-laws, 2020

In the exercise of the powers conferred upon the Tema West Municipal Assembly by Part 181 of the Local Governance Act, 2016 (Act, 936).

Title

This bye-law may be cited as Tema West Municipal Assembly (Control of Cemeteries) Bye-laws, 2020

1. Control of cemetery

(a) The TWMA shall for the purpose of these Bye-laws have the control and management of all cemeteries within the Municipality.

(b) In respect of cemeteries owned by Traditional authorities, churches and other religious organizations, private operators, the TWMA shall have a standard code of conditions to be followed by all the organisations.

(c) The Environmental Health and Sanitation Unit shall ensure that all cemeteries under the control of the TWMA are kept neat and tidy at all time.

2. Plan of cemetery

The TWMA shall prepare and or cause to be prepared a plan of the cemetery 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 municipality.

Infant/free burial

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

4. 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.

5. Depth of grave

No grave in TWMA cemetery shall be less than 1.2m deep and this shall have the certification of the Sexton in charge of the cemetery.

6. Register of burials

Each grave space delineated and plotted in the plan provided for in section 13 of these Bye-laws 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 these Bye-laws.

7. Vaults

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

8. Cremation

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

9. Head Stones

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

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

10. Restrictions

(a) No burial shall be allowed without a permit issued by the TWMA after the payment of the requisite fees.

(b) A relative of a deceased person shall apply for a burial permit with a certificate 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 TWMA shall by a special resolution fix the fees payable.

11. Free burials

No free burial shall be allowed without the written authority of the Municipal Chief, Executive, which written authority shall specify the reasons for permitting free burial.

12. Hours of burial

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

13. 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 bye-law 13 shall not attract any fee.

14. Nuisance

A person shall not commit any nuisance in a cemetery.

15. Monitoring and compliance

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

16. Offence and penalty

Any person who contravenes the provisions of this bye-law commits an offence and shall on conviction be liable to a fine not less than 100 penalty units and not exceeding 250 penalty units or imprisonment for a term not exceeding 6 months.

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.....	

17. Application

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

18. Revocation

Any Sanitation Bye-laws within the area of authority of the Assembly in existence immediately before the coming into force of these Bye-laws are hereby revoked.

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED
HON. OSANYONMOR ATIATI PATRICK LAWER
Presiding Member

SIGNED
MOHAMMED ALI AMADU
*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**
Regional Co-ordinating Director and Secretary to R.C.C.

Section Fourteen

Tema West Municipal Assembly (Control of Nuisance) Bye-laws, 2020

In exercise of the powers conferred on the Tema West Municipal Assembly by Part 181 of the Local Governance Act, 2016(Act 936) hereby make these byes -Laws:

Title

This bye-law may be cited as Tema West Municipal Assembly (Control of Nuisance) Bye-laws, 2020

1. Abatement notice

(a) Where the Assembly is satisfied that a nuisance exists, an Environmental Health and Sanitation Of-

officer shall serve a notice (in this bye-law referred to as “Abatement Notice”) after being notified by the Municipality concerned on the person by whose act, default or sufferance the nuisance exists continues, or if, that person cannot be found the owner or occupier of the premises on which the nuisance arises;

(b) An abatement notice shall require the person on whom it is served to abate the nuisance and to execute such works and to take such steps within such period as may be specified in the notice;

(c) The environmental officer who issued the notice shall follow through having regard to the time given to the owner or occupier to abate the nuisance to ensure compliance;

(d) Where the person causing the nuisance cannot be found, and it is clear that the nuisance does not arise or continue by the act, default or sufferance of the owner or occupier of the premises the Assembly may itself take such steps as may be required to abate the nuisance and to prevent a re-occurrence thereof.

2. Nuisance complaint

(a) If the person on whom an abatement notice has been served makes default in complying with any of the requirements of the notice, or if the nuisance although abated since the service of the notice, is in the opinion of the Assembly, likely to re-occur on the same premises, the Assembly shall cause a complaint to be made to a court of competent jurisdiction for summons to be issued requiring such person to appear before such Court to sign a bond that the nuisance shall not re-occur;

(b) Where any person is aggrieved by the existence of any nuisance, after these steps taken above, such person may issue civil summons against the person in respect of the nuisance to a Court of competent jurisdiction requiring the person by whose act, default or sufferance the nuisance arises or continues to appear before such Court to show cause why the person should not be punished.

3. Duty of Occupants to keep premises free from nuisance

(a) The occupier or the owner of a premises shall keep the premises free from nuisance.

(b) Where any premises is a street, the occupier shall keep in clean and free from nuisance.

The gutter, pavement and sidewalk of a premises shall be kept clean.

4. Duty of Environmental Health and Sanitation Officer

The Environmental Health and Sanitation Officer shall inspect premises to ascertain if nuisance exists and enforce the provisions of these Bye-laws.

5. Nuisance orders

(a) Where on the hearing of a complaint made on non-compliance with an Abatement Notice, it is proved that the nuisance exists, or that although abated it is likely to re-occur on the same premises, the Court shall make a Nuisance Order for any of the following purposes;

i. An Abatement Order requiring the defendants to comply with all or any of the requirement of the Abatement Notice, or otherwise to abate the nuisance within a time specified in the Order and to execute any works necessary for that purpose;

ii. A prohibition Order prohibiting a re-occurrence of the nuisance and requiring the defendant within a time specified in the Order to execute any works necessary to prevent a re-occurrence;

iii. A closing Order, prohibiting the use of the premises for human habitation provided that a closing Order shall be made only if the Court is satisfied that by reason of the nuisance, that premises are unfit for human habitation.

(b) Where on the hearing of a complaint made on non-compliance with an Abatement Notice it is proved that the alleged nuisance existed at the date of the making of the complaint it either existed or likely to re-occur the court may order the defendant to pay the Assembly such reasonable sum as the Court may determine in respect of the expenses incurred by the Assembly in or in connection with the making of the complaint and the proceedings before the Court.

(c) If it appears to the Court that the person by whose act, default or sufferance the nuisance arises or

the owner or occupier of the premises cannot be found, the nuisance order may be addressed to and executed by the Assembly.

(d) (i) On the hearing of the complaint, the Court may in addition to making a Nuisance Order impose a fine not exceeding the limit prescribed by the Bye-laws.

(ii) Any person who fails to comply with the Abatement Order shall unless he proves that he has used all due diligence to carry out the Order be liable to such fine and such daily penalty for every day on which the offence continues not exceeding the limit prescribed by the Bye-laws.

(iii) Any person who knowingly contravenes a prohibition or closing Order shall be liable to such daily penalty for every day on which the offence continues not exceeding the limit prescribed by the Bye-laws.

6. Proceedings against several persons

(a) Where a nuisance appears to be wholly or partly caused by the acts or defaults of two or more persons, the Assembly may, in its discretion institute proceedings against the one of, or all of them; any one or more of the persons proceeded against may be ordered to abate the nuisance for as far as it appears to the court to be caused by his or their acts or defaults, or may be prohibited from continuing any acts or defaults which, in the opinion of the court, contribute to the nuisance or may be fined or otherwise punished and the costs may be apportioned as the court may deem fair and reasonable.

(b) Where some or any of the persons, by whose acts or defaults a nuisance has been caused, have been proceeded against, they may without prejudice to any other remedy, recover in a summary manner, from the other persons who were proceeded against, a proportionate part of the costs, of, and incidental to the proceedings and the abatement of the nuisance, and of any fine or costs ordered to be paid in the proceedings.

7. Abatement of nuisance by Assembly

(a) Where a nuisance order has not been complied with the Assembly may abate the nuisance and do whatever may be necessary in the execution of the Order;

(b) Any expenses reasonably incurred by the Assembly in abating, or preventing the recurrence of a nuisance in respect of which a Nuisance Order has been made may be recovered by it.

(c) Where the Assembly proceeds to recover such expenses as aforesaid, the Court may apportion the expenses between persons by whose acts or defaults the nuisance was caused in such manner as the court may deem fair and reasonable.

8. Nuisance arising outside the municipality

Where nuisance within the Municipality appears to be wholly or partly caused by some act or default committed or taking place outside the municipality, the Assembly may take proceedings as if the act or default was committed within the Municipality. Provided that the proceedings may be taken before a court having jurisdiction in the place where the act or default is alleged to be committed.

9. Abatement of nuisance

(a) Without prejudice to the preceding Bye-laws, where the requirements of the Abatement Notice have not been complied with the Assembly may abate the nuisance.

(b) The Environmental Health Officers in conjunction with the municipal guards shall monitor persons served with abatement notice to ensure compliance with the orders so issued and further check the various levels of noise.

10. Offence and Penalty

Any person who fails without reasonable excuse (the proof of which shall lie on such person) to comply with any of the requirements of the Abatement Notice served on him shall be liable to a fine of not less than 170 penalty units or imprisonment for a term not exceeding 6 months and to a further fine of 1

penalty unit for each day on which the offence continues after the conviction of the defaulter.

11. Interpretation

In these Bye-laws unless the context otherwise so requires “Nuisance” includes:

- (i) Any premises in such a state as to be prejudicial to health, life and property.
- (ii) Any animal kept in such a state as to be prejudicial to health;
- (iii) Any accumulation or deposit which is prejudicial to health, and
- (iv) Any dust or effluvia caused by any trade, industry and being prejudicial to the health of the inhabitants of the neighbourhood.

12. Application

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

13. Revocation

Any Sanitation Bye-laws within the area of authority of the Assembly in existence immediately before the coming into force of these Bye-laws are hereby revoked.

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Fifteen

Tema West Municipal Assembly (Control of Noise) Bye-laws, 2020

In exercise of the powers conferred on the Tema West Municipal Assembly by Part 181 of the Local Governance Act, 2016 (Act 936) hereby make these Bye-laws:

Title

This bye-law may be cited as Tema West Municipal Assembly (Control of Noise) Bye-laws, 2020

1. Place for sale of recorded music

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

2. License

(a) The prospective operator shall apply in writing to the TWMA to inspect the premises designated for the sale of musical records or other recorded music and assess the place before granting a license;

(b) The TWMA shall prescribe conditions for the applicant to fulfil before issuing the license. The conditions include complying with the noise level permitted under the law and putting in place a sound proof structure.

(c) A license issued shall expire on the 31st day of December in the year in which the license was

issued.

3. Withdrawal of license

The TWMA may withdraw a license issued under these Bye-laws where the owner of the premises-

- (a) After the issue of the license makes an unauthorized alteration to any sound-proofed structure;
- (b) Is convicted of any offence under these Bye-laws or
- (c) Conducts the business to pollute the environment.

4. Facilities for listening

Premises issued with a license for the sale of musical records or other recorded music there shall have such gadgets and instruments to eliminate any loud noise to the public.

5. Music played for advertisement

(a) A person shall not play or cause the playing of recorded music or recorded advertisement in public for the purpose of advertisement in such manner as to cause disturbance or nuisance to the public. For purposes of this bye-law, the noise produced shall not exceed the permitted level under the law;

(b) A person who flouts section 15(5) shall be liable to pay a fine of 100 penalty units.

(c) The TWMA shall set up a task force to ensure compliance with this bye-law with powers to confiscate all materials being used by the person. The task force shall be based at the zonal council.

(d) A person whose materials are confiscated shall within 7 days pay the appropriate penalty and further undertakes in writing that he or she shall not flout section 15(5);

(e) If after the written undertaken, the breach continues, the TWMA shall revoke the license granted to the person.

6. Music at night club and other places

(a) A proprietor of a night club, restaurant, drinking bar or other place of refreshment shall not play any music at the place so loudly as to cause disturbance or nuisance (i.e. above the permitted noise level under the law) to residents in the area.

(b) Where recorded music is provided in a night club, restaurant, drinking bar, hotel or other place of refreshment or entertainment, the sound effect of the music shall remain and be heard only within the confines of the place.

(c) In the case open areas, the proprietor shall play music only at the permitted noise levels;

(d) A person who plays a recorded music or live music at a funeral ground must not play music above the noise level required under the law.

(e) The TWMA shall set a task force to monitor operators' compliance with the provisions of these Bye-laws at the municipality.

7. Religious institutions

(a) A church conducting a religious service shall not play any music or allow any music to be played or preach or pray at the service so loudly as to cause disturbances or nuisance to residents in an area.

(b) Where music is played in a religious institution, the sound effect of the music shall remain within the confines of the buildings.

(c) For the purposes of section 15(7), religious institutions must acquire sound insulators to enable the sound produced stay within the permitted sound level required under the law.

(d) A person conducting a religious service where music is to be played or preaching of sermons shall be between 6 a.m. to 10 p.m.

(e) Where a religious institution organizes an all-night service, it shall have the facilities and gadgets to ensure that the sound effect of the music and any activity remains within the confines of the building.

(f) Any religious institutions shall not use loud speakers for call to worship and religious preaching between the hours of 10 p.m. and 5 a.m.

8. Excessive noise levels

(a) Where a religious institution, an individual, a music shop or a disc jockey flouts the bye-law on noise making, by making excessive noise, a person affected or the task force set up under these Bye-laws shall set out to investigate the complaint;

(b) The Environmental Health and Sanitation Unit in conjunction with the task force must first investigate the complaint by conducting independent checks. Where it is established that the noise is a nuisance the department will contact the offender with an abatement notice if necessary, drawing the attention to the provisions of the Bye-laws and warned to abate the nuisance.

(c) If the offender fails to comply with the notice, the TWMA shall impose a fine of 100 penalty units on the offender;

(d) If after the payment of the fine the nuisance continues the TWMA and the complainant shall start proceedings against the offender in a Circuit or High Court by first obtaining an injunction against the offender.

9. Public preaching at Central Business District

(a) To forestall persistent overcrowding and congestions on the streets, pavement and pedestrian walkways in the central business district of TWMA, public preaching and or playing or religious audio and video tape with message of Evangelistic nature for the purposes of propagation of a religion is not permitted at the central business district of TWMA between the hours of 7 a.m. to 5 p.m.;

(b) For the purposes of the provision in the preceding paragraph, the areas constituting the central business district shall as specified in the schedule of these Bye-laws unless the TWMA in its discretion determines otherwise.

10. Noise near hospital and public places

A person shall not within one hundred meters of a hospital, clinic, maternity house or other place used for the reception or treatment of the sick, or any public library place of worship, place of public assembly office or public holding.

(a) Sound or play upon or blow any musical or noisy instrument;

(b) Sound or blow the horn of a motor vehicle unnecessarily or

(c) Make any noise which is a nuisance in any street, open space or other public place.

11. Noise near other premises

A person shall not in any street, open space or other public place or in connection with any shop, business premises or other place which adjoins any street, footway, pavement, sidewalk or other public place to which the public are admitted, or

(a) in or upon any other premises operating or causing or permitting or suffering to be operated any wireless, loud speaker, gramophone, amplifier or similar instruments make or cause or permit or suffer to be made any noise which shall be so loud and so continuous or repeated as to cause a nuisance or disturbance to the occupants or inmates of any premises in the neighbourhoods;

(b) For purposes of the provision in the preceding section the use of mounted loud speakers at vehicle terminals shall strictly comply with the permitted noise level.

12. A person shall not within one hundred meters of any shop, dwelling house, office or other premises, sound or play upon any musical or noisy instrument or sing or shout or blow the horn of any motor vehicle unnecessarily in any street to the annoyance or disturbance of any inmate or occupant thereof.

13. Noisy animals

A person shall not keep within any house, building or other premises any animal which shall be or cause a nuisance to residents of other premises in the neighbourhood.

14. Noisy hawking

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 police officer or the task force established under this bye-law.

15. Offence and penalty

(a) A person who contravenes any of these Bye-laws or any condition attached to a license hereunder shall be guilty of an offence and liable on conviction to a fine of not less than 100 penalty units and not exceeding 250 penalty units or imprisonment for a term not exceeding 6 months or both or;

(b) In the case of a continuing offence, the offender is liable to additional one penalty unit in respect of each day on which the offence continues.

16. Application

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

17. Revocation

Any Sanitation Bye-laws within the area of authority of the Assembly in existence immediately before the coming into force of these Bye-laws are hereby revoked.

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Sixteen

Tema West Municipal Assembly (Building) Bye-laws, 2020

In exercise of the powers conferred on the Tema West Municipal Assembly by Part 181 of the Local Government Act, 2016 (Act 936) hereby make these Bye-laws: and in addition to the provisions of National Building Regulations, 1996, L.I. 1630, hereby make these Bye-laws:

Title

This bye-law may be cited as Tema West Municipal Assembly (Building) Bye-laws, 2020

1. Building permit

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

its development.

(b) The prospective developer shall purchase a set of application forms and complete same for consideration by the TWMA

(c) A person upon completion of a building shall obtain Certificate of Habitation from TWMA before taken residence.

2. Application

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

i) Evidence of title to the land to be developed,

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

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

3. Inspection of site

(a) On receipt of the application form, the physical planning department of the TWMA together with the applicant shall proceed to the site of the proposed development within one week and inspect the area earmarked for the development,

(b) Where the applicant's building will obstruct the flow of water, drain and other elements or sit in a road or part of it and or for any other reason, the TWMA shall refuse the granting of the permit and notify the applicant in writing the reason(s) for refusing the application.

(c) The TWMA shall monitor and ensure that such a person does not develop the proposed site.

(d) The TWMA 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

4. Development without a permit

(a) This bye-law applies if building work to which these Bye-laws apply has been carried out without a building permit.

(b) The TWMA 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,

(c) The said applicant shall pay a fine of 50-500 penalty units and purchase the application forms and follow the procedure spelt out above,

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

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

(f) A building permit is to ensure that the work complies with each relevant requirement of this bye-law and the National Building regulations.

5. Consideration of factors for the grant

(a) For the purposes of granting the building permit the TWMA shall take into consideration the following factors;

i) There are appropriate provisions for the early warning of fire; and the appropriate means of escape

in case of fire;

- (ii) Faecal containment structure placement in the house;
- (iii) Waste water discharge from the house;
- (iv) Drainage systems and adequate provision for toilets and baths in the house
- (b) The TWMA shall ensure that the construction of drainage systems shall substantially affect the granting of the building permit.

(c) The TWMA shall ensure that no drainage system constructed by a landlord shall flood and cause nuisance to the neighbourhood. 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.

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

6. Ventilation

- (a) A building must have adequate ventilation and lighting for people in it.
- (b) Section 16 (6) does not apply to a building or space within a building that is used solely for storage or is a garage.

7. Access

The TWMA 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.

8. Interpretation

- (a) In these Bye-laws, unless the context otherwise requires –

“Building” means–

- (i) A permanent or temporary structure with a roof;
- (ii) A part of a building;
- (iii) “Building permit” means a license that authorises work to be carried out for which authority is required in pursuance of a provision of these Bye-laws;

“adequate ventilation” means the kind of ventilation as elaborated in the building regulations LI 1630;

“TWMA” means Tema West Municipal Assembly; title means an acceptable documentary proof of ownership which shall include a lease, an allocation note with a site plan, and a devise in a will among others.

9. Application

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

10. Revocation

Any Sanitation Bye-laws within the area of authority of the Assembly in existence immediately before the coming into force of these Bye-laws are hereby revoked.

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Seventeen

Tema West Municipal Assembly (House Owners and Occupier) Bye-laws, 2020

In exercise of the powers conferred on the Tema West Municipal Assembly by Part 181 of the Local Governance Act, 2016 (Act 936) hereby make these Bye-laws:

Title

This bye-law may be cited as Tema West Municipal Assembly (House owners and Occupants) Bye-laws, 2020

1. Responsibility

(a) Every house owner/occupier shall clear and keep clean all gutters public or private in or around the premises.

(b) House owner/occupier shall fix an electric bulb or security lights on the four external sides of the premises. Hideous

2. Construction across public way

(a) A house owner/occupier shall not construct a gutter, catch pits, soakaways, drainage or lay a pipeline across a public way such as road or street except with the prior approval of the Municipal Roads Engineer.

(b) The house owner or occupier before undertaking any such construction envisaged under Section 17(2) shall apply to the Municipal Roads Engineer in writing stating the reasons for such activity;

(c) The department on receipt of the application shall proceed to the location to ascertain the facts on the ground and make a determination on the application;

(d) Where the application is granted, the department shall supervise the construction to suit the specifications so given by the department.

3. Aesthetic Outlook of the Building

House owners/occupiers shall ensure that the building has to be clean and appealing at all times.

4. Undeveloped plots

(a) The owner or occupier of an undeveloped plot shall keep it clear of weeds and refuse at all times;

(b) Where the area is not kept tidy and becomes weedy, the Environmental Health and Sanitation Officer for the area concerned shall serve a written notice on the land owner or occupier who fails to comply with Section 17 (4) to remedy the situation within seven days of the service of the notice.

(c) Where the land owner or occupier fails to remedy the wrong, it shall constitute a breach and the Environmental Health Sanitation Officer shall issue a criminal summons against the land owner or the occupier for failing to clear the land of any weed, refuses and or rubbish.

5. Prohibition

(a) A house owner(s)/occupier(s) shall not create a refuse dump in or immediately outside the premises.

(b) A house owner or occupier shall not burn refuse irrespective of the nature of the house.

(c) All house owners/occupiers shall get their cesspit emptied regularly to avoid causing nuisance to the neighbourhood.

(d) A house owner or occupier shall not under any circumstances dispose of effluent or other waste materials into gutters.

(e) The use of bucket latrine is strictly prohibited in the Municipality

(f) The removal of faecal matter from all premises shall be the responsibility of the house owner or

occupier. Any occupier who fails to remove any faecal matter from his premises when it is full commits an offence

(g) A house owner or occupier who empties the cesspit tank or other waste materials into a drain shall be liable on conviction to a flat fine of 120 penalty units.

(h) The house owner or occupier shall within 24 hours abate the nuisance to the satisfaction of the Environmental Health and Sanitation Officer

6. Drainage

(a) House owners or occupiers shall provide proper and adequate system of drainage for the discharge of their waste water to external drainage system;

(b) Where a house owner or occupier faces a difficulty in effectively discharging waste water, a report of the situation shall be made to the departments of Environmental Health and Sanitation Unit and the Works to offer technical advice to resolve the problem;

(c) Any cost involved in rectifying the situation shall be borne by the house owner or the occupier.

(d) Disposal of storm water shall be based on gravity flow principle. The downhill house owner shall permit the channelling of storm water from the uphill house under the supervision of health authorities

7. Offence and Penalty

(a) It shall be an offence for a house owner to construct a house without a kitchen, adequate toilets and bathroom(s).

(b) For buildings that already exist without toilets, house owner or occupier shall seek technical support and information from environmental, waste management and works departments of TWMA to ensure the construction of toilet in the house.

(c) Any person who contravenes any of these Bye-laws shall be guilty of an offence and shall be liable on conviction by a court to a fine of not less than 100 penalty units and not exceeding 250 penalty units or imprisonment for a term not exceeding 6 months or both

8. Interpretation

In these Bye-laws unless the context otherwise requires-

“TWMA” means Tema West Municipal Assembly, “Occupier” means any person who acts as a caretaker of any premises or is in occupation of premises.

“Around premises” means the area or space immediately outside the main outlay of the premises.

“Immediately outside the main outlay of the premise” means 7 feet from the premise

“Adequate Toilet” means toilets accessible to all occupiers in the house

9. Application

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

10. Revocation

Any Sanitation Bye-laws within the area of authority of the Assembly in existence immediately before the coming into force of these Bye-laws are hereby revoked.

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Eighteen

Tema West Municipal Assembly (Unauthorized Development) Bye-laws, 2020

In exercise of the powers conferred on the Tema West Municipal Assembly by Part 104 of the Local Governance Act, 2016 (Act 936) hereby make this bye -Laws:

Title

This bye-law may be cited as Tema West Municipal Assembly (Unauthorised Development) Bye-laws, 2020

1. Unauthorised structures

- (a) The Tema West Municipal Assembly may order the destruction or removal of any unauthorized structure(s) attached to any property or structure in the municipal.
- (b) Where packing cases are arranged in front of a building in such a way that-
 - (i) They constitute a danger or obstruction to any person, or
 - (ii) They provide accommodation of a sort for a person, animal or thing, they shall be removed without notice.

2. No posters at unauthorized places

- (a) No posters, bills, placards, paper sheets or other materials used for advertisement or notices shall be posted or stack on any wall, tree, electric poles or fixtures other than-
 - (i) Spaces specifically provided or approved by the TWMA for such purposes; or
 - (ii) Property owned or otherwise possessed or occupied by the advertiser.
 - (iii) This section shall not apply to advertisement or posters for elections or other such occasions initiated by the Government except that the Electoral Commission shall liaised with the TWMA on how election posters and banners shall be posted.
 - (iv) The TWMA shall cause people who disregard the pasting of notices at appropriate places to clean the area where the notices or advertisement have been pasted.
 - (v) For purposes of Section 18, the Security department of the TWMA shall monitor the compliance of sub-section (2).

3. Prohibition

- (a) To improve the scenic beauty of the Municipal it shall be an offence for a person to construct a structure attached to a building or along streets without a written permission from the planning department of TWMA;
- (b) Where such structures exist without the written consent, the TWMA shall notify the owner or occupier to remove same where it is located at an unauthorized place. The TWMA's written notice shall state the period required to remove the structure;
- (c) If the owner or occupier fails to remove the unauthorized structure, after the requisite notice has elapsed, the TWMA shall remove the structure and surcharge the owner or occupier with the cost of removing the structure;
- (d) Where the structure's location is appropriate, but had no permission to build, the owner or occupier shall pay a penalty of 150 penalty units to the T.W.M.A;

(e) Any person who violate section 17 shall be guilty of an offence and shall be liable on summary conviction to a fine of not less than 100 penalty units and not exceeding 250 penalty units or imprisonment for a term not exceeding 6 months or both.

4. Frontage of buildings

(a) The frontage of every commercial or industrial building shall be concreted, cemented or otherwise solidly paved, slabbed, tiled or culverted by the owner or occupier to the satisfaction of the TWMA engineer who shall provide guidelines and directions for such work.

(b) Where the owner or occupier of a commercial or industrial building does not comply with the provision of these Bye-laws the Engineer or the Physical Planning Officer shall serve a written notice given the owner or occupier fourteen days to undertake the work;

(c) Where after the notice the owner fails to undertake the work, the TWMA shall do so and recover the cost from the owner or occupier of the building concerned together with a punitive penalty of 250 penalty units;

(d) Owners or occupiers of stores, shops, stall and markets spaces shall keep their doors and frontage clean and clear of filth;

(e) Where a person is permitted or otherwise licensed to trade, work or use for any purpose the frontage of a building, the owner or occupier of the building or other licensor shall be solely or jointly liable with the licensee for the default of that person under this sub-section.

5. No liability

No person authorized by the Assembly to destroy, remove or otherwise dispose of anything under these Bye-laws shall be liable to any person for any loss whether sustained thereby.

6. Offence and Penalty

Except where penalty is expressly provided, any infringement or breach of any of these Bye-laws may be met with abatement by the Assembly with or without notice or be punishable by a fine of not less than 100 penalty units and not exceeding 250 penalty units or imprisonment for a term not exceeding 6 months.

7. Interpretation

In these Bye-laws unless the context otherwise requires-

“Building” means any structure whatsoever and includes stalls, kiosk, restaurants and bars.

“Goods” include things and articles of any kind.

“Vehicles” include trucks, cranes, lorries, cars, motor cycles, tricycle, bicycles, carts and wagons.

“Frontage” includes veranda and porch, and “Road” includes street, kerb, pavement, side walk, footpath.

8. Application

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

9. Revocation

Any Sanitation Bye-laws within the area of authority of the Assembly in existence immediately before the coming into force of these Bye-laws are hereby revoked.

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Nineteen

Tema West Municipal Assembly (Control of Economic Trees) Bye-laws, 2020

In exercise of the powers conferred on the Tema West Municipal Assembly by Part 181 of the Local Governance Act, 2016 (Act 936), hereby make this bye-law;

Title

This bye-law may be cited as Tema West Municipal Assembly (Control of economic trees) Bye-laws, 2020

1. Prohibition & Permit

(a) A person shall not cut down any economic tree in the Municipality unless the person first obtains a permit in writing to do so from the department of natural resources conservation, forestry, and game and wildlife division of the TWMA or with the written permit of the Lands Commission in the case of timber concessions.

(b) An application shall be made in writing to the environmental department of the TWMA and shall state the reason for cutting down such economic tree(s).

2. Duration and Conditions of grant

(a) A permit granted under this bye-law shall expire immediately that economic tree has been cut.

(b) The permit granted shall include a provision on replanting of an economic tree at the spot where it was cut and supervised by a designated officer from the Department of Natural Resources Conservation, Forestry, Game and Wildlife Division from TWMA who shall report the planting of the tree to a committee to be appointed by the Assembly

3. Trees to be replanted

A person granted a permit under this bye-law to cut an economic tree shall replant a tree of the same or similar stock within 30 days at the spot or in the vicinity where the tree is cut.

4. Fees

The TWMA shall by a resolution fix the fees payable for the issuance of the permit.

5. Offences

A person who contravenes any provision of this bye-law commits an offence and shall be liable on conviction to a fine of not less than 160 penalty units or to a term of imprisonment not exceeding 6 months or both.

6. Interpretations

In this bye-law unless the context otherwise requires; “economic tree” means any tree which provides any form of benefit to the Municipality, TWMA means Tema West Municipal Assembly.

7. Application

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

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Twenty

Tema West Municipal Assembly (Wetlands Protection) Bye-laws, 2020

In exercise of the powers on the Tema West Municipal Assembly by Part 104 of the Local Governance Act, 2016 (Act 936) hereby made this bye-law:

Title

This bye-law may be cited as Tema West Municipal Assembly (Wetland Protection) Bye-laws, 2020

1. Establishment of Wetlands

(a) The TWMA hereby establishes the Wetlands Protection bye-law to protect the wetlands, water resources, and adjoining land areas under the jurisdiction of the TWMA

(b) For purposes of this bye-law, the TWMA shall collaborate with the Lands Commission, Environmental Protection Agency and Water Resources Commission in the Region to collect the data on wetlands, water resources and its adjoining lands.

(c) Upon ascertaining the areas the TWMA shall proceed to publish in a paper that circulates in the Municipality, the electronic and print media all the areas concerned and inform the general public that no development shall take place in the designated area.

(d) The TWMA shall also erect a sign post at the site showing the demarcation of the area on the sign post.

(e) The TWMA 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.

(f) 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.

2. Discussions with traditional authority

(a) The TWMA 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.

3. Prohibition

(a) The TWMA 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.

4. Exception

(a) The TWMA 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 TWMA at least 72 hours prior to the work being undertaken.

(b) The TWMA 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.

5. Monitoring and enforcement

(a) The TWMA shall form a standing committee consisting of the seven persons namely the Coordinating Director or his deputy, the Solicitor, the Head of Physical Planning, the head of Disaster prevention and management department, the head of Environmental Health and Sanitation, one person each from the Environmental Protection Agency and Water Resources Commission to ensure the compliance of these bye-law by the traditional authorities and the prospective developers.

(b) The TWMA shall pay periodic visits to the sites designated as wetlands and natural resources areas to ensure that the areas are not being degraded.

(c) 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.

(d) The TWMA on receipt of the evidence shall have authority to enforce these bye-law by issuing a violation notice(s) or administrative orders to restore the area to its original position. (e) Where the violation continues, the TWMA shall institute both civil and criminal action to restrain the continuous degradation of the wetlands or the natural resource.

(f) The city guards or Environmental Health officer of the TWMA, including any police officer or other officer having police powers, shall have authority to assist the committee to end in enforcement of these Bye-laws.

6. Offence and penalty

Any person who violates any provision of these bye-law or administrative orders issued thereunder, shall be punished by a fine of not less than 120 penalty units. 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 10 penalty unit per day

7. Interpretation

In these Bye-laws, TWMA means Tema West Municipal 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.

8. Application

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

9. Revocation

Any Sanitation Bye-laws within the area of authority of the Assembly in existence immediately before Bye-laws are hereby revoked

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Twenty-one Tema West Municipal Assembly

(Hotels, Restaurant, Drinking bars and Eating Joints or Chop Bars) Bye-laws, 2020

In exercise of the powers on the Tema West Municipal Assembly by Part 104 of the Local Governance Act, 2016 (Act 936) hereby made these bye-law:

Title

These bye-law may be cited as Tema West Municipal Assembly (Hotels, Restaurants, drinking spot, eating joints or chop bars) Bye-laws, 2020

1. License

- (a) A person shall not designate a place as a hotel, motel, guest house, restaurant, drinking bar eating joints or chop bar, unless the premises has been approved and licensed by the TWMA for that purpose.
- (b) A license issued under these Bye-laws is subject to such conditions as the TWMA shall impose;
- (c) A license issued shall take effect from the date on which it is granted and shall expired on the 31st day of December in the year in which the license is issued.
- (d) Every license granted shall be personal to the licensee only and not transferable.

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

- (a) A hotel, motel, guest house, restaurant, eating joint or chop or drinking bar premises shall provide the following:
 - i. a separate room used solely as a public eating room
 - ii. a separate kitchen used solely for cooking and for the preparation of food and liquid refreshment for use in the premises aforementioned;
 - iii. a separate lavatory for male and female;
 - iv. a separate changing/cloak room for male and female

3. Requirement as to public eating room

- (a) A public eating-room in the premises aforementioned shall have the minimum dimensions of not less than five meters long, four meters wide and four meters high. The minimum requirements so stated may change having regard to the circumstances of the case.
- (b) The floor of every public eating-room shall have a minimum of concrete floor and the wall, capable of being washed or painted.
- (c) The proprietor of public eating-room shall provide adequate lighting, ventilation and keep the premises clean at all times.
- (d) The eating room shall be fly proof
- (e) 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.
- (f) The licensee shall further provide adequately covered receptacles for storage and the disposal of re-

fuse and maintain the kitchen to ensure cleanliness of the premises.

4. Washing of plates and others

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

5. Infected Person

(a) A licensee shall not permit any person suffering from an infectious or contagious disease to take part in the preparation or serving of food or in connection with the hotel, restaurant, eating-house or chop bar/drinking bar section

(b) To ensure compliance with sub-section 5(a) above, the licensee shall furnish the TWMA with a medical report of the licensees' workers issued by the medical officer of TWMA 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.

6. Nuisance

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

7. Obstruction

A person shall not obstruct or resist an Environmental Health officer or any other person appointed by the TWMA and acting in the performance of duties relating to any of the purposes of this bye-law.

8. Withdrawal of license

(a) The TWMA in its discretion may withdraw a license issued under this bye-law if;

i. An alteration is made to any premises licensed hereunder without the permission of the TWMA;

ii. If the licensee operates contrary to the provisions of these Bye-laws

iii. If the licensee is convicted of any of the offences under these bye-law;

(b) A licensee whose license is revoked shall apply for a fresh license to operate the premises as such after satisfying all the conditions of the TWMA in respect of operating premises as a hotel, restaurant, food joint or a chop bar or drinking bar.

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

9. Appeal

(a) A person dissatisfied with the revocation of a license shall within 7 days from the day of the decision appeal to the M.C.E. for a redress.

(b) The M.C.E on receipt of same shall constitute a panel of three comprising the Solicitor of the TWMA, the heads of the planning and environmental health departments of the TWMA who shall hear the appeal and report to the M.C.E. within two weeks with their recommendations.

(c) The M.C.E. on receipt of the recommendations shall accept, reject or modify the committee's recommendations and notify the appellant in writing of the decision taken by the M.C.E. containing the recommendations.

10. Offence and Penalty

A person found guilty of a breach of any of this bye-law or a license granted hereunder shall be liable on conviction to a fine of not less than 170 penalty units and not exceeding 250 penalty units or in default of payment to imprisonment for a term not exceeding six months or both.

11. A place where food is prepared or cooked or liquid refreshment is provided for sale to the public for consumption on the premises shall be deemed to be a restaurant or eating-house for the purpose of this bye-law.

12. Interpretation

In these Bye-laws unless the context otherwise requires;

TWMA means Tema West Municipal Assembly, M.C.E. means the Municipal Chief Executive, Hotel shall include motel and guest house

13. Application

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

14. Revocation

Any Sanitation Bye-laws within the area of authority of the Assembly in existence immediately before the coming into force of these Bye-laws are hereby revoked

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Twenty-two

Tema West Municipal Assembly

(Billboards or Sign-Boards and Advertising) Bye-laws, 2020.

In exercise of the powers on the Tema West Municipal Assembly by Part 181 of the Local Governance Act, 2016 (Act 936) hereby made this bye-law:

Title

These bye-law may be cited as Tema West Municipal Assembly (Billboards or Sign-boards and Advertising) Bye-laws, 2020

1. License

(a) A person shall not erect, site or hang a billboard or sign-board or paint a building or any open space for purposes of advertising within the area of authority of the Assembly unless the person first obtains a license from the TWMA for that purpose.

(b) The prospective applicant must first present an application to the TWMA spelling out the kind of billboard, signboard or the advert to be placed out. The application shall contain a sketch showing the sizes, heights and structural character of the advert.

(c) The TWMA shall vet the application by considering among others the location, size and its propriety before issuing a license for the advert after the payment of the appropriate fees fixed by a resolution of the TWMA

(d) A license issued under these bye-law shall expire on the 31st day of December of the year in which it was granted, but in the case of a banner or a sign-board for an occasion the license shall expire after the period specified.

(e) The TWMA shall grant the license upon the payment of the fees fixed by the resolution of the TWMA;

(f) The prospective applicant shall display the number allotted by the TWMA, failure of which the TWMA shall notify the owner to display the number within three days. If this is not done the advert shall be removed without any further notice to the person who placed it out and the cost of removal surcharge on the owner.

2. Dilapidated billboards and sign-boards

(a) Billboards, sign-boards or any advert that have become dilapidated or expired with time shall either be replaced or removed by the owners thereof.

(b) Where the owners of dilapidated or expired bill, sign-boards or advert take no steps to either replace or remove, the same the TWMA may on its own order its removal and thereafter impose a penalty on the defaulting owners.

3. Designated Locations

(a) The TWMA reserves the right to determine the specific location or area suitable for the erection of one or more reflector directional sign-boards.

(b) To avoid a cluster of directional sign-boards in an area the Assembly may make provision for one general directional sign-board to accommodate the lot.

(c) In such a situation the TWMA shall approve of a recognized individual or company with the requisite know-how after a public invitation to express interest to undertake the provision of the general reflector sign-board based upon a dimension approved by the Municipal Roads Department in conjunction with the relevant Department of the Assembly.

(d) A prospective advertiser shall not choose a site for the erection of a bill or sign-board unless it has been inspected and approved by the department of physical planning of the TWMA

(e) The TWMA shall at a fee to be determined by the resolution of the Assembly provide spaces within the municipality for posters.

(f) A poster pasted at an unauthorized location shall attract a spot fine of 100 penalty units and the owner of the poster made to remove same failure of which shall attract criminal prosecution.

4. Erection of boards without authority

Where a bill or sign-board is erected without a license from the TWMA, it shall levy the owner as follows-

a. The payment of the approved fees and a penalty of 60% of the fees payable shall be imposed on the owner thereof if, in the opinion of the TWMA the bill or sign-board is suitably located. The owner of such a sign shall regularize his application to the TWMA within seven days (7) of the owner being notified in writing.

b. The bill or sign-board shall be removed without notice if in the opinion of the TWMA it is wrongly located and surcharge the owner with the cost.

c. For the purpose of this bye-law, a house or any open space painted with any product shall constitute an advertisement and the provisions of this bye-law shall apply to same.

5. Offences and Penalty

Any person who contravenes any provision of these Bye-laws commits an offence and shall on conviction by a court be liable to a fine of not less than 120 penalty units and not exceeding 250 penalty units or imprisonment for a term not exceeding 6 months.

6. Prohibition

An advert shall not be erected on any electricity pole. An advert placed there shall be removed and the owner surcharged with the cost of removing the advert.

7. Enforcement and Monitoring

(a) The department of physical planning and the municipal guards shall ensure the compliance and enforcement of the provisions of this bye-law.

(b) For purposes of sub-section 7(a), the enforcement team has power to remove any signboard or billboard wrongly located.

8. Interpretation

Within the meaning of these Bye-laws “a bill, sign-board” or ‘an advert’ includes a banner or placard made from cloth, wood or metal for occasions like funeral, procession, religious or secular activity or a house or store or an open space painted for promoting a product and includes a poster; and a “bill or sign-board” is dilapidated if the message contained thereon has expired or has become obliterated or it has fallen into a state of disrepair with parts falling into pieces, TWMA means Tema West Municipal Assembly.

9. Application

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

10. Revocation

Any Sanitation Bye-laws within the area of authority of the Assembly in existence immediately before the coming into force of these Bye-laws are hereby revoked

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Twenty-three

Tema West Municipal Assembly

(Control of Commercial Entertainment Centers for Children) Bye-laws, 2020

In exercise of the powers on the Tema West Municipal Assembly by Part 181 of the Local Governance Act, 2016 (Act 936) hereby made this bye-law:

Title

This bye-law may be cited as Tema West Municipal Assembly (Control of Commercial Entertainment Centers for Children) Bye-laws, 2020

1. License

(a) Any person or entity operating a commercial entertainment center for children shall take out a license

from the TWMA before operating same.

(b) A prospective operator of an entertainment center shall apply to the TWMA for the issuance of a license to operate the center.

(c) The TWMA shall issue out licenses to established centers upon a recommendation by the Department of Social Welfare and Community Development of the Assembly after deliberations with the building inspector of the Assembly, and a Fire Officer from the fire service.

(d) The TWMA shall by a resolution fix the fees for the issuance of the license.

(e) The Social Welfare Officer, Environmental Health and Sanitation Officer the building inspector and the fire service officer who shall examine all applications and advise the Assembly whether to issue the license or not to the applicant.

2. Safety and security of the Center:

(a) In considering the suitability of the location of the centre, the Assembly shall take into consideration, the location of the centre, the accessibility and security of the premises so used. No centre shall operate from a home.

(b) The Assembly shall before be granting and or renewing a license to a centre, examine the premises to ascertain the suitability in the nature of spacious premises, good ventilation and adequate firefighting equipment to ensure the safety of the premises to be used.

(c) Where there are defects at the centres premises, the officials of TWMA shall inform the operator to remedy whatever defects detected by the inspection team before renewing or granting a new license.

(d) The operator of the center shall not produce excessive noise so as to cause nuisance to the neighborhood. The center shall observe all the rules on abatement of noise provided under TWMA's Bye-laws.

3. Protection of Children

(a) an entertainment center shall be used to screen games for children.

(b) games depicting gambling, prostitution, smoking, drinking and any other unhealthy and unacceptable behaviour shall not be screened to the children to expose them to physical, psychological, emotional and moral dangers.

(c) A child below the age of sixteen (16) years shall not patronize an entertainment centre during school hours except during weekends and holidays and shall be accompanied by a responsible adult.

(d) A child shall not attend any center after 6.00 pm unaccompanied by a responsible adult.

4. Monitoring and Enforcement

(a) The Social Welfare Officers of the Assembly and officials of the Municipal Guards shall monitor compliance of these bye-law to ensure the safety of the children.

(b) The Social Welfare Staff and the Municipal Guards shall pay periodic visits to these centres to inspect the premises and also ascertain compliance under this bye-law.

5. Penalties and Offences

(a) Any person who violates any provision of these bye-law or administrative orders issued hereunder, commits an offence and is punishable by a fine of 100 penalty units.

(b) The owner after the payment of the fine shall make an undertaking to comply strictly with the provisions of these bye-law in the interest of the children.

(c) A subsequent breach by the centre's operator will amount to a revocation of the centres license which shall only be restored, through a thorough assessment by the team of inspectors named in these bye-law.

6. Interpretation

In these bye-law, TWMA means Tema West Municipal Assembly, children mean those less than 16

years, Commercial Entertainment Centre means video or game center.

7 Application

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

8. Revocation

Any Sanitation Bye-laws within the area of authority of the Assembly in existence immediately before the coming into force of these Bye-laws are hereby revoked

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Twenty-four

Tema West Municipal Assembly (Profession, Business and Trade) Bye-laws, 2020

In exercise of the powers on the Tema West Municipal Assembly by Part 181 of the Local Governance Act, 2016 (Act 936) hereby made this bye-law:

Title

This bye-law may be cited as Tema West Municipal Assembly (Profession, Business and Trade) Bye-laws, 2020.

1. Permit

(a) A person shall not carry on any profession, occupation, trade or business in or upon any premises or land in the Municipality unless the TWMA has issued a license in respect of such premises.

(b) A Permit granted under these Bye-laws shall expire on the 31st December of the year it was issued.

(c) A person who starts business profession or trade later than January in a year shall pay a commensurate rate (prorate).

(d) A license granted under this bye-law shall be displayed in a conspicuous part of the premises or land, and is not transferable.

2. Fee

There shall be charged for every permit a fee to be prescribed by the TWMA by resolution and approved by the Greater Accra Regional Coordinating Council on behalf of the Local Government.

3. Liability to pay property rate

Any permit granted shall be without prejudice to the payment of property rate the owner of a rateable property of a permanent or temporary nature is required to pay under any Bye-laws for the time being in force.

4. Powers of entry

(a) An Officer or other person duly authorized by the TWMA may at all reasonable times enter any

building, premises or land in the Municipality for the purpose of carrying out any inspection, enquiry or any other duties authorized by the TWMA;

(b) A person shall not obstruct or otherwise interfere with any officer or other person authorized by the TWMA in the performance of any duties assigned to him under these Bye-laws.

5. Revocation of license

(a) The TWMA may revoke or withdraw any license granted under these Bye-laws if any alterations are made to any premises or buildings for which the license was granted by the TWMA;

(b) The TWMA may close down any business or suspend its activities until the permit fee is paid for the operation of the business

6. Winding up

(a) If for any reason a company winds up its business activity or suspends its operations, the company shall inform the TWMA immediately about such a closure or suspension of business activities;

(b) A company that fails to comply with bye-law 6(1) of these Bye-laws shall continue to receive bills from the TWMA for its fees for Business permit.

7. Failure to pay business permit fee

A person who fails to pay the Business permit fees at the prescribed time shall pay the outstanding fees with interest at the current bank rate with effect from the day of default up to and including the day of the final payment of the fees.

8. Withdrawal of permit

(a) The TWMA may withdraw or revoke any Business permit granted under these Bye-laws if any alterations are effected on premises or building for which the permit was granted without a written authority of the TWMA or if the person granted the business permit contravenes any provision of these Bye-laws;

(b) The TWMA may close down any business or suspend its activities until the permit fee is paid for the operation of the business.

9. Offence and penalty

Any person who contravenes any provision of these Bye-laws commits an offence and shall be liable on summary conviction to a fine of not less than 190 penalty units or in default to a term of imprisonment not exceeding six months or both.

10. Interpretation

In these Bye-laws unless the context otherwise requires - TWMA means Tema West Municipal Assembly, Business means an economic system in which goods and services are exchanged for one another or money, on the basis of their perceived worth, Trade means commercial transaction involving the sale and purchase of goods, service or information and Profession means occupation, practice or vocation requiring mastery of a complex set of knowledge and skills through formal education and or practical experience. Permit means

11. Application

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

12. Revocation

Any Sanitation Bye-laws within the area of authority of the Assembly in existence immediately before the coming into force of these Bye-laws are hereby revoked

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Twenty-five

Tema West Municipal Assembly (Sale of Intoxicating Liquor) bye-law, 2020

In exercise of the powers on the Tema West Municipal Assembly by Part 181 of the Local Governance Act, 2016 (Act 936) hereby made this bye-law:

Title

This bye-law may be cited as Tema West Municipal Assembly (Sale of Intoxicating Liquor) Bye-laws, 2020.

1. License

- (a) A person shall not distil or sell any intoxicating liquor either as a wholesale or retailer in any part of the Municipality without a license issued by the TWMA for that purpose.
- (b) The TWMA shall issue separate licenses for distillation and retailing of intoxicating liquor.
- (c) Hotels, restaurants, bars and food joints that sell intoxicating liquor shall apply for a license before selling intoxicating liquor at the premises.
- (d) The TWMA shall fix the fees payable for the license so issued and such a license shall expire on the 31st December of the year in which the license was issued.
- (e) The TWMA shall grant a license after the environmental department of the TWMA and the Police have conducted a survey certifying the suitability of the premises for either the distilling or sale of the intoxicating liquor.

2. Application to be in writing

- (a) An applicant for a license under this bye-law shall submit an application in writing to the TWMA and shall contain the name, the address, the place and type of liquor the applicant intends to sell or is selling.
- (b) The report of the Environmental health department and other relevant departments and agencies if it certifies the place as suitable for the activity shall allow the issuance of the license.
- (c) In issuing the license, the distillers or retailers shall submit themselves and their workers for medical examinations conducted by the Medical Officer of TWMA or other designated health facility approved by the TWMA who shall issue a health certificate of all persons who shall work in the distillery or selling at a hotel, restaurant, bars and food joints as fit and proper persons with no health problems which may have an adverse effect on the people they serve.
- (d) The TWMA shall not issue a license to a distiller or seller who operates with children under 18 years of age.
- (e) Where a person issued with a license operates with children under 18 years, the license shall be revoked and shall only be restored after the TWMA has satisfied itself that the breach shall not continue.
- (f) No person shall handle food or drinks in the Municipality without medical screening to declare him/her fit.

3. Condition and Duration of License

A license issued under this law:-

- a. Shall abide by the provision in the Liquor Licensing Act of 1970, and
- b. Shall expire on the 31st December, of the year in which it was issued.

4. Fees

The TWMA shall by a resolution fix the fees payable for the issuance of the license and medical screening.

5. Powers of Collection of Fees

(a) An officer of the revenue department duly authorised by the TWMA shall, at all reasonable times take steps to recover the approved fees,

(b) Where a party operates without the requisite license, the TWMA shall impose a penalty to be fixed by the Assembly on the person in addition to the payment of the approved fees.

6. Revocation of License

The TWMA may revoke any such license where the proprietor or any person acting in that capacity

- a. has refused to pay the approved fee;
- b. has refused to do the medical screening
- c. is acting in a manner repugnant to the Assembly's interest;
- d. is acting in a way injurious to public interest; or
- e. Does not use the place for the purpose for which it was originally intended.

7. A person shall not obstruct or otherwise interfere with any officer of the TWMA or other persons authorized by the TWMA in the performance of any duties assigned to them under this Bye-laws.

8. Offence and Penalty

A person who distils or sells liquor without the requisite license contravenes Section 25 and commits an offence and shall on summary conviction pay a fine of not less than 160 penalty units or in default to a term of imprisonment not exceeding 6 months or both.

9. Inspection

(a) An officer from the Environmental Health department of the TWMA may enter upon the premises of the distiller or seller of liquor for purposes of inspecting the premises used for distilling or selling of the intoxicating liquor in respect of:

- (i) Whether the licensee is complying with the terms of the license,
- (ii) Randomly test samples of the intoxicating liquor for analysis.

10. Prohibition

(a) A licensee shall not allow any person who has not attained 18 years to distil, buy or sell intoxicating liquor at the premises of the licensee.

(b) The licensee shall demand a proof of age and identity where the person seems not to have attained 18 years.

(c) A licensee shall not sell intoxicating liquor to a drunken person and shall ensure that the premises are not used for any disorderly activities.

(d) A licensee who contravenes any of the provisions of these Bye-laws commits an offence and is liable on conviction to a fine of between 100-120 penalty units and in default to a term of imprisonment not ex-

ceeding three months or both.

- (e) Where the default continues the license shall be revoked by the TWMA

11. Interpretation

In this bye-law unless the context otherwise declares, liquor means any distilled alcoholic drink or any liquor produced by boiling/fermenting of food substance for example from malt, millet, sugar and sugar cane, TWMA means Tema West Municipal Assembly.

12. Application

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

13. Revocation

Any Sanitation Bye-laws within the area of authority of the Assembly in existence immediately before the coming into force of these Bye-laws are hereby revoked

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Twenty-six

Tema West Municipal Assembly (Herbalists) Bye-laws, 2020

In exercise of the powers on the Tema West Municipal Assembly by Part 181 of the Local Governance Act, 2016 (Act 936) hereby made this bye-law:

Title

This bye-law may be cited as Tema West Municipal Assembly (Herbalist) Bye-laws, 2020.

1. License

A herbalist shall not practice within the area of authority of the Assembly unless the herbalist first-

- (a) Registers with the Ghana Psychic and Traditional Healers Association; and
- (b) Obtain a license from TWMA's Medical Officer of Health and complies with conditions which the TWMA has set under bye-law 3 below and any other conditions that may become necessary.

2. Duration of License

A license issued under this bye law shall expire on the 31st day of December, in the year in which it was issued.

3. Sanitary Conditions of herbalist's premises

A herbalist shall-

- (a) Keep his premises and surroundings clean;

- (b) Remove all filth from the premises from time to time and as often as may be necessary to maintain the premises in a state of cleanliness.
- (c) Keep his stock under hygienic conditions;
- (d) Take all reasonable precautions in cases of infectious and contagious diseases; and
- (e) Refer cases beyond his competence to a hospital with reasonable dispatch.

4. Inspection of premises

- (a) An officer from the Environmental Health Department of TWMA duly authorised shall enter and inspect the sanitary conditions of a herbalist's premises periodically.
- (b) The said officer shall also make unannounced visits to the premises of the herbalist for purposes of enforcing sub-section 4 (a) above,
- (c) The said officer may request the herbalist to produce the license issued by the TWMA for inspection,
- (d) The TWMA may in a year in conjunction with the Traditional Healers Association and the Foods and Drugs Authority organise seminars for the herbalist on the need to keep clean surroundings and better health practices.

5. Revocation

The TWMA shall revoke the license of a herbalist under the following conditions;

- a. Where a herbalist is convicted on two or more occasions of an offence involving dishonest or improper conduct as a herbalist, or
- b. Where the herbalist repeatedly fails to keep and maintain good sanitary conditions in his premises.

6. Restoration

An herbalist whose license is revoked by virtue of the above bye-law shall apply for a restoration of the license after satisfying conditions imposed by the TWMA in accordance with advice from the environmental health department of the TWMA

7. Penalty

- (1) A person who breaches any of this bye-law shall be guilty of an offence and liable on conviction to a fine of not less than 120 penalty units or in default to a term of imprisonment not exceeding six months or both.
- (2) For each day that the commission of the offence continues after notification of conviction, a further one penalty unit shall be imposed on the offender.

8. Application

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

9. Revocation

Any Sanitation Bye-laws within the area of authority of the Assembly in existence immediately before the coming into force of these Bye-laws are hereby revoked

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Twenty-seven

Tema West Municipal Assembly (Protection of Roads) Bye-laws, 2020

In exercise of the powers on the Tema West Municipal Assembly by Part 181 of the Local Governance Act, 2016 (Act 936) hereby made this bye-law:

Title

This bye-law may be cited as Tema West Municipal Assembly (Protection of Road) Bye-laws, 2020.

1. Prohibitions

Carriageway

A person shall not spill fuel and lubricants on any road in the Municipality.

(a) 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.

(b) A person shall not cook, fry or light any fire or any other material emitting heat on the surface of any road.

(c) A person shall not use, pour or put corrosive material on the bitumen surface roads.

(d) A person shall not cut a trench on any part of the road or bore under any road without a permit from TWMA

All application for cutting or boring shall pass through the Municipal Roads Department. A permit

will be issued under the following conditions:

(i) Assessment of associated cost as determined by Municipal Roads Department

(ii) Payment of determined cost to Municipal Roads Department

(iii) Pursuant to the issuance of the permit, the TWMA through Department of Municipal Roads shall take all necessary steps to ensure safety of road users within the vicinity of the activity

(iv) The Municipal Roads Department shall be responsible for the proper and timely reinstatement of the excavated area

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

(vi) The Municipal Roads Department shall supervise the excavation activity

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

(f) A person or a group of persons shall not block or erect a canopy on any road in the Tema West Municipality for any funeral or social gathering without approved permit from the authorised officer of the TWMA after an assessment by the Municipal Roads Department and payment of the approved fee for such purpose as shall be determined by the resolution of the TWMA from time to time.

2. (a) A person who washes vehicles on a road commits an offence.

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

(c) A commercial vehicle washing bay that does not direct its waste water away from the road commits an offence. The TWMA shall issue a written notice to the owner of the premises 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 and pay the penalty for the offence and remedy the situation before the release of

the equipment.

- (d) In addition to the bond the person shall pay a spot fine of 100 penalty units.
- (e) For purposes of sub-section (2), the Municipal Roads Department shall form a task force to monitor and ensure compliance with the provisions of this bye law.
- (f) It is an offence to keep a disabled vehicle for more than 2 hours on an urban road.
- (g) It is an offence to trade in car booth sales, table top sales etc. on the carriageway and walkway or shoulder
- (h) Any person or group of persons who erects advertising bill boards at interParts to obstruct visibility at the interParts commits an offence.
- (i) It is an offence to park on any portion of the carriageway not designated for 'on-strict' parking.
- (j) It is an offence to use the carriageway or any part thereof to display Vehicles for sale, Rentals or Lease without permission.
- (k) The Tema West Municipal Assembly (TWMA) shall take all necessary steps to make the carriageway safe in respect of
- (f) above and surcharge the owner the cost of any such actions.

3. 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 undertakes any activity which blocks the drain (partially or completely) commits an offence.
- (d) Any person or group of persons who removes any type of drain cover (metal gratings or concrete slabs) commits an offence.
- (e) Any person or group of persons who constructs any drainage structure or part thereof without permit commits an offence.

4. Walkways and Shoulders

- (a) All pedestrian walkways shall remain open at all times to enable free and safe passage of pedestrians.
- 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, boundary fence wall etc. on the pedestrian walkway.
 - (ii) Dumping of any material (sand, stones etc.) for any purpose
 - (iii) Digging through walkways and/or shoulder
 - (iv) Driving on a walkway and/or shoulder
 - (v) Digging and placing of signs in any road shoulder and walkway

5. Road Furniture

- (a) Road furniture shall consist of and not limited to road signs, crash barriers, bollards, traffic signals, street lights, hand and/or guard rails, road line markings etc.
- (i) A person shall not remove any road furniture from its originally installed place
- (ii) For the purpose of item 1 above a person shall pay a fine of 140 penalty units
- (iii) Any person who crashes into road furniture shall reinstate as per recommendations from the Municipal Roads Department.
- (iv) Any person who defaces road line markings and signs commits an offence.
- (v) Any person who erects any road furniture that is not of the prescribed specification and/or without

permit from the Municipal Roads Department commits an offence.

6. Medians and Islands

(a) Any activity that hinders the usage of a Median and Islands poses great risk to pedestrians and motorists.

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.

(iv) Lorry stations within islands and bus stops pose risks to pedestrians and motorists hence any person who operates any transport station within an island commit an offence.

(v) Access of pedestrian crossings shall be kept opened and unrestricted at all times

7. Offence and penalty

Any person who contravenes any provision of these Bye-laws commits an offence and shall be liable on conviction by the court to a fine not less than 170 penalty units or in default 6 months of imprisonment or both.

8. Interpretation

In these Bye-laws unless the context otherwise requires TWMA means Tema West Municipal Assembly, medians and islands means safe storage for pedestrians.

9. Application

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

10. Revocation

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

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Twenty-Eight

Tema West Municipal Assembly (Control of Parks) Bye-laws, 2020

In exercise of the powers on the Tema West Municipal Assembly by Part 181 of the Local Governance Act, 2016 (Act 936) hereby made this bye-law:

Title

This bye-law may be cited as Tema West Municipal Assembly (Control of Parks) Bye-laws, 2020.

1. Driving at parks

(a) A person other than authorised officials and employees of the TWMA shall not drive or be driven or be a passenger in any mechanically propelled vehicle in any park except with the permission in writing of the TWMA and then only in such areas as designated by the Assembly.

(b) Section 28(1) shall not apply to wheelchairs, perambulators or similar vehicles propelled by hand or mechanically which are used solely for the conveyance of children or disabled persons.

2. Prohibitions

(a) A person shall not turn out at the park with an animal to graze in a park, or allow or suffer to stray or remain in the park, any cattle, sheep, or other animals.

(b) Every person bringing a dog unto the park shall be responsible for its conduct and shall be liable for any damage or injury which may be caused by it. A person bringing a dog into the park must remove it from the park if so directed by an authorised person and should be on leash.

(c) Every person in charge of a dog in the park shall prevent it from causing annoyance to any person using the park or worrying, chasing, injuring or disturbing any person in the park.

(d) If a dog defecates in the park, the person in charge of the dog shall remove the faeces.

(e) (i) A person who visit the park shall not trample upon any flower or destroy or injure any tree, shrub or plant growing in the park or pluck, cut or remove any flower or any fruit on any tree, shrub or plant growing therein.

(ii) A person shall not climb any tree or shrub in the park or climb any fence, railing or wall in the park.

(iii) A person shall not injure, disfigure, write graffiti on or mark any seat, chair, sculpture or structure, in the park.

(iv) A person shall not deface damage or otherwise interfere with any items of infrastructure provided to support the proper functioning of the park, including any surface, item of equipment, public light, fence, goal-post, street furniture or any other structural item.

(v) A person who visits the park shall not take from the park or destroy or injure or otherwise interfere with any animal in the park.

(vi) The users of the park shall not throw any missile in the park to damage property or endanger any other person or wildlife within the park.

(vii) Take or remove any soil, sand, gravel, stone or timber from the park or dump or dispose of any refuse in the park or into any watercourses/lakes that adjoin the parks or playgrounds except in receptacles provided for the purpose.

(viii) A person shall not bring into the park any firearm, cutlass, catapult or any other offensive weapon.

(ix) A person shall not make bonfire, fire or barbecue or light any firework in the park.

3. Use of equipment at the park

Where the TWMA has provided equipment or playing appliances for children in a park, a person not above the appropriate age, specified on local playground signage, shall use any of the equipment or playing appliances for children at the playground specified by notice as being for the sole use of children of that specified age and under.

4. Terms of sale

Save with the permission in writing of the TWMA and subject to the terms and conditions of permission, a person shall not sell, offer, offer for hire, or expose for sale in the park any commodity of any kind whatsoever or exhibit any sign, poster, handbill, or other notice in the park soliciting for sale.

5. Advertising at the parks

No person shall display any advertisement, or erect, exhibit, affix, chalk or paint any picture, bill, placard, banner, tract or notice in any open space or on any wall, fence or hedge enclosing any park or open space without going through the procedures stated under the Bye-laws on billboards and signboards.

6. Playing ball games

(a) No person, club or organisation shall organise or take part in the game of football or any other game or athletics when such activity is not allowed at the park.

(b) Any person, club or organisation contravening bye-law 7(1) shall be removed immediately from the park because any admitted person is a licensee who shall remain in the garden subject to good behaviour.

7. Obstruction

(a) A member of the public who has visited the park shall not obstruct or interfere with any employee or agent of the TWMA or other person in the exercise of his/her duty or disobey his/her lawful directions.

(b) Nothing in these Bye-laws shall interfere with or affect or prevent the carrying on of any work or duty in connection with any park or open space by employees or agents of the TWMA or by a contractor instructed by the TWMA or by an employee of any such contractor.

8. Enforcement and monitoring

The TWMA shall form a task force to ensure the compliance with the provisions of this bye-law and it shall be lawful for an authorised person or agent of the TWMA to enforce these Bye-laws and to exclude or remove from any park or recreational playing ground any person committing any breach of the above Bye-laws and to take any other such action as may be deemed necessary in the enforcement of these Bye-laws.

9. Offence and penalty

Any person committing an offence against any of these above Bye-laws may be removed from the park and shall on summary conviction be liable to a fine of not less than 100 penalty units and not exceeding 250 penalty units or imprisonment for a term not exceeding 6 months.

10. Interpretation

In this bye-law unless the context otherwise requires, TWMA means Tema West Municipal Assembly.

11. Application

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

12. Revocation

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

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local

Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Twenty-Nine

Tema West Municipal Assembly (Slaughter House) Bye-laws, 2020

In exercise of the powers on the Tema West Municipal Assembly by Part 181 of the Local Governance Act, 2016 (Act 936) hereby made this bye-law:

Title

This bye-law may be cited as Tema West Municipal Assembly (Slaughter House) Bye-laws, 2020.

1. Premises for slaughter house

(a) No premises or place shall serve as a slaughter house unless the premises has been approved by the TWMA as such. To that extent the TWMA shall oversee slaughter house in the city of Tema.

(b) The TWMA shall form a Task Force to check persons operating slaughter houses not approved by the Assembly and cause them to cease operations.

(c) The slaughter-house shall be opened for the slaughter of animals during the hours of 5am and 3pm only as the slaughter house shall stipulate but in special circumstances and on the realization of such, extra fee as the officials may think fit, allow the slaughter of an animal at any other time, under his written permission.

(d) Every slaughter house shall pay a fee to be fixed by a special resolution of the Assembly for the issuance of a permit to operate a slaughter house,

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

2. Operational manual

(a) The Veterinary and Environmental Health Officers shall fix at a conspicuous place in the slaughter house a notice showing: -

(i) The hours of working of the slaughter house.

(ii) The fees payable and

(iii) Any other directions that the slaughter house may see fit to issue.

3. Display of Slaughter house bye-law

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

4. Infected person

(a) A person infected with tuberculosis, or any other infectious or contagious disease shall not enter the slaughter house.

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

5. Entry

No person other than the Municipal staff on duty, inspecting officers, butchers slaughter-men and their assistants or bonafide servants shall enter the slaughter house premises during the process of slaughtering, flaying or cutting up of carcasses.

6. Prohibitions

Any person transgressing the provisions of Bye-laws 4 (i) and 5 shall be removed from the slaughter house summarily under the directions of Veterinary Public Health Officer.

- (a) No person shall rub or cause to be rubbed the inner sides of the skins upon the ground within any portion of the slaughter house.
- (b) Hides and skins shall not be dragged within the slaughter house premises except on the hairy sides.
- (i) No gut scrapping trips cleaning manufacture or preparation of articles of food for meant animals, house hold washing or work of any nature, other than is involved in the slaughter house of animals and the dressing of carcasses, shall be permitted in the slaughter house.

7. Inspection of animals

- (a) Every animal intended for slaughter shall be brought to the Lairage and presented for inspection to the Veterinary and Environmental Officers.
- (b) 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 slaughter house is not provided.
 - (viii) Any animal brought into the slaughterhouse in contravention of this Bye-laws shall be summarily removed under the orders of the Veterinary and Environmental Officers.

8. Maintenance of register

- (a) The Veterinary and Environmental Officers shall maintain a register in which he shall record: -
 - (i) The age, class, sex and a brief description of each animal presented for slaughter.
 - (ii) Name and address of the owner of the animal.
 - (iii) Result of ante-mortem inspection.
 - (iv) Result of post mortem inspection and
 - (v) Fees recovered.

9. Rejected animal

An animal rejected for slaughter shall not be brought again to the slaughterhouse.

10. Infectious animal

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

11. Approved animals

- (a) 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.
- (b) 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 slaughter house may arrange for feeding of animals, while in the lairage and recover the expanses from the owner.

12. Collection of fees

Slaughter house fee will be collected from the owners or person in charge for all the animals to be slaughtered after inspection has been completed. The fee will be fixed by the TWMA from time to time.

13. Inspection of slaughter materials

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

14. Place of slaughter

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

15. Slaughter of animals

(a) 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.

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

(c) That 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 slaughter house.

16. Burial of carcass

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

(b) All carcasses shall after flaying and the cleaning be presented to the Veterinary Public Health Officer for inspection.

(i) Veterinary and Environmental Officers, shall have his own knives, wipe and instruments for examining carcasses and parts and organs thereof.

(ii) 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.

17. Condemned meat

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

18. 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.

19. Removal of carcass

(a) No person shall remove any carcass from the slaughter house premises until it has been duly examined and passed by the Veterinary and Environmental Health Officers.

(i) No person shall remove or cause to be removed from the premises of the slaughter house 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.

(ii) 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 hung on hooks and not dumped on the floor.

of the vehicle.

20. Conveyance of meat

- (a) Every person who conveys or causes to be conveyed meat from the slaughter house:
- (i) 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 act with meat or its covering.
- (ii) 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
- (iii) Shall not permit any live animal or any other article to be conveyed in the vehicle at the same time as meat

21. Precautions

Every person engaged in the handling or transport of meat shall take such precautions as are necessary to prevent the meat from coming into contact with the ground of being otherwise or subject to contamination.

22. Offence and penalty

A person who commits a breach of the provisions of any of these Bye-laws shall, on conviction be liable to a fine of not less than 120 penalty units or six (6) months imprisonment or both.

23. Application

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

24. Revocation

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

25. Interpretation

In this bye-law, TWMA means Tema West Municipal Assembly

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Thirty

Tema West Municipal Assembly (Control of Mills) Bye-laws, 2020

In exercise of the powers on the Tema West Municipal Assembly by Part 181 of the Local Governance Act, 2016 (Act 936) hereby made this bye-law:

Title

This bye-law may be cited as Tema West Municipal Assembly (Control of Mills) Bye-laws, 2020.

1. Building and Development permit

(a) A person shall not operate a mill within the Tema Municipal Assembly's area of authority without first obtaining-

- (i) A development permit for the site from the Physical Planning Department of the TWMA, and
- (ii) A building permit from the Physical Planning Department of TWMA

2. License

A person shall not operate a mill without a license from the Department of Physical Planning of the TWMA

3. Fees

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

4. Dimension of premises

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

5. Prohibition

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

6. Times of operation

A mill shall be opened to the public only between the hours of 5.a.m and 7p.m

7. Prohibited person

- (a) 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.
- (b) For purposes of sub-section (7), the Medical Officer of TWMA 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.

8. Monitoring and Enforcement

The physical planning department and the municipal guards of the TWMA shall monitor and enforce the provisions of this bye-law.

9. Offence and Penalty

A person who contravenes any provisions of these Bye-laws commits an offence and is liable on summary conviction to a fine not less than 120 penalty units or in default to a term of imprisonment not exceeding three months or both.

10. Application

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

11. Revocation

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

12. Interpretation

In these Bye-laws unless the context otherwise requires- “TWMA” means Tema West Municipal Assembly “mill” means any building or structure with machinery for grinding corn, pepper, cassava, groundnut and other foodstuff.

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Thirty-one

Tema West Municipal Assembly (Public Market) Bye-laws, 2020

In exercise of the powers on the Tema West Municipal Assembly by Part 181 of the Local Governance Act, 2016 (Act 936) hereby made this bye-law:

Title

This bye-law may be cited as Tema West Municipal Assembly (Public market) Bye-laws, 2020.

1. Control of markets

The TWMA shall have ownership, exclusive control and management of the markets in the entire municipality.

2. Hours of operation

All markets shall be open to the public every day of the week that is from Monday to Saturday from 6 o'clock in the morning until 6 o'clock in the evening and on Sundays from 6 o'clock in the morning until 5 o'clock in the evening.

3. Allotment of stores, stalls and spaces

(a) Stores shall be allotted to allottees for sale of items or articles as the TWMA may direct from time to time;

(b) Subject to sub-section 3(a), all applications for the allotment of stalls shall be made to the TWMA-Chief Superintendent of markets or to such other officer as the Municipal Chief Executive for that purpose may appoint;

(c) For purposes of sub-section 3(b), the Chief Superintendent of the market or a person designated by the MCE may receive all applications in respect of vacant stalls in all existing markets for allotment;

(d) In allotting a stall, the TWMA shall be guided by the date of application and the date of payment of fees prescribed under the application;

(e) The TWMA may refuse allotment of any stall to an applicant previously convicted of an offence under these Bye-laws;

(f) For the avoidance of doubt the grant of all stalls shall be made by the TWMA

4. Rent

- (a) The TWMA shall by a resolution fix the rent payable for the stall from time to time;
- (b) On payment of rent for a stall a receipt specifying the period in respect of which it is paid shall be issued to the allottee and the receipt shall be prima facie evidence of the payment of rent for the specified period.
- (c) Failure to produce the receipt on demand by a person authorized by the TWMA, shall render the occupier of a stall liable to ejection from the stall or be made to pay a penalty specified by a resolution of the TWMA from time to time;
- (d) All rents may be paid in advance and where the rent is payable monthly or quarterly any part of a month or quarter shall count as entire month or quarter;
- (e) The period for which rent has been paid shall run from and include the day of allotment and shall expire on the last day of the period for which rent has been paid;
- (f) In case of an allotment by the month, the occupier of any stall 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 the succeeding month.

5. Liability for loss or damage

- (a) The TWMA shall not be under any liability for any loss or damage to the property of any occupier of any store in a matter due to fire, theft, burglary or any other cause whatsoever.
- (b) An allottee of TWMA stall in all the markets shall insure their properties against fire, theft/burglary or other foreseeable contingencies.

6. Transfers, Subletting and Succession

- (a) An occupier of any store, in a market shall not sublet or share such store, except with the written consent of the TWMA;
- (b) A license granted by the TWMA to any person to use or occupy any store/stall, table or space in any market shall be personal to the licensee only, and the transfer of some or any part thereof or any transaction or dealing therewith such might by operation of law or equity have the effect of transferring same or any part thereof or any therein to any person at any time without due notice to the TWMA is prohibited;
- (c) The ownership of a stall shall not be assumed or devolved by way of succession. Upon the death of the original allottee, the interest in the stall automatically reverts to the TWMA;
- (d) Where an allottee dies, the TWMA should be notified of such death stating whether the deceased was occupying it or not;
- (e) Any relative of the deceased person who expresses an interest in the store should apply to the TWMA within three months after notification for consideration and approval by the TWMA and if the application is successful, a fresh tenancy agreement shall be executed between the TWMA and the successful applicant;
- (f) Where the real tenant was not in occupation before his/her death, the TWMA should be obliged in fairness or by way of equity transfer the interest in it to the person who was occupying it as a sub-lessee before his death if such occupation was with the written consent of the TWMA;
- (g) In any other situation the Assembly reserves the right, or discretion to decide who should occupy it depending on the objective conditions surrounding that situation.

7. Transfer of interest by person alive

- (a) A sitting tenant can only transfer his/her interest in a stall by submitting a formal application to the Municipal Co-coordinating Director stating clearly his intention and reason for the transfer;
- (b) A market standing Committee comprising the Market Manager, Municipal Coordinating Director or the deputy or a representative of the Municipal Coordinating Director and the Municipal Solicitor and a member secretary shall handle such applications;

- (c) In such situations, fees to be charged should be approved by a resolution of the TWMA

8. Desertion

- (a) The TWMA reserves the right to re-enter a store(s) and re-allocate same to any interested person if-
- (i) The occupier deserts the store for 3 months without notice to the TWMA and fails to pay daily tolls;
- (ii) Fails to pay the rent due for 3 months;
- (iii) The real tenant had sold it to a third party;
- (iv) Or has relinquished his interest to third party without the written consent of the Assembly.
- (v) The Market manager shall through the daily toll collectors furnish the MCE with the names and store numbers of stores which are not opened and thus fail to pay daily toll.
- (vi) The TWMA shall before re-entry issue notices to the tenant and or paste a copy at the store where the tenant cannot be traced of the TWMA's intention to re-enter;

9. Dispute resolution

- (a) The market Standing Committee of the TWMA shall resolve all disputes relating to the stalls in markets controlled by the TWMA;
- (b) A party dissatisfied with the decision of the Standing Committee, may appeal to the Chief Executive of the TWMA for a review of such decision twenty-one days from the date of the decision by the market standing committee;
- (c) The review Committee comprises of the Market Manager, the Estates Officer, the Solicitor of the Assembly as member Secretary and two other lawyers with the most senior counsel as the chairman;
- (d) A party dissatisfied with the decision of the Review Committee has the right to go to the Law Court.

10. Sales restriction

- (a) A person shall not sell at any place in any market other than in the store allotted to him;
- (b) A person who sells or purchases goods or stock near established markets other than approved places or erects stalls at places other than the established markets commits an offence and shall be liable for prosecution.

11. Appropriation of parts of the market

Parts of the market shall be specially set aside by the TWMA for the sale of specified articles and the sale of such articles shall be prohibited elsewhere in the market.

12. Daily Sellers

- (a) The TWMA shall specifically set aside a portion of the market for the use of daily sellers who shall pay to the TWMA such daily fees so fixed by a resolution of the TWMA;
- (b) The toll collector shall issue a receipt/ticket to the sellers therein which shall be prima facie evidence of payment of the toll for the day in question;
- (c) The seller shall display the ticket or the receipt issued for the day at the place of business or shows same on request by an officer, agent or a person authorized by the TWMA;
- (d) Where a seller fails to produce the receipt/ticket on demand and fails to give any justifiable reason for the failure, by a person authorized by the TWMA, shall render the daily seller liable for ejection from the market or pay a penalty so approved by a resolution of the TWMA

13. Cleaning of store

- (a) An occupier of a Store, in a market shall be responsible for the cleanliness of his store at all times.
- (b) Before cleaning the market at the close of the day every occupier shall thoroughly clear his store and its surroundings and the refuse placed at locations provided for the purpose.

14. Prohibition on exposure of food

(a) An occupier of any store/stall in the market shall not expose any article of food for sale from a stall or from a table or other support of a minimum height of at least one and half meters from the ground.

(b) The Environmental Health and Sanitation Unit of the TWMA shall ensure that food meant for human consumption shall not be exposed for sale without adequate protection from dust, flies or other insects.

15. Screening of food products and meat

(a) Food meant for human consumption shall not be exposed for sale in any market, unless it is protected by means of screens of a pattern approved by the environmental health department of the TWMA

(b) The practice of carrying meat products in the booths of vehicles, open vehicles being trampled upon by butchers, baskets, and other unhygienic practices is hereby banned.

(c) The TWMA's environmental department shall ensure that meat being conveyed to any market in the Municipality shall be conveyed in a recognized meat van.

16. Infectious disease

A person suffering from any infectious or contagious disease shall not enter or sell in any market.

17. Application

These rules and Bye-laws shall apply to the markets listed hereunder in the Schedule.

18. Offence and penalty

Any person who contravenes any of these Bye-laws shall be guilty of an offence and upon conviction be liable to a fine of not less than 120 penalty units or to a term of imprisonment not exceeding six months.

19. Interpretation

These Bye-laws unless the context otherwise requires-

“TWMA” means Tema West Municipal Assembly

“Market” means public market within Tema West Municipal Assembly

“Store” includes selling sites, stalls, spaces and places as shall be designated by TWMA to be used for selling and buying purposes.

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Thirty-two**Tema West Municipal Assembly (Regulation of Vehicle Parking Places) Bye-laws, 2020**

In exercise of the powers on the Tema West Municipal Assembly by Part 181 of the Local Governance Act, 2016 (Act 936) hereby made this bye-law:

Title

This bye-law may be cited as Tema West Municipal Assembly (Regulation of Vehicle Parking Places) Bye-laws, 2020.

1. Provision of lorry parks

(a) A driver of a motor vehicle plying for public hire of fares shall not in the public part of the Municipality between 6.a.m and 6 p.m. load or unload or permit the loading of goods, except at the place provided for that purpose by the TWMA;

(b) Nothing in these Bye-laws shall prohibit-
the loading or unloading of passengers or goods from any private store, dwelling house, shop, market or other place in the Municipality in the event of an accident or bonafide breakdown of the vehicle.

2. Creation of Lorry Park

(a) A person or group of persons shall not have the right to create, build or establish a lorry park in the Municipality without the prior approval of the TWMA;

(b) For purposes of the preceding paragraph, an application to operate a parking place shall be submitted to the TWMA which shall assess the suitability or otherwise of the site and location of the lorry park.

(c) Where the location is approved, the applicant(s) shall be notified who shall pay the approved fees fixed by the resolution of the TWMA together with making available amenities for the lorry park as a condition of the grant. In the case of a private developer, he shall make available the amenities specified by the TWMA

(d) There shall be payable to TWMA for the use of a parking place in respect of each motor vehicle a parking fee fixed by a resolution of the TWMA

(e) Only transport operators with permits from TWMA shall provide services at the lorry parks or terminals.

3. Parking of vehicle in public pathway

Any person who-

(a) Parks a vehicle; or

(b) Parks goods or items in any public pathway or pavement shall be guilty of an offence.

4. Obstructing traffic

(a) No bottles, empty cases spare parts of vehicles or derelict vehicles shall be placed, parked, or allowed to cause obstruction to traffic or other users of the road, be an eyesore or unpleasant to the public.

(b) The TWMA shall have a task force from the transport department which shall ensure that broken down vehicles within the Municipality are towed at a fee against the owner or the person in charge at the time of the break down off the road.

(c) With respect to heavy duty vehicles, the task force shall liaise with the Police Motor Traffic Transport Union to forestall traffic congestion.

5. Parking Fees payable

(a) A driver of a vehicle shall pay the prescribed fee to the person appointed by the TWMA or the authorized person as a collector of parking fees who shall issue a receipt to him which he shall produce on demand by an authorised officer of TWMA;

(b) A driver who fails to produce such ticket shall be deemed to have used a parking space without paying the prescribed fee;

(c) The attendant/Collector 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 is not transferable;

- (d) The ticket so issued, shall be valid for a prescribed period.

6. Regulation of Lorry Park

Every driver of a motor vehicle using the lorry park designated parking facility shall-

- a. Enter the lorry park by the opening marked “Entrance” and leave by the opening marked “Exit”.
- b. Park his motor vehicle in the lorry park or designated parking facility in such space as may be indicated by the attendant;
- c. Secure his motor vehicle from movement by keeping the hand brake on or adopting any other effective means.
- d. Refrain from unnecessary blowing of the horn
- e. Not permit the execution of any substantial repairs or to work upon his vehicle at the lorry park except such as may be absolutely necessary.

7. Prohibitions

A person shall not kindle any fire or use any naked light in the lorry park.

A person shall not deposit or cause to be deposited any refuse, rubbish or any offensive matter on the lorry park except at such places designated for that purpose.

8. Nuisance

A person shall not cause any nuisance in the lorry park.

9. Access to premises

A person shall not park a vehicle at a place in an unreasonable manner so as to prevent access to any premises.

10. Clamping of vehicles

(a) A vehicle parked in contravention of these Bye-laws shall be clamped by the TWMA or its authorized agents.

(b) An owner of the clamped vehicle shall pay a spot fine in accordance with the fee fixed by TWMA by resolution before the release of the vehicle to him.

11. Regulating lorry parks at filling stations

(a) Where a group of persons intend to operate a lorry park at a filling station, the persons shall go through the process of obtaining a license as spelt out under Sub-section 2 above.

(b) The TWMA shall ensure that the necessary precautions are in place to forestall any danger.

12. Towing of vehicles

(a) The TWMA or its authorized agents shall tow any vehicle parked at an unauthorized place upon the following conditions-

- (i) The vehicle being towed shall be deposited at a place to be designated by TWMA;
- (ii) The driver or person in charge of the towed vehicle shall pay a spot fine in accordance with the fee fixing resolution of the TWMA before the release of the vehicle;
- (iii) The TWMA shall take all reasonable care to ensure the safety of the towed vehicle but shall not take personal responsibility for any loss or damage of the vehicle.

13. Prohibitions

(a) A person bringing foodstuffs or livestock into the lorry park for the purposes of off-loading shall not

park in the streets or lanes adjacent to the park. Foodstuffs or livestock being off loaded at a lorry park shall be undertaken at the appropriate market by their owners within two hours after the arrival of the cargo.

(b) All commercial activities at the lorry station should be operated by permits. In case of sale of liquor, a police clearance certificate should be obtained as specified in TWMA bye law for sale of intoxicating liquor.

(c) No persons or owners of vehicles shall perform any commercial activities in or on vehicles parked at any designated parking places.

(d) The execution of any substantial repairs or work upon a vehicle shall not be permitted except such as may be absolutely necessary.

(e) No person shall park a vehicle at a place in an unreasonable manner so as to prevent any available access to any premises.

(f) Every manager of a lorry station or designated parking place shall establish a system for proper sanitation as defined by the TWMA Environmental Department for every permitted station or designated parking area in the Municipality.

(g) The Transport Department of the TWMA shall establish a task force with a mandate to inspect all lorry parks or parking facility and issue the notices and follow through with monitoring and enforcing all the provisions of these Bye-laws.

(h) The Transport Department shall maintain an effective call center to receive comments, complaints and other feedbacks from stakeholders and the general public.

(i) All complaints arising out of the applications of these Bye-laws should be forwarded to the MCD for investigations and redress.

(j) All commercial activities at the lorry station should be operated by permits. In case of sale of liquor, a police clearance certificate should be obtained as specified in TWMA bye law for sale of intoxicating liquor.

(a) No persons or owners of vehicles shall perform any commercial activities in or on vehicles parked at any designated parking places.

(b) The execution of any substantial repairs or work upon a vehicle shall not be permitted except such as may be absolutely necessary.

(c) No person shall park a vehicle at a place in an unreasonable manner so as to prevent any available access to any premises.

(d) Every manager of a lorry station or designated parking place shall establish a system for proper sanitation as defined by the TWMA Environmental Department for every permitted station or designated parking area in the Municipality.

(e) The Transport Department of the TWMA shall establish a task force with a mandate to inspect all lorry parks or parking facility and issue the notices and follow through with monitoring and enforcing all the provisions of these Bye-laws.

(f) The Transport Department shall maintain an effective call center to receive comments, complaints and other feedbacks from stakeholders and the general public.

(g) All complaints arising out of the applications of these Bye-laws should be forwarded to the MCD for investigations and redress.

14. Offence and penalty

Any person contravening any of the provisions of these Bye-laws shall be guilty of an offence and shall be liable on conviction to a fine of not less than 110 penalty units or in default to a term of imprisonment for a term not exceeding six (6) months.

15. Interpretation

In these Bye-laws unless the context otherwise requires:-

“TWMA” means Tema West Municipal Assembly” “Driving” means any person who is the owner or has

charge or control over a vehicle or being present is entitled to give orders to the person having charge or control of the vehicle.

“Motor Vehicle” means any mechanically propelled vehicle intended or adopted for use on roads;

“Place” includes street, pavement or an open space.

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

Tema West Municipal Assembly

SIGNED

MOHAMMED ALI AMADU

Municipal Co-ordinating Director

and Secretary of TWMA

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C

Section Thirty-three

Tema West Municipal Assembly (Operation of Commercial Vehicles) Bye-laws, 2020

In exercise of the powers on the Tema West Municipal Assembly by Part 181 of the Local Governance Act, 2016 (Act 936) hereby made this bye-law:

Title

This bye-law may be cited as Tema West Municipal Assembly (Operations of Commercial Vehicles) Bye-laws, 2020.

1. Application and Fees

(a) Every application for commercial vehicle registration shall be made to the licensing officer of the TWMA by the responsible executives of the local union or branch under which it intends to operate.

(b) No commercial vehicle registration shall be approved under these Bye-laws unless the vehicle in respect of which the registration is required has been licensed as a commercial vehicle and certified as roadworthy in accordance with the provisions of the Road Traffic Act any other appropriate enactment at the time in force

(c) A person shall not paint or spray or equip any vehicle or cause or allow any vehicle painted or sprayed or equipped for use as a commercial vehicle without the authority of the licensing officer.

The evidence of the registration shall be:

(i) A sticker affixed to the windscreen of the vehicle.

(ii) The sticker shall be renewed annually valid until the date (one year after the expiration of the previous permit) upon renewal of the appropriate permit.

(d) a commercial passenger vehicle registration shall not be approved unless the vehicle in respect for the registration has been licensed by the Driver Vehicle Licensing Authority for commercial operations. This shall be evidenced by the official colour of vehicle registration number plate affixed to the plate. Every vehicle registered under these Bye-laws shall remain equipped and fitted in the manner under which it was originally licensed under the Driver Vehicle Licensing Authority for commercial operations.

(e) All commercial vehicles must operate from an approved station and shall pay a daily toll for the use of the loading station.

(f) A commercial vehicle registration shall be completed by paying the requisite fee fixed by the resolution of the TWMA.

2. Issue and display of license

The licensing officer shall issue a vehicle sticker with the registration number of the vehicle inscribed on it which shall be displayed on the front windscreen of the vehicle.

3. Display of License

The driver of every vehicle operating bus services, minibus will be required to boldly display a destination board in front of the vehicle at all times and the vehicle shall have a sticker issued by the union which shall be affixed to it indicating the lorry station it is registered under.

(a) The driver named in the operating permit to drive a commercial vehicle have in his possession the commercial driver's license issued by the TWMA whenever he is using the vehicle to work.

(b) Where the owner or driver or union decides to allow another driver to drive the commercial vehicle that driver must have a valid driving license and a valid TWMA driver's license

4. Number of passengers

A licensed commercial vehicle shall not be permitted to carry more than the permitted capacity of the vehicle as determined by the Driver Vehicle Licensing Authority.

5. Duties of licensees

(a) every driver permitted to drive a commercial vehicle under this bye-law shall:

(i) Observe all traffic regulations including pedestrian crossing;

(ii) Display a valid sticker on the windscreen of the commercial vehicle in respect of which the permit has been granted.

(iii) Notify the TWMA of any change in his postal, residential or office address within seven days of such change.

(iv) Keep and maintain the commercial vehicle in good repairs.

(b) A person permitted to drive a commercial vehicle under this bye-law shall not:

(c) Permit any person other than the person licensed under this bye-law to drive the commercial vehicle unless the person also holds a commercial driver's license from the TWMA but has no car.

(d) Remove, deface, alter, mutilate or cancel the license or any notice mark affixed to the commercial vehicle in pursuance of this bye-law nor, allow or permit any other person to do same.

(e) Permit the commercial vehicle to be used for any unlawful purpose.

(f) Display any advertisement inside or outside the coach or taxi without the consent of TWMA or the appropriate authorities as required by the Bye-laws of TWMA with regard to fees.

6. Revocation of license

(a) A commercial vehicle registered under a permit shall be revoked by the TWMA if the vehicle is not road worthy or otherwise in contravention with any road traffic regulations in force at the time of or any other provisions of this bye-law.

(b) The Court may make an order for the suspension or the prohibition of the use of the vehicle for transport services where the driver has been convicted under this bye-law on two or more occasions for-

(i) Using the coach, minibus, bus or taxi for illicit purposes;

(ii) Dishonesty; or

(iii) Failing to keep or maintain the coach or taxi in a manner required by any enactment for the time being in force.

7. Records

(a) A licensed driver shall, on being requested to do so by an authorized enforcement officer of the

TWMA produce his TWMA commercial driving license for inspection.

(b) The licensing officer of the TWMA shall keep a record of all commercial vehicles, buses and taxis registered under this bye-law.

8. Monitoring and Enforcement

A task force established under this bye-law at the transport department of the TWMA shall routinely visit and mount road check points in conjunction with the police and the road safety committee to inspect the possession of vehicles stickers and TWMA commission driver license by drivers.

9. Duty to produce license

(a) A vehicle without such permit shall pay a spot fine to be fixed by a resolution of the TWMA before being allowed to regularize its registration under the appropriate operating permit;

(b) Every licensed driver shall, on being requested so to do by a member of the police service or officers duly authorized by the TWMA produce his commercial driving license and sticker to the task force.

10. Restrictions

(a) every commercial driver providing transport services within the TWMA shall obtain a TWMA commercial driver's license.

(b) A person shall not drive or hold himself out as a commercial driver within the jurisdiction of TWMA unless the driver has obtained TWMA commercial driver's license.

(c) A driver permitted under this bye-law as a commercial driver must possess a license to drive commercial vehicles issued by the Driver Vehicle Licensing Authority.

11. Duration of License

A commercial vehicle driver's license shall remain force for a person for one year unless revoked or suspended.

12. Lost license

Where a license is lost or destroyed the Licensing Officer shall issue a duplicate license upon the production by the applicant of a satisfactory police report supported by an affidavit duly sworn to by the applicant and upon payment of the prescribed fee.

13. Production of license

Every commercial vehicle driver shall have his commercial vehicle driver's license in his possession wherever the driver is acting as a commercial vehicle or when appearing before any court and shall on request produce the license for inspection by police officer or any officer duly authorized by the TWMA

14. Renewal of license

(a) An applicant submitting an application for the renewal of a license shall submit to the licensing officer.

(i) His current driver's license and

(ii) Payment of prescribed fees

15. Suspension or withdrawal of license

(a) A commercial vehicle driving license shall not be suspended or withdrawn under this bye-law unless-

(i) The driver's license of the holder has become suspended or withdrawn or

(ii) A court law so orders.

16. (a) This Bye-laws shall not apply to-

- (i) Any vehicle which is the property of the Government statutory body, board or Corporation; or an
- (ii) Any commercial vehicle operating under a permit other than by TWMA which is in transit through the Municipal of Tema West, provided that the driver of such coach, minibuss, bus or taxi shall not be guilty of an offence under this bye-law.

17. False declarations

Any license obtained under these Bye-laws as a result of false declarations or misrepresentations shall be null and void and any fee paid for such license shall not be recoverable.

18. Excess passengers

- (a) (i) A commercial vehicle shall not carry any number of persons in excess of the number allowed to be carried by the vehicle provided that for the purpose of this bye-law an infant in arms shall not count as a person and every child of twelve shall count as one person.
- (ii) Not more than two persons including the driver in case of taxi or three in that of a coach (the driver inclusive) shall sit on the front seat.
- (iii) A driver of a taxi shall not carry luggage on the roof or on the bonnet.
- (iv) A person suffering from an infectious disease shall not be allowed carried with other passengers on a coach, minibuss, bus or taxi.

19. A commercial vehicle or taxi shall not stop, halt or slow down his vehicle in such a way that his conduct amounts to an unreasonable obstruction of traffic.

20. (a)(i) any commercial passenger vehicle shall not when a passenger has reached his destination, take steps to ensure that no article or luggage belonging to the passenger is left in the vehicle;

- (ii) A commercial vehicle or taxi driver shall not retain portion of or otherwise unlawfully deal with, any article or luggage left in his vehicle.

21. Prohibitions

- (a)(i) Every driver commercial passenger vehicle shall convey passengers to their destination without alighting them along the way and re-boarding them and charging respective fares for each stretch
- (ii) Every driver of a commercial passenger vehicle shall conduct themselves in a non-abusive manner to passengers and other road users
- (iii) A commercial vehicle or taxi shall not charge more than the fares prescribed and approved by the Tema West Municipal Assembly in consultation with representatives of the major transport operator unions.

22. Taxi Ranks

The TWMA may provide taxi ranks subject to such conditions and rules as to the use thereof as it may prescribe.

23. Nuisance

A driver shall not blow the horn of his vehicle nor make any unnecessary noise to other users of the road.

24. Monitoring and enforcement

- (a) The Transport Department of TWMA shall have a standing task force to monitor and ensure compliance with this bye-law.
- (b) The Transport Department shall constitute a taskforce to monitor and ensure that all provisions of these Bye-laws are properly adhered to.
- (c) The Transport Department shall maintain an effective call center to receive comments, complaints and other feedback from stakeholders and the general public.

(d) All complaints arising out of application of these Bye-laws should be forwarded to the Municipal Chief Executive for investigation and redress

25. Application

These rules and Bye-laws shall apply to the markets listed hereunder in the Schedule.

26. Offence and penalty

Any person who contravenes any of these Bye-laws shall be guilty of an offence and upon conviction be liable to a fine of not less than 120 penalty units or to a term of imprisonment not exceeding six months.

27. Interpretation

In these Bye-laws unless the context otherwise requires-

“Coach”, minibus or bus means any motor vehicle not being a taxi and not being a Government vehicle or that of any corporation, used or intended to be used for carrying passengers for reward.

“Taxi” means any motor vehicle designed to carry not more than five persons and used for carrying passengers for reward under a contract expressed or implied for the use of the vehicle as a whole or for an agreed sum.

“Licensing Officer” means the City Manager or any Officer authorized by him to act as such.

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Thirty-four Tema West Municipal Assembly (Kiosk-Keepers) Bye-laws, 2020

In exercise of the powers on the Tema West Municipal Assembly by Part 181 of the Local Governance Act, 2016 (Act 936) hereby made this bye-law:

Title

This bye-law may be cited as Tema West Municipal Assembly (Kiosk Keepers) Bye-laws, 2020.

1. License

(a) A person shall not construct or keep a kiosk in the Tema West Municipality for the transaction of business without first applying to the Assembly for a license to construct and transact business thereon and written consent of the landlord.

(b) A license granted under sub-section 1(a) is temporary and the TWMA reserves the right to order the removal of any kiosk if its location is required for a public use.

(c) An applicant shall attach to the application for a license to operate a kiosk, three site plans of the area and the location of the kiosk;

(d) The TWMA shall in accordance with its fee fixing mechanism determine fee payable for the issuance of the license;

2. Display of official numbers

The owner of a kiosk shall display the official number(s) allocated by the TWMA on the frontage of the kiosk.

3. Dimension

No kiosk shall exceed 12 square meters.

4. Monitoring and Enforcement

(a) A delegated officer or officers of the department of physical planning of the TWMA shall ensure that all kiosk constructed in the city complies with the provisions of this bye-law;

(b) The owner of a kiosk erected contrary to the provisions herein shall be notified in a writing specifying the breach and given twenty-one days to remedy the breach and failure on the owner's part, the TWMA shall remove the kiosk and surcharge the owner with the cost of the removal.

5. Former Licenses

A license issued in respect of an existing kiosk granted by the TWMA shall remain valid until it expires.

6. Offence and Penalty

(a) Any person who contravenes any provision of these Bye-laws shall be guilty of an offence and shall on conviction be liable to a fine of not less than 100 penalty units and not exceeding 250 penalty units or imprisonment for a term not exceeding 6 months or both.

(b) Notwithstanding any court action instituted under sub-section 6(a), the TWMA may remove any unauthorized kiosk after giving fourteen days' notice to the owner of the kiosk to remove it and surcharge the owner with the cost of removal if the owner fails to do so.

(c) Where the removal of the kiosks is due to expansion of a facility and or construction of a public infrastructure, the TWMA shall give six months written notice to the occupants to look for an alternative space.

7. Interpretation

In these Bye-laws unless the context otherwise requires TWMA means Tema West Municipal Assembly, public use means use the premises for the benefit of the public, kiosk refers to wooden and metal structures conforming to the specifications given in this bye law.

8. Application

These rules and Bye-laws shall apply to the markets listed hereunder in the Schedule.

9. Offence and penalty

Any person who contravenes any of these Bye-laws shall be guilty of an offence and upon conviction be liable to a fine of not less than 140 penalty units or to a term of imprisonment not exceeding six months.

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

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Thirty-five

Tema West Municipal Assembly (Push Trucks) bye-law, 2020

In exercise of the powers on the Tema West Municipal Assembly by Part 181 of the Local Governance Act, 2016 (Act 936) hereby made this bye-law:

Title

This bye-law may be cited as Tema West Municipal Assembly (Push Trucks) Bye-laws, 2020.

1. License

(a) The owner or person in possession of any vehicle having wheels not propelled by mechanical means in use for commercial purposes in the Municipality shall take out a license for such vehicle.

(b) A license issued under this bye-law shall expire on the 31st December, of the year in which it was issued.

2. Fees

(a) The Tema West Municipal Assembly shall by a resolution fix the fees payable for the issuance of the license.

(b) A vehicle issued with a license shall display it on the vehicle.

3. Condition of Vehicle

Before the issuance of a license, a testing officer of the Assembly or a person directed to do so by the Assembly shall certify that the condition of the vehicle does not endanger the life of persons or property.

4. Prohibition

(a) A person below the age of 18 years shall not push any vehicle within the area of jurisdiction of the Assembly.

(b) A person driving the vehicle and those helping the driver shall not sit on the vehicle while it is in motion.

5. Rules of the Road

The user of any such vehicle which is subject to this bye-law shall use the pedestrian walkway and where no pedestrian walkways exist, it shall move in the opposite direction.

6. Restrain on use of vehicle

(a) A vehicle licensed under this bye-law shall not obstruct and endanger road users.

(b) A vehicle licensed under this bye-law shall not ply on streets within the residency, the Regional Co-ordinating Council and highways.

7. Enforcement

Municipal Guards, the Transport and other relevant departments of the Assembly are vested with power to ensure compliance with the provisions of this bye-law.

8. Monitoring

A monitoring team from the Assembly shall monitor the operations of the push truck to ensure compliance with these Bye-laws.

9. Offence

A person who contravenes any of the provisions of these Bye-laws shall be guilty of an offence and shall on conviction be liable to a fine of not less than 150 penalty units or imprisonment for a term not exceeding six months.

10. Interpretation

In this bye-law unless the context otherwise requires, TWMA means Tema West Municipal Assembly, vehicle means push truck, purposes means conveying goods from one point to another.

11. Application

These rules and Bye-laws shall apply to the markets listed hereunder in the Schedule.

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Thirty-six

Tema West Municipal Assembly (Porters) Bye Laws, 2020

In exercise of the powers on the Tema West Municipal Assembly by Part 181 of the Local Governance Act, 2016 (Act 936) hereby made this bye-law, 2020:

Title

This bye-law may be cited as Tema West Municipal Assembly (Porters) Bye-laws, 2020.

1. Prohibition

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

2. Registration

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

3. Screening

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

4. Criminal Record

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

5. Processing of Forms

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

6. Vetting of Forms

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

(b) A porter after going through this process is deemed to have registered with the TWMA to operate in a named locality.

7. Uniforms and Proof of identity

(a) It is unlawful for any porter to operate at any part of the Municipality without the approved uniform and a license issued by the TWMA;

(b) The uniform shall be a brown overall Khaki with the registration number of the porter boldly written in front and at the back thereof and the name of the porter in front or any specified uniform which the TWMA may approve.

(c) The porter shall also wear a picture identity provided by the TWMA at all times.

8. Monitoring and Enforcement

The Security department and the Municipal Guards of the TWMA shall conduct routine inspection of porters to ensure that all porters in the city comply with the provisions of this bye-law.

9. Withdrawal of License

(a) The TWMA reserves the right to withdraw the license of any porter who is convicted of a criminal offence in the nature of theft, dishonesty or commits acts of in- subordination or persistently breaches a provision(s) of this bye-law.

(b) It shall be the duty of every porter to keep his overall dress clean and to maintain a general appearance of personal cleanliness.

10. Offence and Penalty

(a) A porter who contravenes any provisions of this bye-law commits an offence and shall be liable on conviction by a court to a fine of not less than 140 penalty units or to a term of imprisonment not exceeding 6 months.

11. Application

These rules and Bye-laws shall apply to the markets listed hereunder in the Schedule.

12. Interpretation

For the purposes of this bye-law, "a porter" means a carrier of goods or trolley pusher, or carrier at a trading shop, market, lorry stations, taxi ranks and any other place where the work of a porter is carried on, TWMA means Tema West Municipal Assembly and M.C.E. means Municipal Chief Executive.

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

SIGNED

MOHAMMED ALI AMADU

Presiding Member

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Thirty-seven

Tema West Municipal Assembly (Control of Hawkers) Bye-laws, 2020

In exercise of the powers on the Tema West Municipal Assembly by Part 181 of the Local Governance Act, 2016 (Act 936) hereby made this bye-law:

Title

This bye-law may be cited as Tema West Municipal Assembly (Control of Hawkers) Bye-laws, 2020.

1. Hawkers to obtain license

(a) A person shall not operate as a hawker unless he obtains upon application a license from the TWMA for that purpose.

(b) The license shall be in such forms as the TWMA determine and shall be issued subject to such conditions deemed fit including but not limited to the following:

(c) A hawker shall not sell, offer or exhibit goods other than those in respect of which the TWMA has granted a license in writing therein.

(d) A hawker shall not erect any stall or any structure in any public place for the purpose of his trade or any business.

(e) A hawker shall not obstruct or impede the free movement of vehicular or pedestrian traffic.

(f) The Municipal Guards shall monitor the hawkers to ensure compliance with the conditions stated above in these Bye-laws.

2. Particulars of Application

Every application issued under these Bye-laws shall be made in writing and shall contain particulars of the goods which the applicant wishes to sell.

3. Duration of license

(a) A license issued under these Bye-laws shall expire on the 31st December, of the year in which it is issued.

(b) The payment of a license shall be quarterly ending March, June, September and December.

(c) A license shall be issued on the payment of such fee as may be fixed by resolution of the TWMA.

4. Hawkers not to sell in public places

No hawker shall sell or offer for sale anything in the places specified in the schedule to these Bye-laws.

5. Hawkers to produce license on demand

(a) Every hawker shall produce for inspection a license granted under these Bye-laws upon demand being made to him by a person authorized in writing by the TWMA.

(b) Any person who fails or refuses to produce the license without a reason commits an offence.

6. Cleanliness of food selling sites

An occupier of a space or selling site shall be responsible for maintaining the cleanliness of the space or selling site, and he shall at the close of each day thoroughly clean his place or selling site and sweep all rubbish from the space of selling and its surroundings and place the rubbish in dustbins. Material or a location provided for the purpose and thoroughly wash away all stains and marks whether of fat, oil, grease or any other kind.

7. Prescribed outfit for food handlers

No handler of food meant for public consumption shall operate without wearing an outfit prescribed and approved by the TWMA and made up as follows:

- a) A white hair cap,
- b) A white apron,
- c) A pair of white latex hand gloves
- d) And any other outfit as TWMA shall deem necessary.

8. Food for sale to be raised from the ground

(a) No occupier of any space or selling site shall offer for sale any bread, prepared grain food or any other articles of food, unless the articles are placed on a table or support raised at least 0.45 meter from the ground.

Food wrapper

(i) Food seller shall not serve food in anything unless due care has been taken to make sure the food wrappers are hygienic;

(ii) A designated officer of the Environmental Health and Sanitation Unit shall have the responsibility of ensuring the compliance of this Part of the bye-law.

9. Protection of food from dust, flies and other contaminants

No article which is likely to be used for human consumption, shall be exposed either to dust or flies and shall be disposed of in such a manner as will satisfy the sanitation rules prescribed by TWMA

10. Prohibitions

(a) A person of unsound mind, person suffering from vermin or from any contagious or infectious diseases shall be prohibited entry into a street market;

(b) No occupier of any space or selling site shall place any box, basket or other containers in the pathways or avenues of the market.

11. Offence and penalty

Any person who contravenes any provision of these Bye-laws commits an offence and shall on conviction by the court pay a fine of not less than 120 penalty units or in default to a term of imprisonment not exceeding six months or in the alternative a spot fine approved by a Resolution of the Assembly.

12. Application

These rules and Bye-laws shall apply to the markets listed hereunder in the Schedule.

13. Interpretation

In these Bye-laws unless the context otherwise requires-“a hawker” means any person who sells or offers or exposes for sale, goods of any description in a place other than a recognized market or his dwelling house or shop and includes an assistant employed by such person.

14. Application

These Bye-laws shall apply within the areas of the TWMA Schedule for unauthorized places for hawkers

- (1) Pavements of Principal streets in the Municipality.
- (2) Spaces in front of Assembly Offices, Banks, and all other places similar to the aforementioned
- (3) Frontage of stores
- (4) Pedestrian-Walks
- (5) Such areas as the TWMA may from time to time determine.

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

Tema West Municipal Assembly

SIGNED

MOHAMMED ALI AMADU

Municipal Co-ordinating Director
and Secretary of TWMA

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Thirty-eight

Tema West Municipal Assembly (Urban Passenger Transport Services) Bye-laws, 2020

In exercise of the powers on the Tema West Municipal Assembly by Part 181 of the Local Governance Act, 2016 (Act 936) hereby made this bye-law:

Title

This bye-law may be cited as Tema West Municipal Assembly (Urban Passenger Transport Services) Bye-laws, 2020.

1. Permit to operate

- (a) An entity operating an Urban passenger transport services within the Municipality shall require a permit to operate any such system,
- (b) An existing group of operators legally associated as a Union, Cooperative, Association, Limited Liability Company, Partnership or any new association formed and, currently providing transport services in the Municipality shall be eligible to apply and register with the Assembly after satisfying the requisite conditions of the Assembly.

2. Application forms

- (a) A prospective applicant shall purchase the requisite application forms from the Assembly and complete same in triplicate and submit it to the transport department of the Assembly for processing.
- (b) The applicant shall attach to the application the body's certificate of registration, tax clearance certificate, a detailed description of all routes to be plied, services to be provided, place of operation describing all facilities available and any other requirements as the Assembly shall from time to time require.
- (c) The Assembly shall on receipt of the application with all its attachments issue a receipt to a representative of the applicant who made the presentation after the payment of the requisite fees approved by a resolution of the Assembly.

3. Processing of application forms

- (a) The completed application form shall be processed by the Assembly within one month from the date of receipt of the application;
- (b) The processing of the application shall be done by a three member panel comprising the head of transport department at TWMA, the Solicitor of TWMA and a representative from the police motor traffic and transport unit of the Ghana Police Service;
- (c) The panel shall in processing the application among others visit the place of operation of the applicant to verify the contents and other statements made in the application;
- (d) The Assembly will assess a valid application based on the adequacy or otherwise of existing services and whether the proposed service is required in the public interest;
- (e) This will be done on the basis of the best evidence available to it, including evidence submitted by the Applicant in support of the permit application and information made available by, local, regional and national transport union representatives where necessary or other relevant interest groups;
- (f) The Assembly may, if necessary, seek information from any public or private body, but without disclosing details of the application that has been made;
- (g) The criteria for deciding whether a route is adequately served will comprise a review of existing service frequency, number of services provided per day/week, duration of daily service provided;
- (h) Evidence of unsatisfied demand, would include transport studies, representations, complaints and any case made by an application.

4. Operational permit

- (a) The panel after processing the application shall issue an operational permit to the applicant for the operation of the urban transport services under Type 'A' permit for areas within the Tema West Municipality and type 'B' permit for areas outside the Assembly's jurisdiction;
- (b) Any such permit granted is valid till 31st December of the year, in which it was issued,
- (c) A successful applicant shall pay a fee fixed by the resolution of the Assembly,
- (d) The panel in refusing an application shall state the grounds upon which the application has been refused and notify the applicant,
- (e) An applicant whose application is refused shall in the case of failing to fulfil a condition complete a fresh application and resubmit the application for consideration.
- (f) In any other case the applicant shall appeal to the MCE within 21 days after the panel's decision.
- (g) The MCE shall constitute a three member appeals panel which shall vet the application and give its written recommendation to the MCE within fourteen days from constituting the panel,
- (h) The Appeals panel shall comprise, a high court judge who shall act as the chair, a senior lawyer of fifteen years and above standing at the bar, and a senior police officer.
- (i) The MCE on receipt of the appeal decision shall notify the appellants of the Assembly's decision,
- (j) Where the appeals panel refuses the grant of the permit, the applicant shall within 21 days of the decision appeal to the Regional Minister for a review of the decision.
- (k) Where the appeal to the Regional Minister also refuses to grant the permit for operation, the applicant shall proceed to a court of law for redress.
- (l) The panel in processing the application shall among others consider a detailed description of the route and time table in respect of the proposed service including pick up and set down points, inspect vehicles to be used including road worthy and insurance certificates and others.

5. Duration of permit

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

(b) The transport department of the Assembly shall set a task force which shall visit the various routes granted to the transport operator to assess the organization's compliance with the conditions of grant of the operational permit,

(c) An applicant whose renewal is refused by the Assembly shall go through the appeal process existing under this bye-law,

(d) The Assembly in rejecting the renewal of the operational permit shall be guided by whether the service to which the permit relates has been carried out efficiently or not, whether there have been frequent breaches or not and whether the applicant has complied with the conditions attached to the permit and this Bye-laws

6. Complaint Unit

(a) The Assembly shall set a complaint unit at the transport department to receive complaint from the general public concerning the operation of a permit holder at a bus terminal and on the routes provided to a permit holder,

(b) Any complaints received relating to operational permits for passenger services, or other matters arising in the context of the urban passenger transport services will be investigated by the Assembly with assistance where necessary from other relevant bodies.

(c) All complaints should be forwarded in writing to the Assembly.

(i) Chairman- TWMA Transport Commission or

(ii) Head of Unit- TWMA Urban Passenger Transport Unit.

(d) Any complaint received shall be investigated by the Assembly to ascertain any factual breach or breaches after which a formal letter containing the complaint shall be forwarded to the permit holder for a response,

(e) Upon receipt of the response, the complaint unit shall give opportunity to the parties to state their case and parties questioned from their evidence. A final decision will only be made after consideration of the relevant factual matters and any submissions of the relevant parties.

(f) The complaint unit shall give its decision fourteen days after hearing the parties and their decision must be written and read to the parties after duly inviting the parties to appear before them.

(g) Where the breach or offence is established against the permit holder, the permit holder shall be given a written warning by the complaint unit and where the breach continues, it shall be a ground for revoking or refusing to renew a permit.

7. Regulation

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

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

(i) require that Urban Passenger Transport Services for any designated area within their area of authority is operated under a permit,

(ii) define routes, stopping places and terminals within part or the area of jurisdiction,

(iii) invite and evaluate applications for route operating Permits and select from among the applicants,

(iv) award route service contracts,

(v) award exclusive operating rights for a route, corridor or area to operators,

(vi) restrict or exclude other operators from routes or corridors where route service contracts have been awarded,

(vii) attach conditions to an urban passenger transport services permit in accordance with the Procedures,

(viii) define and enforce services and vehicle quality standards in accordance with existing national regulations,

(ix) establish mechanisms for the operations and management of passenger transport services,

(x) collaborate with any District Assembly for the performance of their respective functions relating to

urban passenger transport services,

- (xi) generally promote integration of urban passenger transport services.

8. Offences and penalty

- (a) A person commits an offence, if that person:

(i) Provides or operates an urban passenger transport service without a Permit. The Task Force established under this bye-law shall impound the vehicle subject to the payment of a fine of not less than 180 penalty units and signing a bond before a judge or magistrate or in addition imprisonment of two months.

(ii) Provides or attempts to provide an urban passenger transport service which is not in consonance with the terms and conditions of the permit. These offences shall include but not limited to:

- (a) operating on a route different from that specified by the Permit, except at the time where there is clear evidence that the route was temporarily inaccessible,
- (b) operating beyond the permitted limits of the route,
- (c) operating at terminals not authorized under the permit,
- (d) stopping to allow passengers to board or alight at places which are not authorized by the Permit, and
- (e) carrying passengers in excess of the permitted capacity of the vehicle,

9. Penalty

(a) Where a person contravenes bye-law 9(1) (b) his vehicle shall be impounded subject to the payment of a fine of 120 penalty units and revocation of the Permit for a period of 24 days or both.

- (i) provides false information for the purpose of obtaining an urban passenger transport service Permit,

(ii) Where a person contravenes bye-law 9(1)(c) he shall be liable to the payment of a fine of 60 penalty units or a revocation of his permit and debarment from applying for or being granted new permit for a period of up to two (2) years.

(iii) Operates or attempts to operate or ply for trade at a terminal without authorization from the Assembly in accordance with the approved procedures, amounts to an offence and the offender shall be liable on conviction to the payment of a fine of 120 penalty units.

(iv) Obstructs the effective functioning of any urban passenger transport facility or infrastructure, including terminals, access to terminals, designated parking places, designated stopping places, priority lanes or dedicated running ways for passenger transport vehicles, or

(v) Intimidates or unlawfully attempts to persuade any person employed by the Assembly to carry out its functions.

(b) Where a person contravenes bye-law 9 (1) (e) and 9 (1) (f), the offender shall be liable on conviction to the payment of a fine 120 penalty units or to a term of imprisonment not exceeding two months or to both.

(i) The provisions in these By-Laws shall not inhibit the Assembly in applying penalties under any existing enactment.

(ii) A person who contravenes any other provision apart from the offences specified in bye-law 9 of these By-Laws commits an offence and is liable on summary conviction to a fine of 100 penalty units or to a term of imprisonment of six months.

11. Application

These rules and Bye-laws shall apply to the markets listed hereunder in the Schedule.

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Thirty-nine

Tema West Municipal Assembly (Infectious Disease) Bye-laws, 2020

In exercise of the powers on the Tema West Municipal Assembly by Part 181 of the Local Governance Act, 2016 (Act 936) hereby made this Bye-law:

Title

This Bye-law may be cited as Tema West Municipal Assembly (Infectious Disease) Bye-laws, 2020.

1. Cleansing and disinfecting premises and articles

(a) Where the TWMA is satisfied upon the certification of a Registered Medical Officer of Health or any legally qualified Registered Medical Practitioner that the cleansing and disinfection of any premises or articles would tend to prevent or check any dangerous or infectious disease;

(b) The TWMA may by a notice in writing served on the owner of the premises or article, direct that it will at his cost to do the cleansing and disinfection or destruction unless within 24 hours after the receipt of the notice, he informs the TWMA within the time specified in the Notice that he will take such measures as are specified therein to the satisfaction of the Assembly.

2. Notification of infectious diseases

(a) If a person on whom the Notice is served does not inform the Assembly as required or having informed the TWMA does not take the steps specified to the satisfaction of the TWMA within the time specified, the TWMA, may cause the premises to be cleansed and disinfected and the articles disinfected or destroyed and later recover the expenses reasonably incurred in so doing from the person on whom the Notice was served.

(b) Where the evidence exist that the person on whom the notice is served is unable to foot the cost of the exercise, the person shall inform the TWMA on the service of the notice to enable the TWMA undertake the exercise.

(c) The TWMA may serve notice in writing on the owner of any bedding, clothing or other article which has been exposed to infection by any dangerous or infectious disease, requiring the delivering of the articles to an officer of the Environmental health department of the Assembly duly authorized within twenty four hours for removal for disinfection or destruction as the case may be.

(d) Where the owner fails to comply with this provision, the environmental health officer shall with the help of the security ensure the delivery of the items for removal for disinfection or destruction as the case may be.

(e) Without prejudice to Bye-law 2 hereof, any person who fails to comply with any of the requirements of any Notice served on him within the time specified in such notice shall be guilty of an offence.

(f) Where any inmate of any building or structure used for human habitation, not being a hospital is suffering from infectious disease, the head of the family to which the patient belongs shall as soon as he becomes aware of the fact send notice thereof to the Environmental Health and Sanitation Officer of the TWMA In the absence of a head of the family, the nearest relatives or an adult inmate of the house in which the patient is present in the building and in the absence of such relatives, any person in charge of or in attendance on the patient resides and in default of any such person, the occupier of the building or structure.

(g) Any person who fails to send the requisite notice shall be guilty of an offence under these Bye-laws

unless he satisfies the court that he is required to send the notice only in the absence of some other person and that he believed and had reasonable grounds for believing that the notice has been duly sent.

(h)(i) A Medical Practitioner attending or called in to visit a patient shall as soon as he becomes aware that the patient is suffering from a dangerous or infectious disease, send to the Environmental Health and Sanitation Office a certificate stating the name of the patient, the nature of his illness and his address.

(ii) Any Medical Practitioner who fails to send a certificate as required by these Bye-laws shall be guilty of an offence.

3. Prohibition on occupation involving risk of infection

(a) A person who knows that he is suffering from a dangerous or infectious disease shall not engage in or carry on any trade, business or occupation in connection with food or any trade, business or occupation which he cannot engage in or carry on without the risk of spreading such disease.

(b) A person who-

(i) knowing that he is suffering from a dangerous or infectious disease exposes other person to the risk of infections by using any public transport or by his presence or conduct in any street or footpath thereof, public place, place of entertainment or assembly, club, hotel, restaurant, shop or any licensed premises; or

(ii) having the care of a person whom he knows to be so suffering cause or permits that person to expose other persons to the risk of infection; or

(iii) gives land, sells, transmits or exposes without previous disinfection, any bedding, clothing or other articles which he knows to have been exposed to infection from any such diseases and which are likely to carry such infectious disease shall be guilty of an offence under these Bye-laws.

4. Restriction on deposit of infected rubbish

No person shall place or deposit or cause or permit to be place or deposited in a dustbin or ash-pit or other receptacle for containing refuse any matter which he knows to have been exposed to infection from a dangerous or infectious disease and which has not been disinfected.

5. Restriction on laundry facilities for infected articles

(a) No person shall send or deliver to any laundry or public wash house, for the purpose of being washed or cleaned, any article or thing which he knows to have been exposed to infection from a disease, unless such articles or things have been disinfected by or to the satisfaction of the Environmental Health and Sanitation Unit.

(b) No person shall let or offer to let any house, room or other premises in which a person has to his knowledge been suffering from a dangerous or infectious disease, without having that house, room or other premises and all articles therein liable to retain infection, disinfected to the satisfaction of the Environmental Health and Sanitation Officer or a qualified medical practitioner.

(c) If the occupier of a house ceases to occupy that house in which to his knowledge a person was within six weeks previously, been suffering from an infectious disease and fails to have it and all articles there liable to:

(i) Retain infection disinfected to the satisfaction of the Environmental Health and Sanitation Officer; or

(ii) Fails to give to the owner of the house notice of previous existence of such disease he shall be guilty of an offence under these Bye-laws.

6. Monitoring and enforcement

The Environmental Health and Sanitation Unit and its allied departments shall ensure the compliance of this Bye-law.

7. Offence and penalty

- (a) It shall be an offence to spit, urinate or throw rubbish in public place.
- (b) Any person who contravenes any of the provisions of this Bye-law commits an offence and shall on conviction be liable to a fine of not less than 120 penalty units or in default of payment to a term of imprisonment not exceeding six months or both.

8. Application

These rules and Bye-laws shall apply to the markets listed hereunder in the Schedule.

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Forty

Tema West Municipal Assembly (Births and Deaths Registration) Bye-laws, 2020

In exercise of the powers on the Tema West Municipal Assembly by Part 181 of the Local Governance Act, 2016 (Act 936) hereby made this bye-law:

Title

This bye-law may be cited as Tema West Municipal Assembly (Birth and Death Registration) Bye-laws, 2020.

1. Report of birth and death

- (a) The birth and deaths registry of the TWMA shall receive notice of births and deaths occurring within the municipality and to record such reports in books provided for the purpose (hereinafter referred to as the Registration).
- (b) The Part shall operate under a Registrar with a supporting staff mandated to undertake such registration.

2. Duties of the Registrar

The Registrar shall-

- (a) Keep two separate registers to record the details of birth or death received at the office;
- (b) Subject to the directions of the TWMA, the Registrar shall ensure safe keeping of the registers;
- (c) Make the registers available at all responsible times for inspection by an authorized member of TWMA or Medical Officer of Health/ Environmental Health and Sanitation Officer or the Principal Registrar of Births and Deaths or his representative or for search by any member of the public;
- (d) Submit returns in such manner and at such times as the Principal Registrar of Births and Deaths shall direct;
- (e) Otherwise conform to the requirements of this bye-law.

3. Appointment of Registration Assistants

(a) The TWMA may appoint such number of Registration Assistants necessary to compliment the work of the Registrar;

(b) Registration Assistant shall perform the same duties as the Registrar but shall report to the Registrar;

(c) Registration Assistants shall send to the Registrar certified extract of all entries in their registers during the previous month;

(d) The Registrar shall keep under lock and key, registers not in use,

(e) The Registrar in accordance with bye-law 1(a) shall receive reports in writing from the following persons:

(i) Birth, by the mother, father or guardian of the child;

(ii) Deaths, by the surviving spouse of the deceased or the head or a principal member of the deceased's family or in his absence by the person finding or taking charge of the body.

4. Fees

The person making the report of birth or death shall pay the necessary fee fixed by the resolution of the TWMA and approved by or on behalf of Ministry of Local Government.

5. Custody of Registers

The Registrar shall keep registers in the forms provided for register of Birth/Deaths and Burial respectively under the existing law.

6. Issuance of Birth or Death Certificate

The Registrar and the Registration Assistants shall upon registering any birth or death delivered to the reporter and upon payment of a fee fixed by resolution of the TWMA and approved by or on behalf of the Ministry of Local Government, issue a certificate in accordance with the existing law and or regulations;

7. Power to Bury

All burials can only take place with a valid burial permit issued by the birth and death registry with the approval of Environmental Health and Sanitation Unit.

8. Time for Registration

A person who has to make a report under this bye-law shall do so as follows;

a. In respect of death within fourteen days, and

b. In respect of a birth within three months.

c. Where a person fails to make the report as stated under bye-law 9 (a) the late report shall attract a penalty determined by a resolution of the TWMA

9. Inspection of Register

A person shall on payment of an amount fixed by resolution of the TWMA inspect an entry in the register or to search the register at any reasonable time.

10. Copies as evidence

A certified copy of a register shall be receivable in evidence in any legal proceedings as evidence of the facts recorded therein.

11. Correction of register

(a) A clerical error in a register may if discovered at the time of making the entry, be corrected. An alteration detected after the entry in the register shall only be altered on the application of the party supplying

the information to the Registrar.

(b) No erasure shall be made in any register or certified copy or extract thereof; any such erasure shall render same void.

(c) Without prejudice to bye-law 12(2) above, any correction made shall be in respect of the register and not the certified copy. The person effecting the correction shall draw a line of red ink through the word but shall leave the word readable. Any word to be inserted shall be underlined or written in the margin opposite any correction.

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

12. Penalty

(a) A person who wilfully registers or permits registration of a false statement or who wilfully destroys or permits the destruction of an entry in a register shall or carry out burial without burial permit approved by Environmental Health and Sanitation Unit commit an offence shall upon conviction be liable to a fine of not less than 150 penalty units or in default to term of imprisonment not exceeding two months or both.

(b) Where burial takes place without approved burial permit, the TWMA and the Birth and Death registry may cause the exhumation of the dead body for autopsy at the cost of the family if cause of death is not established by qualified medical officer.

Interpretation

13. In these Bye-laws unless the context otherwise requires;
TWMA means Tema West Municipal Assembly.

Application

14. These rules and Bye-laws shall apply to the markets listed hereunder in the Schedule.

15. Revocation

The Births and Deaths Bye-law, of 1995 is hereby repealed

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Forty-one

Tema West Municipal Assembly (Palm -Wine and Pito Sellers) Bye-laws 2020

In exercise of the powers conferred on the Tema West Municipal Assembly by Part 181 of the Local Governance Act 2016 (Act 936) these Bye-laws are hereby made.

Title

This bye-law may be cited as Tema West Municipal Assembly (Palm wine and Pito Sellers) Bye-laws, 2020.

1. Palm wine etc to be sold in approved premises

- (a) No palm -wine or pito shall be sold except upon premises which shall have been Approved and licensed by the Assembly.
- (b) The license shall be in the form specified in the Schedule to the Bye-laws.

2. Application for license

- (a) Every application for such a license which in every case shall be subject to such conditions as the Assembly may impose shall be made in writing to the Assembly.
- (b) License will be granted -yearly and every license shall, unless revoked continue in force from the date of granting thereof until the 31st December.
- (c) The fee for every yearly license shall be such fees fixed as may be by resolution of the Assembly

3. Place for sale

- (a) Any room used for the sale or consumption of palm-wine or pito in any premises licensed under these Bye-laws shall not be less than 12 feet by 12 feet long and not less the 10 feet high.
- (b) The floor of any such room shall be of concrete or other impervious material and the walls shall be capable of being washed.
- (c) In every such room adequate lighting and ventilation shall be provided.

4. Room not to be used as sleeping place.

- (a) No room used for the sale or consumption of palm -wine or pito in any premises licensed under the Bye-laws shall be used as a living or sleeping room nor shall it open directly into toilet, bathroom or kitchen

5. Rooms to be fly proof

- (a) In every room used for the sale or consumption of palm -wine or pito in any premises licensed under these Bye-laws fly-proof storage shall be provided for stocks of palm-wine or pito not in immediate use.
- (b) There shall also be shelves for the storage of drinkable and other utensils and sufficient chairs or forms and tables for accommodation of customers.

6. Persons suffering from infections

- (a) No owner or person in charge of the premises licensed for the sale of the palm-wine or pito shall allow any person suffering from an infectious disease to take part in the serving or sale of drinks or to remain on the premises.

7. Officers not to be obstructed

- (a) No person shall obstruct or resist any officer or other person appointed by the Assembly who is acting in the performance of any duty relating to any of the purposes of this Bye-laws.

8. Medical screening

- (a) No person shall sell Palm-wine or Pito without medical screening to declare him fit.

9. Revocation of License

- (a) The Assembly may withdraw any license granted under these Bye-laws. If any alteration is made to any premises after it has been granted or if the license is convicted of any contravention or breach of any of the provisions of the Bye-laws.

10. License to be displayed

(a) The person to whom the license is granted shall keep suspended or fixed over the entrance of the premises a signboard with his name, the number of his license and the words license to sell palm-wine and pito.

11. Offence

(a) Any person who contravenes any provision of these Bye-laws commits an offence and is liable on conviction to a fine not exceeding 25 Penalty Unit or a term of imprisonment not exceeding three months or both.

12. Application

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

13. Application

These rules and Bye-laws shall apply to the markets listed hereunder in the Schedule.

14. Revocation

Any Bye-laws on palm -wine and pito sellers in existence in the area of authority of the Assembly on the coming into force of these Bye-laws are hereby revoked.

SCHEDULE LICENSE TO SELL PALM-WINE AND PITO

License to Sell Palm-wine and Pito License is hereby granted toto sell palm-wine and pito with one store atuntil the..... day of20..... Dated..... this.....day..... of.....20.....Fee.....Paid.....

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Forty-two**Tema West Municipal Assembly (Control of Artisans) Bye-laws 2020**

In exercise of the powers conferred on the Tema West Municipal Assembly by Part 181 of the Local Governance Act 2016 (Act 936) these Bye-laws are hereby made.

Title

This bye-law may be cited as Tema West Municipal Assembly (Control of Artisans) Bye-laws, 2020.

1. Artisans to Obtain License

(a) No person shall work as a self employed artisan in the area of authority of the Assembly unless he obtains from the Assembly a license to work as such.

(b) Any license granted under these Bye-laws shall expire on the 31st December of year in which it is issued.

2. Fees

The fee payable to the Assembly for any license issued in accordance with these Bye-laws shall be fixed by resolution of the Assembly.

3. Offence

Any person who contravenes any provision of these Bye-laws commits an offence and is liable on conviction to a fine not exceeding 100 penalty unit or a term of imprisonment not exceeding six months or both.

4. Interpretation

In these Bye-laws the context otherwise requires. "ARTISAN" means a self employed skilled workman "Assembly" means Tema West Municipal Assembly.

5. Application

These byes -laws shall apply within the area of authority of the Tema West Municipal Assembly. Made at a meeting of the Tema West Municipal Assembly held on

SIGNED

Presiding Member

SIGNED

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Forty-three Tema West Municipal Assembly (Excavation/Conveyance of sand, stone and gravel) Bye-laws 2020

In exercise of the powers conferred on the Tema West Municipal Assembly by Part 181 of the Local Government Act 2016 (Act 936) these Bye-laws are hereby made.

Title

These Bye-laws may be conferred on Tema West Municipal Assembly (Excavation/ Conveyance of Sand, Stone and Gravel) Bye-laws and shall apply within the area of authority of the Tema West Municipal Assembly (herein referred to as the Assembly)

1. Payment of Fees

No person shall be permitted or licensed to excavate sand, stone or gravel from any place within the area of authority of the Assembly unless he shall have paid to the Assembly the fee to be fixed by the resolution of the Assembly in respect of these Bye-laws.

(a) Permit or license to excavate sand

Any person desirous to excavate sand, stone or gravel shall obtain a permit or license from the Assembly which shall.

- i. State the name and address of applicant
- ii. Enclose a site plan of the site of his operation
- iii. State the mode of excavation
- iv. By minor excavation
- v. By mechanical means or
- vi. By manual means

(b) Where Assembly is satisfied that the applicant is a genuine person to be granted a permit or a license and the site does not offend the environment of the Assembly area of authority the Assembly shall approve and grant a permit or license to the applicant.

(c) The permit or license shall cover the following:

- i. Name and address of the applicant
- ii. Site of operation;
- iii. Duration of the permit or license"
- iv. Fee to be paid per trip of sand, stone or gravel.
- v. Fee to be paid for the permit or license

2. Receipt to cover all payment

(a) All fees in respect of excavation shall be paid in advance.

(b) Whenever a fee is paid a counterfoil receipt or ticket shall be issued in respect of the fee thereof and any such receipt or ticket shall be accepted as proof of payment for the period which it is issued.

(c) Failure to produce such receipt or ticket on demand shall render the sand, stone or gravel excavated subject to penalty under Part 7 of these bye-law.

3. Loss or Damage

The Assembly shall not be held liable for any loss or damage to the site or any sand, or gravel excavated which may be due to the breach of these regulations to any other whatsoever.

4. Subletting of the site of operation

No applicant shall sublet, assign or sell any part of the site to another person without or consent of the Assembly.

5. Offence

Any person who contravenes any provision of these Bye-laws commits an offence and is liable on conviction to a fine not exceeding 150 Penalty Unit or a term of imprisonment not exceeding six months or both.

6. Interpretation

Assembly" in these Bye-laws means Tema West Municipal Assembly "Excavation" means mining by mechanical or manual means of sand, stone and deposit within the area of authority of the Assembly.

8. Application

These rules and Bye-laws shall apply to the markets listed hereunder in the Schedule.

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Forty-four Tema West Municipal Assembly (Internet Cafe) Bye-laws 2020

In exercise of the powers conferred on the Tema West Municipal Assembly by Part 181 of the Local Governance Act 2016 (Act 936) these Bye-laws are hereby made.

Title

This bye-law may be cited as Tema West Municipal Assembly (Control of Artisans) Bye-laws, 2020.

1. Internet Café License

(a) No person shall under take or perform in the area of authority of the Tema West Municipal Assembly (Hereafter referred to as the Assembly)

(b) Any internet cafe or similar act without first obtaining a license from the Assembly and having paid to the Assembly a fee fixed by resolution of the Assembly.

2. Children below the age of 18 years

No owner or proprietor of internet cafe shall allow a child below the age of 18years to enter and operate any game on the internet.

3. Hours of Operation

Any person operating an internet cafe within the area of authority of the Assembly shall operate between the hours of 6 am to 10 pm.

4. Cyber Fraud:

Any owner or proprietor who allows his cafe to be used by any person or group of persons to commit crime or fraud shall have his license revoked and shall be liable on conviction to a fine as prescribed by these Bye-laws

5. Offence:

Any person who contravenes any provision of these Bye-laws commits an offence and is liable on conviction to a fine not exceeding 130 penalty unit or a term of imprisonment not exceeding three months or both.

6. Application:

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

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local

Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Forty-five

Tema West Municipal Assembly (Maintenance of Premises) Bye-laws 2020

In exercise of the powers conferred on the Tema West Municipal Assembly by Part 181 of the Local Governance Act 2016 (Act 936) these Bye-laws are hereby made.

Title

This Bye-law may be cited as Tema West Municipal Assembly (Maintenance of Premises) Bye-laws, 2020.

1. White Washing and Painting of Premises

(a) A house holder or an owner or occupier of a premise within the area of administration of TWMA shall keep the house clean, white washed and painted on regular basis once in two years.

(b) Where the owner, occupier or landlord fails to comply to sub paragraph (1) of paragraph 1, TWMA shall under take the painting and charge the owner, occupier or land lord with the expenses incurred in under taking the Painting as a debt.

2. Application of Building Regulation

Not withstanding the provision of the Building Regulation any unauthorized structure attached to premises shall be demolished or removed on notice by TWMA.

3. Inspection by Authorized Officers

An officer of TWMA duly authorized may inspect the state of maintenance of any premises within the area of administration of TWMA.

4. Power of TWMA

TWMA may direct any household, owner or occupier of premises to white wash, paint or put the premises in a state of cleanliness within a prescribed period as it may determine.

5. Appeal

(a) A prescribed period specified by TWMA may be extended upon appeal by the household, owner or occupier of the premises in reasonable circumstances.

(b) After the expiration of the prescribed period which has been extended on appeal as specified in paragraph 5, a person who refuses to comply with the request to white wash, paint or put the premises in a state of cleanliness commits an offence.

6. Offence

A household owner or occupier of premises who refuses to repair or to keep the premises which is in a state of disrepair, dilapidated, collapsed or threat to life and property after reasonable warning or notice by TWMA shall be deemed to have contravened these Bye-laws.

7. Abandoned Premises

Where premises is abandoned and in a total state of disrepair, dilapidated or collapsed and poses threat to life and property TWMA shall serve notice to the owner or occupier of the premises to demolish it within a period of eight days.

8. Demolition of Premises After 8 days Notice

TWMA shall demolish the premises and charge the household, owner or occupier of the premises for labour after the expiration of the period of eight days notice.

9. Uncompleted Dangerous Property

(a) TWMA shall serve notice to the owner of uncompleted premises which poses a threat to life and property to either complete or demolish the uncompleted house within a specified period of time,

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

10. Penalty

Any person who contravenes any of the provision of these bye -laws commits an offence and shall be liable on conviction to a fine not exceeding 60 penalty units or in default the fine to a term of imprisonment for a period not exceeding six months or both.

11. Revocation

Any Bye-laws on Maintenance of Premises in the existence in the area of authority of the Assembly before the coming in to force of these Bye-laws are hereby revoked.

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Forty-six

Tema West Municipal Assembly (Drainage Waste Water) Bye-laws 2020

In exercise of the powers conferred on the Tema West Municipal Assembly by Part 181 of the Local Government Act 2016 (Act 936) these Bye-laws are hereby made.

Title

This Bye-law may be cited as Tema West Municipal Assembly (Drainage Waste Water) Bye-laws, 2020.

1. Duty to Provide Linkage Drain

Every household, owner or occupier of premises shall connect a linkage of waste except sewerage, to the main drain or culvert wherever available.

2. Application

These Bye-laws apply to premises such as dwelling houses, industrial or commercial house, structures sheds whether or not permanently occupied within the Municipal Assembly area of jurisdiction.

3. Linkage Drains

The linkage drains shall be made of concrete and shall also be covered.

4. Exception

Any household, owner or occupier of premises shall build a soak-away to take care of waste water in places where a drain or culvert is not available.

5. Penalty

Any person who contravenes any of the provision of these Bye -laws commits an offence and is liable on conviction to a maximum fine not exceeding 60 penalty unit or in default to a term of imprisonment not exceeding six months or both.

6. Application

These rules and Bye-laws shall apply to the markets listed hereunder in the Schedule.

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Forty-seven

Tema West Municipal Assembly (Control of Bakeries) Bye-laws 2020

In exercise of the powers conferred on the Tema West Municipal Assembly by Part 181 of the Local Governance Act 2016 (Act 936) these Bye-laws are hereby made.

Title

This Bye-law may be cited as Tema West Municipal Assembly (Control of Bakeries) Bye-laws, 2020.

1. Bakeries to be licensed

(a) No bread shall be prepared or baked for the purpose of sale in any place other than premises which have been approved and licensed by the Tema West Municipal Assembly (hereafter referred to as the Assembly)

(b) No premises shall be used for the preparation or baking of flour for sale unless the premises have been approved and licensed by the Tema Municipal Assembly.

2. Fees

The fees for every licensed issued under these Bye-laws shall be as fixed by resolution of the Assembly.

3. Conditions to be complied with

No premises shall be licensed for the preparation or baking of flour for sale unless there is at least one separate and suitable room for the following purposes.

- (a) The storage of flour and other material used;
- (b) The mixing and kneading of flour and other materials and any necessary temporary storage of any bread mixture; and
- (c) The storage of the finished bread or other products of bakery.

4. Rooms used for storage flour

- (a) Any room used for the storage of flour and other materials for the baking of bread shall be protected against rats and other Vermin and be properly lighted and ventilated.
- (b) Any materials used in baking bread and which are stored in the room shall be kept from contact with floor and walls.
- (c) Any room used for storage or display or sale of bread shall be provided with sufficient shelves, benches or table), bread stored or offered for sale shall be protected from contamination by being kept in suitable cupboards or show cases or in wrapping materials approved by an Environmental Health Officer.

5. Rooms not to be used for other purpose

No room in the bakery shall be used as a living or sleeping room or for any purposes not directly connected with the baking of bread.

6. Sanitary accommodation etc to be provided

The owner of a bakery shall;

- (a) Provide the person employed in the bakery with clean aprons or overalls.
- (b) Make proper arrangements for the disposal of any refuse from the bakery.

7. Smoking

No person shall smoke in any premises used for baking of bread.

8. Health of Employee of Bakery

- (a) Any person who is suffering from a festering wound or sore, discharging ears or who is suffering from diarrhoea or vomiting shall not take part in the preparation of bread or handle flour or material used in the baking of bread.
- (b) The owner or manager of a bakery shall ensure that any employee suffering from any disease referred to in sub-paragraph (1) of this paragraph is kept away from the premises used in the baking of bread.
- (c) Any person working in a bakery must be medically screened and declared fit.

9. Inspection

- (a) The Environmental Health Officer or such other person as may be authorized by the Environmental Health Officer shall have power to enter any bakery licensed under these Bye-laws for the purpose of inspection at any time and no person shall obstruct or persist any officer acting or purporting to act in the performance of his duties under these Bye-laws.

10. Revocation of License

The Assembly may revoke any license granted under paragraph 1 of these Bye-laws. If any alteration is made to any premises licensed there under, without the prior approval of the Assembly if the owner or manager of the bakery is convicted for any contravention of any provision of these Bye-laws.

11. Offence

Any person who contravenes any of the provision of these Bye-laws shall be guilty of an offence and shall on conviction be liable to a fine not less than 120 or to a term of imprisonment not less than six

months.

12. Interpretation

In these Bye-laws unless the context otherwise requires.

'Flour' means wheaten flour and flour containing no-wheaten substances such as cassava or maize; 'Bread' includes loaves, rolls, cakes, pastries and biscuits.

13. Application

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

14. Revocation

Any Bye-laws on Control of Bakeries in existence in the area of authority of the Assembly before the coming into force of these Bye-laws are hereby revoked.

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Forty-eight

Tema West Municipal Assembly (Distilling and Sale of Akpeteshie) Bye-laws 2020

In exercise of the powers conferred on the Tema West Municipal Assembly by Part 181 of the Local Governance Act 2016 (Act 936) these Bye-laws are hereby made.

Title

This Bye-law may be cited as Tema West Municipal Assembly (Distilling and sale of Akpeteshie) Bye-laws, 2020.

1. Distillers and Sellers of Akpeteshie to Obtain license

(a) Any person who wishes to distill or sell akpeteshie or any intoxicating liquor made by Ghanaians shall apply to and obtain permit from the Tema West Municipal Assembly (hereafter referred to as "the Assembly") to do so.

(b) Any license granted under these Bye-laws shall expire on the 31st December of the year in which it is granted.

2. Fees

There shall be payable for any license such fees as the Assembly may by resolution determine.

3. Offence

Any person who contravenes the provisions of sub-paragraph (1) paragraph I of these Bye-laws commits an offence and is liable on conviction to a fine not exceeding 120 Penalty Units or to imprisonment not

exceeding six months or to both.

4. Application

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

5. Revocation

Any Bye-laws on Control of Distilling and Selling of Akpeteshie in existence in the area of authority of the Assembly before the coming into force of these Bye-laws are hereby revoked.

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Forty-nine

Tema West Municipal Assembly (Effluents and Discharges) Bye-laws 2020

In exercise of the powers conferred on the Tema West Municipal Assembly by Part 181 of the Local Governance Act 2016 (Act 936) these Bye-laws are hereby made.

Title

This Bye-law may be cited as Tema West Municipal Assembly (Effluents and Discharges) Bye-laws, 2020.

1. Sullage

The occupier of any premises shall ensure that:

- (a) sullage discharged from domestic or residential premises consists of only liquid waste and does not contain any solid matter
- (b) sullage shall be discharged into a public drain and not allowed to run free on the ground
- (c) where a public drain is not available, sullage shall be discharged into a soakaway within the premises and not allowed to run free on the ground

2. Sewage

a. Where a public sewerage system exists, the occupier of any premises along or within 50 metres of the system within the area of jurisdiction shall, after meeting the prescribed Effluents and Discharges Standards, discharge all liquid wastes directly into the sewerage system.

b. Connection into the networks shall be effected by applying to the Municipal Assembly, its accredited Agents or Sewerage Contractors registered with the Municipal Assembly to make the connection and paying the prescribed fees

3. Privately operated sewerage systems shall:

- a. operate under the control and supervision of the Municipal Assembly;
- (i) meet environmental and effluent standards set by the Municipal Assembly and Environmental

Protection Agency.

4. Septage

a. Where it is not technically feasible to connect into a sewerage system or where the system does not exist, effluent shall be discharged into a septic tank connected to a functional soakaway and emptied by cesspool emptiers when full

b. Apart from sullage, all liquid waste from Health Care and Veterinary Institutions shall first be treated in a septic tank and effluent from the tank discharged into a sewerage system or into a soakaway. Such liquid waste from these institutions shall not be discharged into public drains or any surface or underground water

5. Installation of pre-treatment plant

a. Discharges or effluents from all premises shall meet the standards and specifications for Effluents and Discharges of the Environmental Protection Agency and other regulations of the Ghana Standards Board and the Water Resources Commission.

b. where necessary, the occupier shall be required to install a pre-treatment plant to ensure that the final effluent quality meets the standards.

6. Registration of pre-treatment plants

Where a pre-treatment plant is installed, the occupier shall register it, indicating the key specifications, and lodge a copy of the operation and maintenance manual with the Assembly.

7. Monitoring and logging of discharges and effluents

a. Where a pre-treatment plant is installed, the occupier shall, at his or her own cost, monitor effluents or discharges from it at intervals to be specified by the Environmental Protection Agency and a log shall be kept in a Register.

b. The Register shall be available for inspection by the designated officers of the Assembly or the accredited agents designated by the Assembly for the purpose.

8. Fees to be Charged

The Assembly shall impose fees as approved in its Fee Fixing Resolution on an owner or occupier of premises where services are rendered for the disposal of liquid waste.

Any person who contravenes any part of these Bye-laws commits an offence and is liable on conviction to a fine not exceeding 150 Penalty Units or to imprisonment not exceeding six months or to both.

9. Offences

Any person who:

- (a) discharges sullage containing solid matter, septage or night soil;
- (b) discharges effluents in a manner other than specified in these Bye-laws;
- (c) discharges effluents which do not conform to standards set by Environmental Protection Agency and other regulatory bodies
- (d) connects to the sewerage network without prior approval and payment of the connection fees; or
- (e) fails to connect into a sewerage system when the boundary of the premises is within 50 metres of a non-pressurised pipe within the system;
- (f) prevents or impedes agents of the Assembly from entry into premises to conduct inspections and monitor effluents and discharges; or
- (g) fails to maintain a Register of monitoring data on effluents or discharges, commits an offence.

SIGNED
HON. OSANYONMOR ATIATI PATRICK LAWER
Presiding Member

SIGNED
MOHAMMED ALI AMADU
*Municipal Co-ordinating Director
 and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Fifty
Tema West Municipal Assembly
(Use of Classrooms and School premises for Religious and Social purposes) Bye-laws 2020

In exercise of the powers conferred on the Tema West Municipal Assembly by Part 181 of the Local Governance Act 2016 (Act 936) these Bye-laws are hereby made.

Title

This Bye-law may be cited as Tema West Municipal Assembly (Use of Classrooms and School premises for Religious and Social purposes) Bye-laws, 2020.

1. Permit

No person, group of persons or any religious body shall use a classroom for the observance or celebration of a religious functions within the area of administration of the TWMA unless approval from the TWMA has been obtained.

2. Period for operation

(a) A religious body which has been given approval by this Bye-laws to use a classroom shall benefit from such approval only for the period specified and under the conditions as shall be determine by the TWMA

(b) the conditions shall be as follows;

i. The Churches / bodies applying for school sites should be well established and shall be bodies interested in providing facilities for the enhancement of educational facilities in an area of administration of the TWMA

ii. They shall be financially sound and capable to undertake bidding projects for schools in accordance with specifications as the TWMA may directs;

iii. They shall pay a fee stipulated per month to the TWMA in accordance with fee fixing resolution of the TWMA

3. TWMA's contribution

(a) the TWMA shall contribute workmen and technical advice when the needs arise as a compliment to the efforts for the church / body where the church or body has enough funds and has satisfy the conditions stated in sub-paragraph (2) of paragraph (3) of these bye laws.

(b) Bodies / churches shall cooperate with local communities so that the schools shall become Community School when created.

4. Cite for new school

a. Schools to be established shall not be cited near existing TWMA schools or other public schools in order that their enrolment shall be maximised.

5. Permission of furniture

- (a) The Church/Body shall provide furniture for newly established schools initiated by them.
- i. The school also built shall be in the public system under the TWMA 's education unit
 - ii. The Church /Body shall be represented on the school committee which shall be formed to run the school
 - iii. An agreement shall be executed between the church/body and the TWMA vesting the property in the later.

6. Inspection of premises

An officer duly authorize by the TWMA to conduct inspection may enter and inspect the condition of the premises and may request any person/ group of persons, Church/ religious body to produce its license for inspection as required by paragraph I of these Bye-laws.

7. Penalty

A person or group persons, Church / religious bodies contravening any of the provisions of these Bye-laws commits an offence and shall be liable on summary conviction to a fine not less than 100 penalty units or in default to a term of imprisonment not exceeding 3 months or to both.

8. Revocation

The TWMA may revoked a license where a person or group of person, Church/ Religious body has been convicted on one occasion of an offence in breach of these Bye-laws or any other law.

9. Interpretation

In these Bye-laws unless the content otherwise required TWMA means Tema West Municipal Assembly, Classroom means Schools rather than Private schools.

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Fifty-one

Tema West Municipal Assembly (Vehicle dealers) Bye-laws 2020

In exercise of the powers conferred on the Tema West Municipal Assembly by Part 181 of the Local Governance Act 2016 (Act 936) these Bye-laws are hereby made.

Title

This bye-law may be cited as Tema West Municipal Assembly (Vehicles Dealers) Bye-laws, 2020.

1. Application to operate as a vehicle dealer/Garage operator

A person shall not operate as a vehicle dealer/garage operator or keep vehicle in an enclosure or open space for sale or maintenance by that person or on behalf of others in the administrative area of TWMA unless

that person applies and obtains a license to do so from the Assembly

2. Vehicle dealers permit

a. An application for a vehicle dealer's/garage operators permit shall comply with the following conditions;

- i. the park of ground on which the vehicles are displaced shall be suitably fenced
- ii. there shall be a conspicuous signboard advertising the sales
- iii. the park shall be adequately equipped with firefighting mechanism and
- iv. the enclosure or open space must have been designated as a site for sale and display of vehicles by the TWMA

3. Fees

The Assembly may grant a permit to engage in the sale of vehicles or operating of garages on the payment of a fee as shall be specified by a resolution of the TWMA

4. Expiry of License

A license granted by the TWMA under the Bye-laws shall expire on the 31st December of the year in which it is issued and is subject to renewal

5. Submission of Site Plan

An application submitted to the TWMA shall be accompanied with three (3) site plans of the area where the place or enclosure is to be located.

6. Siting of office

A site for sale or display of vehicles or garages shall have an office from which receipt of sale of vehicle shall be issued.

7. Dimension

A park or enclosure used for the purpose of dealing in the sale of vehicles/garages shall not be less than 61 meters by 33 meters or as may be determine by the TWMA

8. Discretion to withdraw a dealer's license

Despite a sanction which may be apply, the TWMA may withdraw a vehicle dealers or garage operator's license for a stated reason upon given the dealer 30 days' notice where there is a continual contravention of these Bye-laws.

9. Individual sale of vehicles exempted

A disposal of only one (1) vehicle by an individual is exempted from the purview of this Bye-laws.

10. Penalty

(a) A person(s) who contravenes the provision of this Bye-laws commits an offense and is liable to summary conviction to a fine of not less than 100 penalty units or in default to a term of imprisonment of not more than six (6) months or to both.

(b) in the case of continuing offence, the offender is liable to an additional fine of 5 penalty unit for each day the offence continues

11. Interpretation

In these Bye-laws unless the context otherwise requires "TWMA" means Tema West Municipal Assembly, "Dealers" a person who sales vehicles in any place other than in a shop. "Garages operators" means

a person who maintain vehicles.

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C

Section Fifty-two Tema West Municipal Assembly (Community Based Fishing Management Committee) Bye-laws 2020

In exercise of the powers conferred on the Tema West Municipal Assembly by Part 181 of the Local Governance Act 2016 (Act 936) these Bye-laws are hereby made.

Title

This bye-law may be cited as Tema West Municipal Assembly (Vehicles Dealers) Bye-laws, 2020.

1. Establishment of Community Based Fishing Management Committee in each Fishing Community

a. There is established a Community Based Fishing Management Committee hereinafter referred to as “Community Based Fishing Management Committee” in each community in the Tema Municipal Assembly.

Object of Community Base fishing Management Committee

b. The object of the Community Based Fishing Management Committee is to oversee the management and development of the fishing industry in its communities

c. Function of the Community Based Fishing Management committee

(a) For the purpose of achieving its object under paragraph 2, the Community Based Fishing Management Committee shall

(b) register all fisher and fishing crafts, and cause to be embossed on each fishing craft for easy identification a registration number;

(c) specify the period during which certain categories of fishing of fishing nets for specific species of fish could be used;

(d) receive complaints or offences relating to the fishing industry as directed by law;

(e) be responsible for the conservation and management of the fishing resources;

(f) carry out other functions as are incidental to the attainment of the object of the Community Based Fishing Management Committee; and

(g) represent and see to the interest of the members of its community

(h) The Community Based Fishing Management Committee shall carry out other functions as may be directed by Tema Municipal Assembly.

(i) The Municipal Chief Executive may give to the Community Based Fishing Management Committee such directives of general character as appears to be require in the public interest relating to the discharge of the functions of the Community Based Fishing Management Committee and the Community Based Fishing Management Committee shall give effect to them.

2. Membership of Community Based Fishing Management Committee

The Community Based Fishing Management Committee in each community consists

- (a) the Chief Fisherman or his representative as chairperson;
- (b) one representative each of the following;
 - i. each ethnic group involved in fishing;
 - ii. fishmongers and fish processors;
 - iii. inland canoe Fishing Council; and
 - iv. the representative of the traditional ruler of the community.
- (c) one representative of the Assembly members from the community; and
- (d) one representative of the Unit Committee members from the community.

3. Use of Chemicals and Poisonous Substances

- (a) it is unlawful for anyone to use chemicals, dynamite, explosives, poisonous or any unapproved substance to fish.
- (b) A person who breaches this rule or offender shall have the fishing gear seized and burnt or as may be determined for public use by Community Based Fishing Management Committee.

4. Handling and Landing of Fish

- a. The handling and landing of juvenile fish is prohibited except that the fish known and called “Amoni” may be hauled and landed.

5. Mesh Size

It is unlawful to use a net with of less than 25 millimeters or one inch, whichever is similar.

6. Closed Fishing

It is lawful for the Community Based Fishing Management Committee to impose from time to time in accordance with the custom and tradition of each community and in consultation with the Department of Fisheries closed fishing season.

7. Regulating Fishing in Streams

It is not permissible to fish in any stream along the beaches in the Municipality until from May to June when the rains start unless otherwise directed by Community Based Fishing Management Committee.

8. Fighting at Stream or Dam

Fighting in any form either at or a stream or the dam site by fishermen, fishmongers or a person involved in the fishing industry is prohibited.

9. Conflict between Canoes

Where members of two or more canoes are involved in a conflict at the dams, members of each canoe shall pay a summary fine of 140 penalty unit to the Community Based Fishing Management Committee as arbitration fee, except that where the conflict is amicably resolved and thereafter withdrawn, members of each canoe shall pay a summary conviction fine of 130 penalty unit.

10. Casting of Net

- (a) During the course of fishing, when one group of fishermen encounters a shoal of fish and they cast their net and a second group of fishermen subsequently cast their net, the latter group of fishermen shall give to the former group of fishermen a third of their catch.

- (b) It is unlawful for any person or one group of fishermen to cast their net over the cast net over another person or group of fishermen.

11. Sharing of Fish

Where any fisherman hauls in more fish other than the fishermen could load onto a canoe, but gives part of it to another fisherman, the fish landed by the helper shall be equally shared between the two fishermen, and it shall be unlawful for either party to refuse to share the said fish.

12. Items found at the Beach or Sea

(a) Fishing inputs or items found or retrieved either at stream or at the dam shall be lodged with the Community Based Fishing Management Committee within three (3) days of finding or retrieving the fishing inputs or items.

(b) The Chief Fisherman shall cause an announcement to be made in respect of the items found or retrieved fishing inputs or items and if after a reasonable period of time the items are not claimed the fishing inputs or items shall be handed to the finder.

13. Cursing

(a) A person, or group of persons, who curses by the gods or evoke the wrath of the gods on another person, or group of persons commits an offence.

(b) In addition, the offender shall be liable to pay a fine of two crates of fish, one gallon of Akpeteshie, two (2) sheep and one (1) goat payable to Community Based Fishing Management Committee.

14. Damage to Articles

A person, or group of persons, who causes damages to another fishing input or any item shall be made to replace it, and where the act is deliberate the offender shall be made to pay a fine of 110 penalty unit to Community Based Fishing Management Committee.

15. Sanitation

(a) A person or groups of persons who by their action create any insanitary condition at the dam site commits an offence.

(b) A fisherman who abandons a canoe or leaves an unserviceable canoe at the dam site commits an offence.

(c) The Community Based Fishing Management Committee may direct any person, or group of persons who creates any insanitary conditions, or leaves an unserviceable canoe or abandons a canoe at the dam site shall be ordered to tidy up or remove the unserviceable or abandon canoe from the dam and failing that the Community Based Fishing Management Committee shall do so and recover the cost from the person or persons.

16. Carrying of Harmful Weapon to Fishing

Apart from fishermen operating drill nets known as “NifaNifa” and hook and line, no fisherman shall carry cutlass, club, missiles or any harmful weapon to a stream.

17. Refusal to Assist

A fisherman or group of fishermen shall not refuse the appeal for help or turn down an invitation for help of a fisherman or group of fishermen who are facing problems at the stream except where a request is not unreasonable.

18. Going to Dam Site Alone

It is unlawful for one to go to the lake created by the dam

19. Getting Drunk

- (a) A fisherman shall not get drunk while going to a lake created by the dam for Fishing.
- (b) No alcoholic beverage shall be carried to the lake site created by the dam.

20. Carrying of Sails to Lake

A fisherman or group of fishermen shall not go fishing without sails.

21. Prevention of carriers and Fishmongers

- (a) No fish carrier or fishmonger shall meet a canoe on its way to shore in an attempt to transact any business.
- (b) It shall be unlawful for any fisherman to aid or abet a fish carrier or fishmonger to transact business in respect of a canoe on its way to the canoe or shore.
- (c) A person found interfering with the discharge of fish commits an offence.
- (d) A canoe which has not got the registration embossed on it shall not be allowed by the Community Based Fishing Management Committee to fish and the Assembly shall determine the sanction to impose.

22. Fixing the Price

- (a) Until the chief fisherman and the leader of the fishmongers (Konkoker) come together to fix the price for the crate of any fish, no fishmonger or any other person is permitted to sell or take any fish home,
- (b) Any migrant fisherman who does not comply with the norms of a fishing community commits an offence and is liable to a fine as the Assembly may determine.
- (c) It is unlawful for any fisherman to ferry any fishmonger to transact business on dam, lake, or other water body in the Municipality.
- (d) A person who contravenes sub-paragraph (3) commits an offence and is liable to a penalty of 100 penalty Unit, a bottle of schnapps and sheep payable to Community Based Fishing Management Committee in addition to any fine that may be imposed in the law courts.

23. Refusal to Attend a Call of Chief Fisherman

- (a) A person who fails to attend a lawful call of the chief Fisherman shall pay a penalty to be determined by the community Based Fishing Management Committee.
- (b) A lawful call shall be construed to mean a call involving matters concerning fishing welfare of the community or these Bye-laws.

24. Fishing Holidays

- (a) There shall be no fishing whatsoever on Tuesday
- (b) There shall be no fishing during the period of purification except for selected fishermen as shall be determined by the Community Based Fishing Management Committee.

26. Levies

Every canoe or boat landing at a dam of a Community Based Fishing Management Committee on Tuesday shall pay an amount of ten (10) crates of fish to the Community Based Fishing Management Committee for the benefit of the committee.

27. Account

- (a) Every Community Based Fishing Management Committee shall render account to the Assembly twice in a year.
- (b) It shall be lawful for the Assembly to audit the account of a Community Based Fishing management Committee.

28. Imposition of Penalties

(a) Despite any prosecution in the law courts it shall be lawful for a Community Based Fishing Management Committee to impose fines of 100 penalty unit for the breach of the provision of these Bye-laws.

(b) It is lawful for any person on whom a penalty has been imposed by the Community Based Fishing Management Committee who default in payment of a fine to be banned from fishing for a period as the Community Based Fishing Management Committee determines.

29. Offence

A person who contravenes any provision of these Bye-laws commits an offence and is liable on summary conviction to a fine of not less than 100 penalty unit in default to a term not exceeding six months or to both.

Application

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

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Fifty-three

Tema West Municipal Assembly (Kiosk License) Bye-laws 2020

In exercise of the powers conferred on the Tema West Municipal Assembly by Part 181 of the Local Governance Act 2016 (Act 936) these Bye-laws are hereby made.

Title

This bye-law may be cited as Tema West Municipal Assembly (Kiosk License) Bye-laws, 2020.

1. Permit for Temporal Structures

(a) A person shall not put a kiosk in any area within the area of authority of the Assembly unless that person first obtains a license to do so from the Assembly.

(b) The Assembly on receipt of an application for a license may issue permit subject to such conditions as the Assembly may deem necessary.

2. Renewal

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

3. Fee

The Assembly shall charge fees as it may by resolution determine in respect of any license issued.

4. Discretion to withdraw License

(a) Despite the grant of a permit it shall be lawful upon giving 7 days notice to the owner or occupier of

a kiosk to order the removal of the kiosk; except that the Assembly shall not give notice for a kiosk placed in a community right of space for the benefit of the community.

(b) When an owner or occupier fails to remove a kiosk upon notice. The Assembly shall withdraw the license and surcharge the owner or occupier for any costs reasonably incurred.

5. Offence

A person who contravenes any provision of this law commits an offence and is liable on summary conviction to a fine not less than 100 penalty unit or to a term of imprisonment not exceeding 3 months or to both.

6. Interpretation

In these Bye-laws unless the context otherwise requires

“kiosk” means any wooden structure, metal container or a combination of either with a block or concrete work;

“community right of space “means a road, street, foot-path, pavement, passenger terminal, parking area, any public right of way, school ground, hospital ground, open space, market place, cemetery, playing field, square, durbar ground, public place of Assembly, or any space or ground or area for community use that exists or is so designed in an approved settlement plan or under the provision of any law for the community.

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

SCHEDULE 1

LICENSING OF WASTE MANAGEMENT SERVICE PROVIDERS

(a) License Categories

License may be issued for the following service categories:

1. Dislodging of toilet and septic tanks (DS)
2. Pan latrine emptying service (PL)
3. Management of public baths and toilets (PT)
4. Solid Waste collection from individual, institutional or domestic customers (HH)
5. Solid Waste collection from communal containers and transfer stations (CC)
6. Cleaning of streets, drains, markets, lorry/public parks, and open spaces (PC)
7. Treatment, recycling and disposal of waste (TD)

Service providers may be licensed in more than one category

(b) Classification of Service Providers

Service providers shall be classified into three (3) classes (large, medium and small) according to their capacity to provide the service for which they are licensed. The minimum capacity required for each class is given below for each category of service

Minimum Capacity of Service Providers

Service Category

Class

	Small (1)	Medium (2)	Large (3)
Desludging (DS)/Servicing of Bio-digester	1 Vacuum Tankers	2 Vacuum Tankers	3 Vacuum Tankers
Pan latrine emptying Service	--	2 Pour-in Tankers	4 Pour-in-Tankers
Public House-to-House Solid Waste Collection in Containers (HH)	10m/yr a 4t/day b	60m/yr a 15t/day b	150m/yr a 30t/day b
Solid Waste Collection in Containers (CC)	2 Container Lifters	4 Container Lifters	6 Container Lifters
Cleaning of Public Places (PC)	10m/yr a	60m/yr a	150m/yr a
Treatment, Recycling and Disposal (TD)	--	100m/yr a	500m/yr a

Notes:**(a)** Audited annual turnover**(b)** Nominal capacity

Compactor Truck:

8t/day

Sideloader/Tipper

4 t/day

Tractor/power tiller

3t/day

Light truck (pick-up):

2t/day

Donkey or hand-cart

1t/day

Minimum General Resources of Service providers

Service Category	Class		
	Small (1)	Medium (2)	Large (3)
Qualified Sanitary Engineer	--	--	Yes
Qualified Technician	--	Yes	Yes
Financial and General Administrator	--	Yes	Yes
Office/Kiosk/Container Open to Public	Yes	Yes	Yes

SCHEDULE 2:

Collection Areas and Schedules

** To be specified)

SCHEDULE 3:**Approved Containers for Solid Wastes**

1. 60 – 70 litre plastic/galvanized container
2. 80 litre plastic/galvanized container
3. 120 litre plastic/galvanized container
4. 240 litre plastic/galvanized container
5. 1100 litre plastic/galvanized container

SCHEDULE 4:**Types of Solid Wastes Acceptable for disposal**

1. Household solid wastes
2. Industrial solid wastes
3. Commercial solid wastes
4. Hazardous wastes (except Toxic, Flammable, Corrosive, Radioactive, Explosive Materials,

Pesticides, Asbestos or otherwise dangerous materials as defined by the Environmental Protection Agency)

5. Bio-medical wastes
6. All litter and clandestine pile of wastes, including street litter and street sweeper wastes from drain cleansing and dead animals

SCHEDULE 7:

Drainage Reservations

- | | | |
|-------------------------------------|----|--|
| 1. Primary drain (Storm drain) | -- | 10 meters distance on either side of drain |
| 2. Secondary drain (roadside drain) | -- | 4 meters distance from drainage |
| 3. Residential/Tertiary drainage | -- | 2 meters distance from drainage |

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.

Section Fifty-four

Tema West Municipal Assembly (Urban Passenger Transport Services) Bye-laws, 2020

Arrangement of paragraphs

Paragraph

1. Establishment of Urban Passenger Transport Unit
2. Functions of the Urban Passenger Transport Unit
3. Operational Permit
4. Registration and other Fees
5. Public Transport Plans
6. Regulations of Urban passenger Transport Services
7. Setting of Fares
8. Financial Support to Urban Passenger Transport Services
9. Offences and penalties
10. Power of Assembly to refer Offence to the Court
11. Interpretation

Tema West Municipal Assembly (Urban Passenger Transport Services) Bye-laws, 2020

In exercise of the powers conferred on the District Assemblies by Part 181 of the Local Government Act 2016 (Act 936), these Bye-laws are made this 28th day of October, 2020.

1. Establishment of Urban Passenger Transport Unit

- (a) There is hereby set up an Urban Passenger Transport Unit in the Tema West Municipal Assembly.
- (b) The urban Passenger Transports Unit shall be located in the Department responsible for transportation

and shall report and be accountable to the Head of the Transport Department

(c) The expenditure requirements of the Urban Passenger Transport Unit shall be supported by the Department responsible for transportation and included under the Department's allocation for the purposes of Annual Budget and other administrative matters.

2. Functions of the Urban Passenger Transport Unit

(i) A District Assembly Urban Passenger Transport Unit shall assist the Assembly to:

(a) Regulate the urban passenger transport services within its jurisdiction

(b) Establish and implement procedures for operation of urban transport services within its jurisdiction

(c) Establish required standards and guidelines for urban passenger transport services

(d) Monitor compliance of the guidelines and enforce urban passenger transport services with conditions as contained in the Permit

(e) Ensure that the operations of urban passenger transport services comply with the established standards and guidelines

(f) Maintain a register of operators of urban passenger transport services within its jurisdiction

(g) Carry out studies, data collection and research into urban passenger transport services, necessary for the improvement of the services

(h) Perform other functions related to regulating urban passenger transport services

ii. Procedures for operation of urban transport services

The procedures for operation of urban passenger transport services shall include: -

i. The requirements and conditions of Permits

ii. The procedures for making application for Permits for passenger transport services

iii. The basis on which applications are assessed

iv. The basis on which applications shall be accepted, refused, or requested to be modified, and

v. The procedures for appeal by applicants who have been refused Permit to operate

3. Operational Permit

(1) All urban passenger transport services with the Assembly's jurisdiction require a Permit for Urban Passenger Transport Services

(2) Permits may be issued on application by interested parties, subject to the procedures and eligibility criteria approved by the Assembly

(3) Operation Permits shall include;

• Route Operation Permit

i. A Type 'A' Permit which shall be issued for a period not exceeding 12 months, renewable at the discretion of the Assembly subject to satisfactory performance.

ii. A Type "B" Permit shall be issued for a period not exceeding 3 years, renewable at the discretion of the Assembly subject to satisfactory performance

iii. A Type "B" Permit shall only be issued to operators who can comply with published standards of service and operational capability, and is intended for service of higher standard.

iv. The Assembly shall define and enforce the level of protection against encroachment for Type "B" Permit routes

• Route Service Contract

• Terminal Management Contract

• And other Permits or contracts as may be defined by the Assembly

4. A Route Service Contract

The Assembly may enter into a Contract with an operator or group or group of operators to provide specified services along specified routes

5. A Terminal Management Contract

The Assembly may enter into a Contract with one or more companies for the management of its Terminals

6. Registration and other Fees

(a) An applicant whose application to operate an Urban Passenger Transport Services is approved shall, pay a registration fees as the Assembly determines.

(b) An applicant who is granted a Type “B” Permit for Urban Passenger Transports services shall pay an annual fee as determined by the Assembly

(c) An applicant who is granted a Type “B” Permit for Urban Passenger Transports services shall pay an annual fee as determined by the Assembly

(d) Payment of the above fees shall be without prejudice to any additional fees payable at the various terminals by transport operators

(e) The fee shall be received annually in accordance with the fee fixing resolution of the Assembly.

7. Public Transport Plans

(a) The Assembly shall prepare and approve a Public Transport Plan for part of all of its area of jurisdiction

(b) The Public Transport Plan shall have due regard top any relevant guidelines issued under the authority of the National Development Planning (System) Act 1994 (Act 480) and the Development Plan for the area

(c) The Public Transport Plan shall identify specific urban passenger transport related services and facilities to be implemented over the period of the Plan. These may include but are not restricted to:

i. Service Types

ii. Routes

iii. Passenger Facilities

iv. Terminals, Parking areas, Stopping places and Associated Facilities and other Infrastructures

v. Ticketing, Information and other Customer Support Services, and

vi. Service Quality Targets

(d) The approved Public Transport Plan shall be the reference framework for the urban passenger transport services for its area of jurisdiction

(e) Subject to sub-paragraph (d) above, the Assembly shall not be obliged to follow the Plan where it is clear that circumstances have changed or it is in the public interest to do so.

(f) Where sub-paragraph (e) above is invoked, a new Public Transport Plan or review of the relevant portion shall be prepared at the earliest opportunity to reflect the changed circumstances

8. Regulation of Urban Passenger Transport Services

(a) The Assembly shall be the sole authority to regulate the urban passenger transport services within its area of jurisdiction

(b) Regulation of Urban Passenger Transports services shall consist of the power to:

i. Require that Urban Passenger Transports services for any designated area within their area of authority is operated under a permit

ii. Define routes, stopping places and terminals within part or the area of jurisdiction

iii. Invite and evaluate applications for route operating Permits and selected from among the applicants

iv. Award route service contracts

v. Award exclusive operating rights for a route, corridor or area to operators

vi. Restrict or exclude other operators from routes or corridors where route service contracts have been awarded

- vii. Attach conditions to an urban passenger transport services permit
- viii. Define and enforce services and vehicle quality standards
- ix. Establish mechanisms for the operations and management of passenger transport services
- x. Collaborate with any District Assembly for the performance of their respective functions relating to urban passenger transport services
- xi. Generally promote integration of urban passenger transport services

4. Setting of Fares

- (a) Transport Fares shall be determined by a Committee comprising representatives from the Assembly, transport operators and other relevant stakeholders as the Assembly may determine
- (b) In setting the fares, the Committee shall:
 - Take into account application fares set at the national level
 - Consult and reach agreements with neighbouring Assemblies in relation to fares for Urban passenger transport services
 - Take into account both operator profitability and affordability to citizens
- (c) The determination of transport fares for different types of service may include:
 - (a) Specific fares for different types of service
 - (b) Fares for specified routes
 - (c) The establishment of fares for any category of service or route
 - (d) The establishment of fare structure for an area, zone or corridor;
 - (e) The establishment of integrated fare structures for different modes of travelling
 - (f) The establishment for specific or maximum fare for multi-journey or time-based tickets and
 - (g) The procedures for the period review of the fares

5. Financial Support to Urban Passenger Transport Services

- (a) The Assembly may provide financial support to urban passenger transport services for the purpose of:-
 - Causing a service which is considered necessary to be provided where it would otherwise not be offered without financial support
 - Increasing the level of services above what be offered commercially to a level considered necessary
 - Allowing reduced fares to be offered to specific groups of users where this is considered socially necessary
 - Supporting the additional costs involved in increased quality of service, vehicles or facilities and
 - Other measures to improve the quality of urban passenger transport services or to meet social needs
- (b) Any such financial support under sub-paragraph (1), shall be subject to the provision of fund in the annual budgets of the Assembly
- (c) Any financial support provided to operators in relation to urban passenger transport services shall be done within the context of a Route Service Contract, to which general procurement procedures are applicable.

6. Offences and Penalties

- (a) A person commits an offence, if that person:
 - i. Provides or operates an urban passenger transport service without a Permit.
 - ii. Where a person contravenes paragraph 9 (a), his vehicle shall be impounded subject to the payment of a fine or two hundred penalty units or imprisonment of six months or both
 - iii. Provides or attempts to provide an urban passenger transport service which is not in consonance with the terms and conditions of the Permit. These offences shall include but not limited to:-
 - Operating on a route different from that specified by the Permit, except at the time where there is

clear evidence that the route was temporarily inaccessible.

- Operating beyond the permitted limits of the route
- Operating beyond the permitted limits of the route
- Operating at terminals not authorized under the permit
- Stopping to allow passengers to board or alight at places which are not authorized by the Permit,

and

- Carrying passengers in excess of the permitted capacity of the vehicle

(b) Where a person contravenes paragraph (9) (c) his vehicle shall be impounded subject to the payment of a fine of two hundred (200) penalty units or suspension of his/her Permit or a period of fourteen (14) days or both

(c) Provides false information for the purpose of obtaining an urban passenger transport service Permit

(d) Where a person contravenes paragraph 9 (c) he shall be liable to the payment of a fine of two hundred penalty units or a revocation of his Permit and debarment from applying for or being granted new Permit for a period of up to two (2) years.

(e) Operates or attempts to operate or ply for trade at a terminal without authorization from the Assembly in accordance with the approved procedures, where a person contravenes paragraph 9 the offender shall be liable to the payment of a fine or hundred penalty units.

(f) Obstructs the effective functioning of any urban passenger transport facility or infrastructure, including terminals, access to terminals, designated parking places, designated stopping places, priority lanes or dedicated running ways for passenger transport vehicles, or

(g) Intimate or unlawfully attempt to persuade any person employed by the Assembly to carry out its function

(h) Where a person contravenes paragraphs 9 (h) and (i) the offender shall be liable to the payment of a fine not exceeding two hundred penalty units or in default of payment to a term of imprisonment not exceeding six months or to both

7. (2) The provisions in these Bye-laws shall not inhibit the Assembly in applying penalties under any existing enactment

8. (3) A person who contravenes a provision of these Bye-laws commits an offence and it liable on summary conviction to a fine of not more than two hundred or minimum of not less than one hundred and fifty penalty units or the Assembly may invoke any of the sanctions specified under paragraph 9 of these Bye-laws.

9. Power of Assembly to refer offence to the Court

In the exercise of its powers under these Bye-laws the Assembly shall refer the commission of any criminal offence to the appropriate authorities without limited the effect of any penalties applicable under these Bye-laws.

10. Interpretation

• In these Bye-laws unless the context otherwise requires, Urban Passenger Transport Service is deemed to be any offer or Passenger transport for collective use, along a fixed or recognizable route, using motorized means of transport. For avoidance of doubt:

This includes services operated by bus, minibus, minivan lorry, car hire, shared taxi or other shared car.

• It does not include, work and schools transport not available to the general public, or Intercity Passenger Transport Services. However, Intercity Passenger Transport Services shall be subjected to the provisions under these Model Bye-laws at Transport Terminals and designated stopping places in the jurisdictions of the Participating Assemblies.

• Permit: A certificate issued by the Assembly to an Operator who has been registered by the Assembly

to provide transport services within and outside the Assembly's jurisdiction. The Permit issued will be designated as Permit Type A or Permit B depending on the type of services to be provided.

- **Route Service Contract:** An agreement between the Assembly and an operator to provide specified services along specified routes for a specific period.

Assembly: refers to the Tema West Municipal Assembly

Made at a meeting of the Tema West Municipal Assembly held on the 28th day of October, 2020.

SIGNED

HON. OSANYONMOR ATIATI PATRICK LAWER

Presiding Member

SIGNED

MOHAMMED ALI AMADU

*Municipal Co-ordinating Director
and Secretary of TWMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government. **SIGNED**

Regional Co-ordinating Director and Secretary to R.C.C.